

Change of Use Justification Statement

Change of Use application from agricultural land to residential garden to incorporate the land within the residential curtilage of Robin Cottage, Mattingley.

1. Introduction

1.1 This statement is prepared in support of an application for the material change of use from agricultural land to residential garden in respect of land the envelopes the host dwelling, 'Robin Cottage'.

The area of land requested for change of use is to enable an extension to the dwelling that respects the site and surrounding countryside.

The following statement outlines the justification for the change of use in relation to its incompatibility as agricultural land, and its requirement to support the dwelling improvement.

1.2 Evidence submitted in support of this application comprises the following:

- Aerial photographs
- Site photographs
- Proposed drawings
- Diagrams

2. Proposed extension and reason for curtilage increase

2.1 Proposal description

The proposed extension seeks to provide additional living space for the dwelling house at Robin Cottage to enable the family to expand whilst remaining in their current home.

The current dwelling was created via a Class Q conversion of a stables, which has been restored to a high quality, however the original form of the stables was not designed with a dwelling in mind and as such provides an inefficient plan with little opportunity for adaptation. The forms are long and thin, at only 3m wide, resulting in the loss of functionable space to corridors.

The owners would like the home to provide for efficient and sustainable modern living to enable them to retain the property as a lifetime home.

As such, an extension is proposed that will provide for the additional requirements whilst retaining the existing dwelling and therefore its history and relevance in the context.

Please refer to the Design and Access Statement for more information on the proposed design.

2.2 Proposed massing

The proposed extension seeks to create a form that respects the property's setting. As such, a courtyard formation is proposed, which is common to rural farmsteads and references the dwelling's history.

The proposed extension will be of high-quality design and will be built to much higher levels of thermal efficiency than could be achieved in the current property due to its restricted form.

The mass of the extension references the footprint of the Northern wing of the property but is adjusted to suit modern standards of living. By increasing the width and decreasing the length of the form, a much more efficient plan can be created, whilst also allowing for high levels of insulation and accessibility internally.

The new mass will be shifted to the West slightly to help retain the view of the approach to the property, respecting the original form.

The requirements for a courtyard formation that respects modern living standards results in a form that extends just under 3.5m to the south and 1m west beyond the current residential curtilage as shown below. The application therefore requires an application for a small section of land to be incorporated into the residential curtilage to allow for this progression. The justification for this land being suitable to be deemed residential is explored in the following sections.

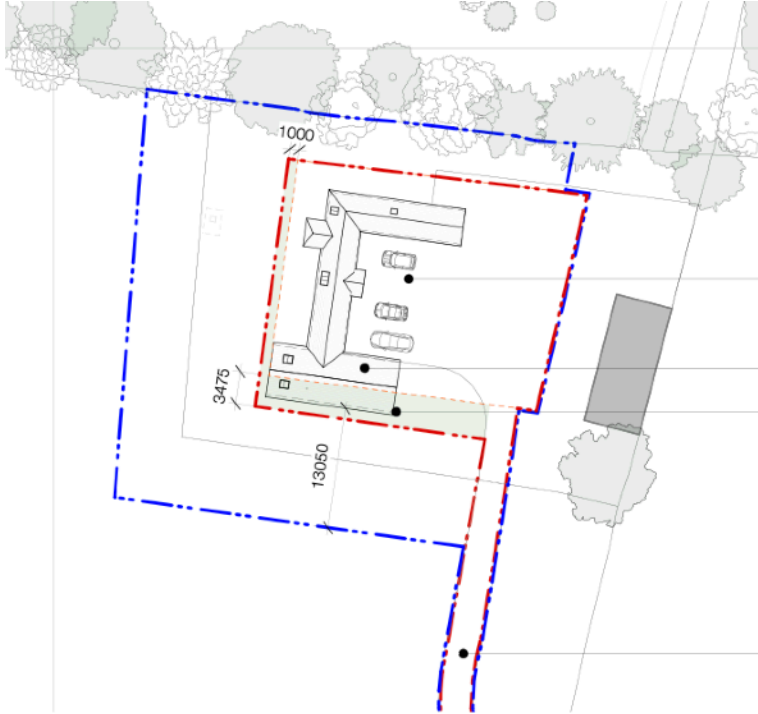


Image 1. Extract from Proposed Site Plan provided with associated application.

Red dash line = Proposed residential curtilage

Green fill = Proposed additional land absorbed into curtilage

Blue line = Ownership boundary

3. Site information

3.1 The land in question requested to be included in the curtilage is a shallow section of land along the South boundary of the residential curtilage that was established with an enacted Class Q prior approval in 2015.

