

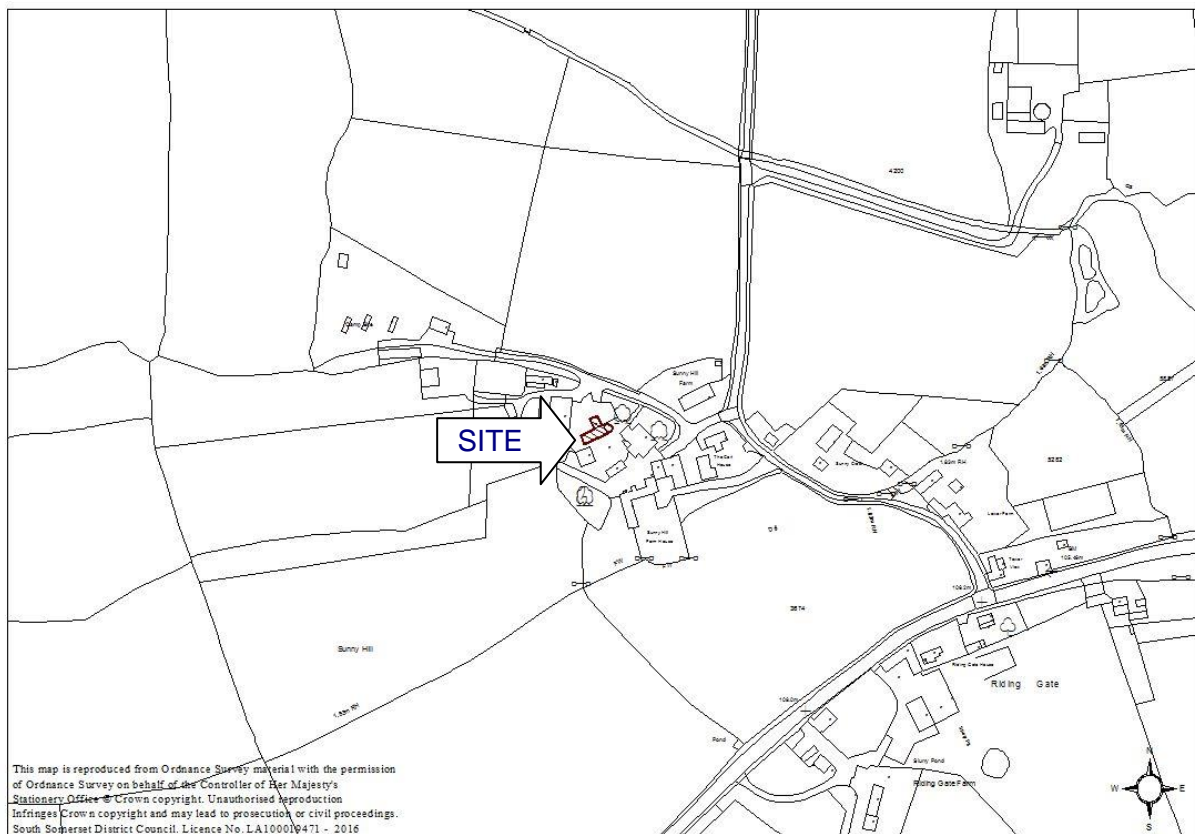
## **Officer Report On Planning Application: 16/02257/FUL**

