

GUIDANCE ON ANCILLARY BUSINESS USE OF RESIDENTIAL PROPERTIES

1. Requirement

The Stipulations above specify that occupiers/owners of residential properties are subject to the following:

7. Not to use the Property for the carrying on of any trade or business whatsoever and will use the same as a single private dwelling house save that the Property may be used for business on the following terms:

(a) the business must be ancillary to the principal use of the Property as a single private dwelling house

(b) the prior consent of His Royal Highness must be obtained

(c) the business must be capable of being carried out in accordance with the principles of the Estate and without detriment to the amenity of the state by reason of noise nuisance or otherwise and

(d) the appearance of the Property as a single private dwelling house must not be affected or altered

2. Approach

Technological advances and changing workplace preferences have led to an increase in working from home. The Stipulations are clear that this may only be permitted when the four requirements above are complied with in full. Establishing a list of acceptable scenarios or standard responses across Poundbury would be impracticable, however this paper identifies as a non-exhaustive list, issues which might occur and thereby reasons for potential concern.

1. Noise and vibration. Continuous, intermittent, impulsive or low frequency noise audible outside the property would be unacceptable. Likewise, vibrations.

2. Smell. Whether pleasant or noxious, intrusive smells would be unacceptable.

3. Personnel. The expectation would be for only the resident(s) to be working at the property and there would not be a need for others to attend.

4. Appearance. The external appearance of the property must not be affected; this relates to not only the building but also any temporary storage in the vicinity.

5. Materials. The storage of quantities of potentially dangerous materials would be unacceptable.

6. Traffic. An escalation of vehicles attending a property or touring the streets seeking a particular address would be unacceptable. Parking provision is sufficient for planned uses and there is limited capacity for changes to the quantum or nature of parking. Likewise, the protocol followed by residents would be difficult to maintain with a significant increase in occasional visitors. Delivery or collection of goods at or near the property (beyond standard postal services), emanating from business use of a residential property would be unacceptable.

7. Privacy. Similar to traffic issues. Poundbury is designed as a residential area with carefully focused business premises. An increase in pedestrians could be intrusive and impact security.

3. Guidance

As a broad guide, business use which may be considered acceptable is likely to fall into one of three categories:

1. Residents working from their own home in a relatively discrete sector and without the need for other parties to attend.
2. Residents working away from their home, but using the property as the base for their business and storing equipment. The need to preserve the external appearance and avoid safety risks would be paramount. The parking of a trade vehicle of appropriate size and nature in the designated parking area is likely to be acceptable.
3. Low volume, occasional and directly supervised Bed and Breakfast. The location and availability of parking would be paramount.

4. Consent

In accordance with the Stipulations, the Duchy of Cornwall reserves an absolute prerogative in considering these matters. Where granted, consents will include the following provisions:

1. The consent is personal to the grantee.
2. The use must not cause annoyance or nuisance to the Duchy of Cornwall or other residents.
3. The use must conform to any specific terms required by the Duchy of Cornwall.
4. The Duchy of Cornwall reserves the right to withdraw the consent at any time and at complete discretion.