Below is an extract of the approved class Q site plan, which shows the red line residential curtilage. Due to the ambiguity from the thickness of this line, the external face of the red line shown has been taken as the boundary when looking at the site in a smaller scale. In doing so, it is evident that the boundary follows the line of the building, approximately 3m away from the external faces to the North, South and West, with the East side extending to the agricultural garages opposite.

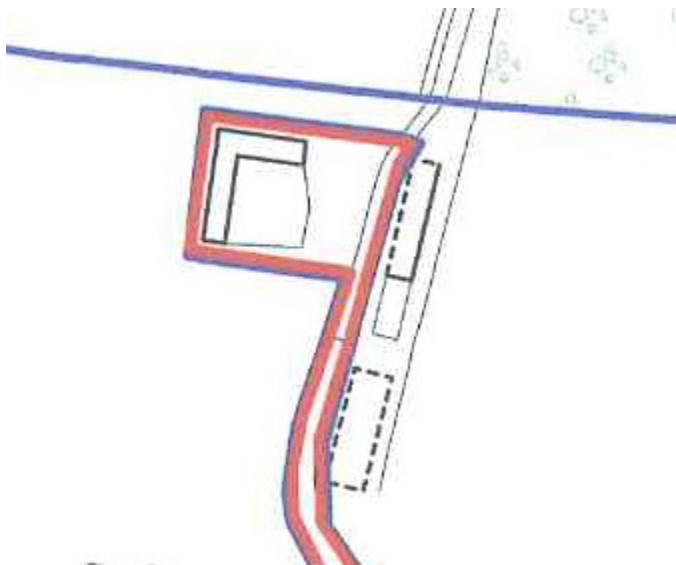


Image 2. Extract from approved class Q plan

3.2 As mentioned, this application requires 'change of use' of a small additional strip of land to the South boundary to enable the proposed extension that is appropriate for the building and its setting, but accommodates modern day space standards and expectations of dwellings. The land requested is located within the ownership boundary of the dwelling as shown below.

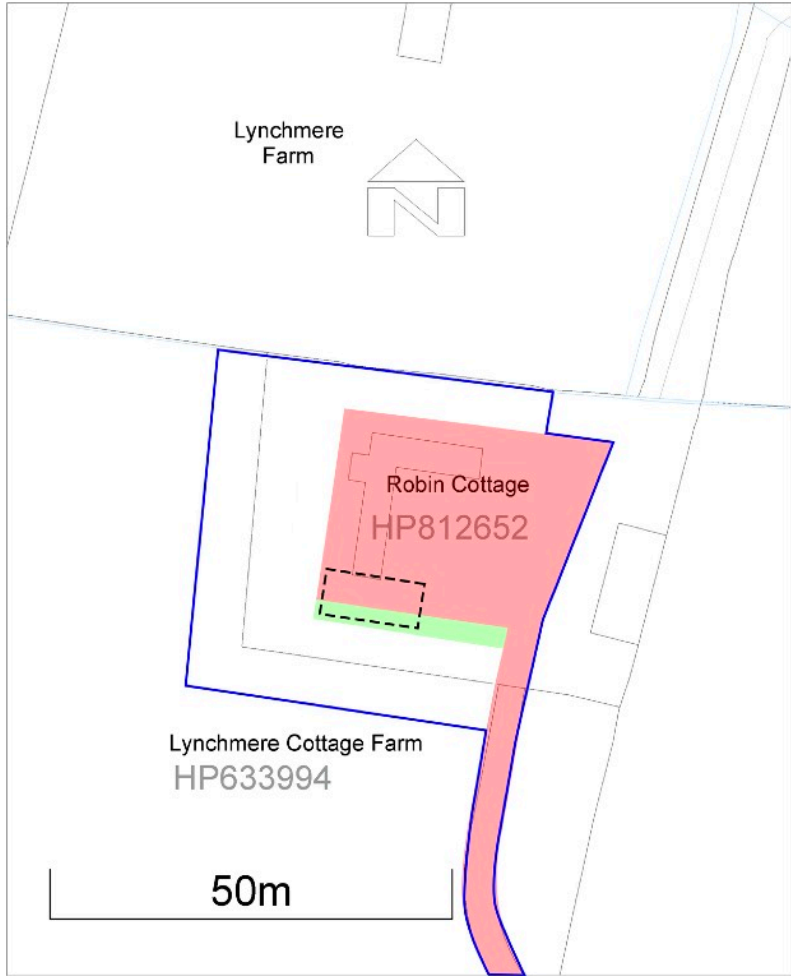


Image 3. Overlay of proposed area on Title Deed Plan

- Red fill = current residential curtilage
- Green fill = proposed additional land
- Black dash line = footprint of proposed extension
- Blue line = Ownership boundary

3.3 The land in question is currently underutilised, as it is insufficient for its current agricultural designation as is explored further in the statement, but cannot currently be incorporated into the garden amenity. The image below shows the current condition of the land proposed for residential use.