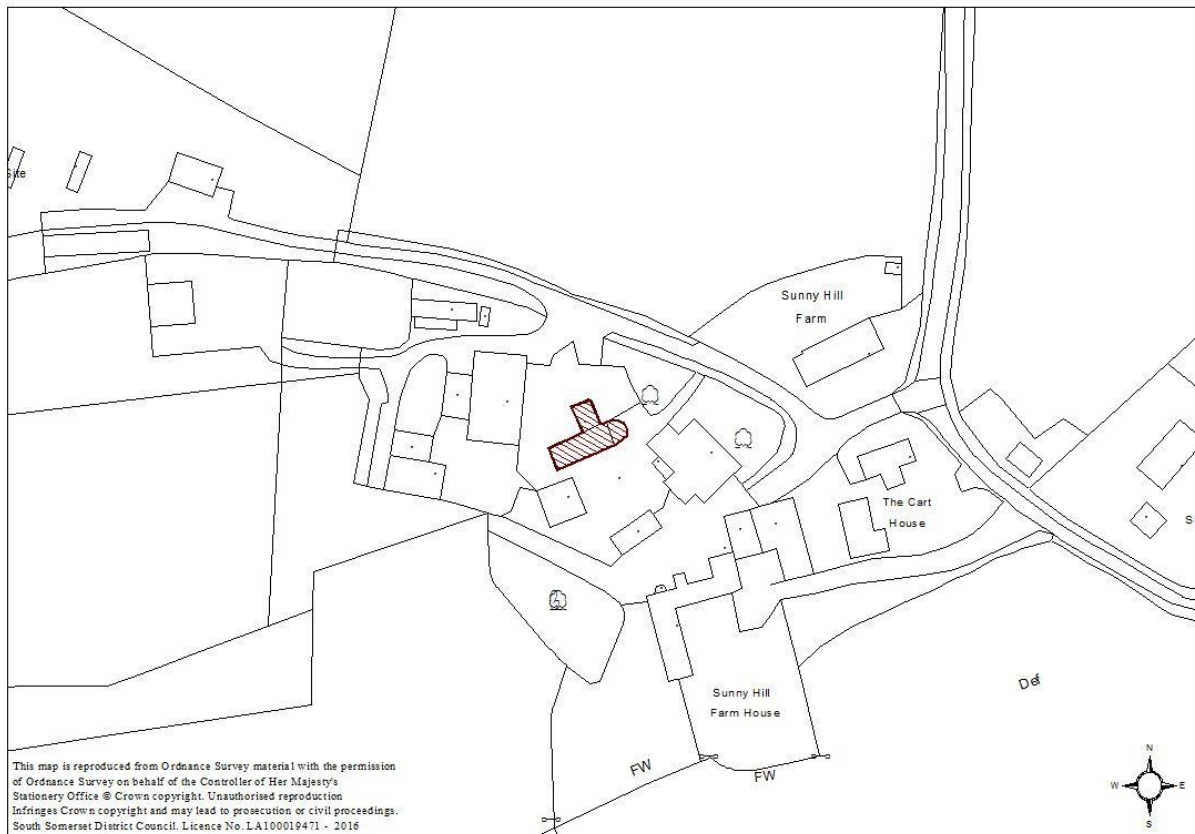
<b>Proposal :</b>	Conversion of barn to dwelling (alternative scheme) to include the erection of a conservatory and to retain changes to approved scheme (retrospective) (GR 373244/129833)
<b>Site Address:</b>	New Barn Sunnyhill Farm Riding Gate
<b>Parish:</b>	Charlton Musgrove
<b>TOWER Ward (SSDC Member)</b>	Cllr Mike Beech
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	5th August 2016
<b>Applicant :</b>	Mr W Hookins
<b>Agent: (no agent if blank)</b>	Mr C Winder Winder Design 2 Mill Street Wincanton Somerset BA9 9AP
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### **REASON FOR REFERRAL TO COMMITTEE**

This applicant is referred to Committee as the agent is an elected member of the Council.

### **SITE DESCRIPTION AND PROPOSAL**





Sunnyhill farm is located outside settlement limits, at the western end of the loose group of properties known as Riding Gate. It is accessed via an unclassified road leading north off the old A303. The nearest third party property is Old Sunnyhill Farm, a grade 2 listed dwelling approximately 35m to the south. There is a bungalow and a converted barn to the east and a small caravan site to the northwest, apart from which the site is surrounded by open countryside.

The building in question is a stone built, split level, former agricultural building now converted to residential use under a previous permission, however it is accepted that the conversion works are still on-going. This application seeks approval for an alternative conversion scheme that would retain a conservatory that has been commenced to the west elevation, although work was ceased once it was pointed out that this is unauthorised.

This conservatory comprises a timber framed structure under a tiled roof.

## HISTORY

- |              |   |
|--------------|---|
| 13/00109/FUL | Permission granted for conversion of barn to dwelling (alternative scheme) to retain changes to the approved scheme without previous holiday let restriction.                                     |
| 12/02106/FUL | Application for the erection of conservatory withdrawn once it became apparent that there are other departures from the approved plan and the occupation of the barn that need to be regularised. |
| 03/03247/COU | Planning permission granted for conversion of redundant stone barn to holiday accommodation and demolition of dutch barn (06/11/03)   |

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S.54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the policies of the South Somerset Local Plan 2006 - 2028.