Image 4. Annotated photograph of the current site showing the area to the South of the current residential curtilage.

4. Land history

4.1 The land to which this application relates currently falls under a single land registry title for Robin Cottage.

In 1999, the land in question was still part of the Lynchmere farm curtilage, prior to its conversion and separation into a separate dwelling in the mid 2010s. It is clearly evident that even as part of the farm, the area of land surrounding the stable building never served a purpose as farmed land. The land at this time was mown grass, and was maintained by the family of the associated farmhouse.



Image 5. Aerial photograph dated Jan 1999 with current (red) and proposed (green) residential boundaries overlaid

Source: Google Earth

4.2 The image below shows the site in 2010, with the stables having been rebuilt on the previous footprint within the early 2000s. The land in question was bare earth and existed as an overflow area for the farm storage within the accompanying stables and outbuildings. The land was under-utilised and served no agricultural or environmental benefits.



Image 6. Aerial photograph dated Jan 2010 with current (red) and proposed (green) residential boundaries overlaid

Source: Google Earth

4.3 In 2015, class Q permission was granted to allow the conversion of the stables into a residential dwelling. The residential curtilage provided with the approval is evident in the hard landscaping, which the area in question sits partially outside of. The land remains as bare earth and is providing no benefit agriculturally or environmentally.



Image 7. Aerial photograph dated Jan 2017 with current (red) and proposed (green) residential boundaries overlaid

Source: Google Earth

4.4 A transfer of land was completed in 2022, enabling the new residential dwelling to absorb the immediate land surrounding the plot that was deemed to provide no benefit to the farm. The land in question has been cared for by the owners.



Image 8. Aerial photograph dated Jan 2021 with current (red) and proposed (green) residential boundaries overlaid. Site ownership boundary shown in blue.

Source: Google Earth

5. Appraisal of site and local context

5.1 Current garden amenity

The recognised garden land serving Robin Cottage as the planning unit is denoted in red in Image 9 below.

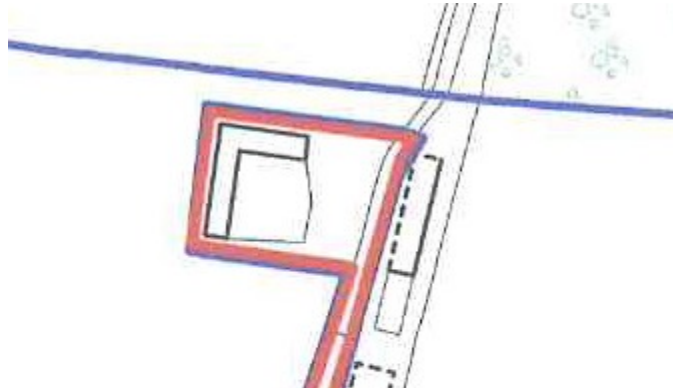


Image 9. Extract of boundary plan associated with previous class Q notification

The approved 'garden' amenity is currently located to the front of the property, and is bordered by a garage utilised by the adjacent farm. This area is hard landscaped and provides parking for the property as well as a turning space for larger farm vehicles when required.



Image 10. The existing extent of residential garden land serving Robin Cottage

5.2 Suitability

This area of land does not lend itself well for garden amenity. It is located to the front of the property, an area of which is required for parking and vehicle turning, particularly for larger vehicles such as delivery lorries. As the garage bordering this land is utilised by the farm, this is frequented by farm vehicles and would not be conducive to creating a quality garden amenity that would be expected in a rural environment.

5.3 Rural configuration

This position of the garden curtilage, bordered by the dwelling and the neighbouring garage creates a 'farmyard' style configuration which is well fitted to the rural location and the site history, which would be further enhanced by the proposed extension position. Disrupting this with a planted formal garden would remove the rural essence of the current site layout and create a more enclosed residential scape more suited to a semi-urban setting.

There is an established landscape belt along the West and Southern site boundaries that provides separation from the adjacent farmland. This land is owned and maintained by the owners of the dwelling. The green separation between the dwelling and boundary will not be lost by the additional land requested. Allowing some of this green space to be incorporated as garden amenity would provide a small additional private garden area for the dwelling that utilises land that is otherwise of no benefit to the neighbouring farm or public.

The small area to the West of the proposed extension would rationalise the garden space and enable the current blank space to be landscaped in a way that would benefit the environment, such as incorporating bee friendly planting or bordering hedgerows to benefit nesting mammals and birds.

5.4 Curtilage size and context comparison

The area of land that is the subject of this planning application extends to circa 105sqm and is positioned immediately adjacent to the residential curtilage of Robin Cottage, which is the recognised planning unit. The existing curtilage to Robin Cottage extends to an area of 700sqm (excluding the long driveway) and as such, the proposed additional garden land sought to be formalised through this application is modest in size when compared to the existing curtilage.

Image 10 below shows Robin Cottage in comparison to the local context, and it is evident that the local area is characterised by large, detached dwellings in generously-sized plots. The recognised extent of land classified as garden land associated with Robin Cottage is very modest in comparison to the prevailing local character. The proposed curtilage addition would have negligible effect and Robin Cottage would still retain one of the smallest curtilages in the local context.

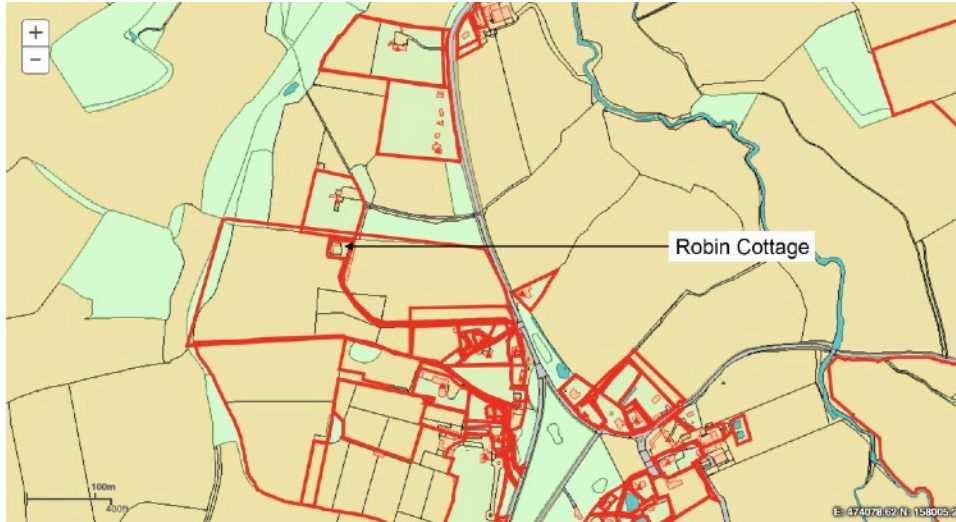


Image 11. Planning map showing surrounding planning applications since 2000, showing curtilages in comparison to Robin Cottage

Source: Hart Council <https://publicaccess.hart.gov.uk/online-applications>

6. Loss of agricultural land

6.1 From the imagery shown in Section 3, the area of land in question is evidently not in productive agricultural use, nor has it been within the last 20+ years. There is no longer an agricultural use of the dwelling associated with the land, and fundamentally, the owner has no interest in promoting any kind of agricultural enterprise, nor does the land in question lend itself to any form of agriculture due to its size, accessibility and proximity to the dwelling. As such, its effective loss to garden use cannot be considered to be harmful.

Given the size of surrounding residential curtilages, and the minimal size of the area requested, it is evident that the change of use of agricultural land to domestic garden would not result in harm to the character and appearance of the countryside and/or the loss of the best and most versatile agricultural land.

7. Summary and conclusions

7.1 The proposed extension to the property is a natural progression of an existing rural formation. It is designed to respect the agricultural history, whilst accommodating for modern living and sustainability requirements.

7.2 The land that is the subject of this planning application does not lend itself to its agricultural status and has not provided quality agricultural use for over 20 years. It would be far more beneficial to the dwelling house, the environment and the visual design to be incorporated as garden amenity.

7.3 The land required to be absorbed into the curtilage is small in comparison to the existing residential curtilage, and the resulting curtilage will remain one of the smallest in the surrounding context.

7.4 The additional land will providing an additional small garden amenity for establishing native planting to an otherwise ecologically poor area, while retaining the open agricultural appearance to the front of the property. The change of use would conserve the character and appearance of the original property and surrounding area. As a result the proposal cannot be found to be in conflict with the adopted Local Plan.

It is respectfully requested that planning permission is granted.