The policies of most relevance to the proposal are:

EQ2 – General Development  
EQ3 – Historic Environment  
TA5 – Transport Impact of New Development

### **National Planning Policy Framework**

Part 6 – Delivering a wide choice of high quality homes  
Part 7 – Requiring good design  
Part 11 – Conserving and enhancing the natural environment  
Part 12 – Conserving and enhancing the historic environment

### **Other Material Considerations**

The Conversion of Barns and Other Historic Buildings 1991.  
Somerset County Council Parking Strategy

## **CONSULTATIONS**

**Charlton Musgrove Council:** agree to the changes made if the planning officer is happy with them.

**Highways Officer:** standing advice applies with regard to access and parking standards.

### **Representations**

1 local resident has raised the following objections:-

- The conservatory would block view of King Alfred's Tower
- Applicant's caravan site remains occupied in breach of holiday permission
- Planning laws should be abided with by all and enforced.

## **CONSIDERATIONS**

The conversion of this stone barn to some form of residential use has been accepted by the 2003 grant of permission, as amended by the approval of 13/00109/FUL. This application now simply seeks to agree a curtilage for the barn conversion and to retain and complete the conservatory.

### **Domestic Curtilage:**

The 2003 permission included the removal of a dutch barn and should have led to the wider tidying up of the site. Whilst it is regrettable that this has only been partially achieved this

application now seeks to establish a curtilage that would then be used in conjunction with the barn conversion.

It is considered that this is commensurate with the nature of the property and would have no adverse impact on the setting of the nearby listed building, the character of the area or visual amenity, being essentially the same as the original farm yard. Whilst some former agricultural outbuildings remain they are not considered to be in such a state that action is justified to secure their removal.

**Addition of conservatory:**

This was originally included in the previous application (13/00109/FUL), but was considered objectionable due to its original design with a glazed roof. The applicant has amended this to a tiled roof.

It is not considered that the proposed structure, a timber frame on a stone wall, with a tiled roof, is objectionable and the proposal complies with policy EQ2.

**Other Issues:**

It is not considered that the proposed conservatory and domestic curtilage would have any adverse impact on residential amenity or highways safety. There is ample room on site for car parking and the access remains as previously approved. Nevertheless given the proximity of the listed building it is considered prudent to remove permitted development rights for extensions and outbuildings to ensure that an appropriate degree of control is exerted to safeguard its setting and the character of the locality.

Whilst the applicant's approach to barn conversion is somewhat unorthodox, it is not considered that this partially retrospective application is unacceptable or that the circumstances in which it arrives justify withholding permission.

The neighbour is concerned about a view toward King Alfred's Tower, however the proposed conservatory is set well below the roof line of the converted barn. Whilst the neighbour's view would change, it is not considered that the conservatory would unduly impinge on their outlook.

Finally, whilst it is unfortunate that this application is retrospective, this cannot be held against the applicant. In all planning respects, the proposal is acceptable. Any enforcement issues in relation to the applicant's other site are not material to the determination of this application.

**RECOMMENDATION**

That planning permission be granted subject to the following conditions.

**Justification**

Notwithstanding local concerns the proposed curtilage and conservatory would have no adverse impact on the setting of the listed building, the character and appearance of the locality, residential amenity or highways safety. As such the proposal complies with policies EQ2, EQ3 and TA5 of the South Somerset Local Plan 2006-2028.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans:-

Location plan and site plan; roof plan; HCM/12/2/2A and HCH/12/2/4B and HCM/12/2/5A received 13/05/16.

Reason: To clarify the development hereby approved.

02. Prior to its completion, details of the external materials for the conservatory hereby approved shall be submitted to and approved in writing by the local planning authority. Once approved the conservatory shall be constructed used the approved materials and not subsequently altered without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, other than those agreed as part of this application, shall be erected without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no outbuildings, garages or other structures, other than those agreed as part of this application, shall be erected within the curtilage hereby approved without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.