

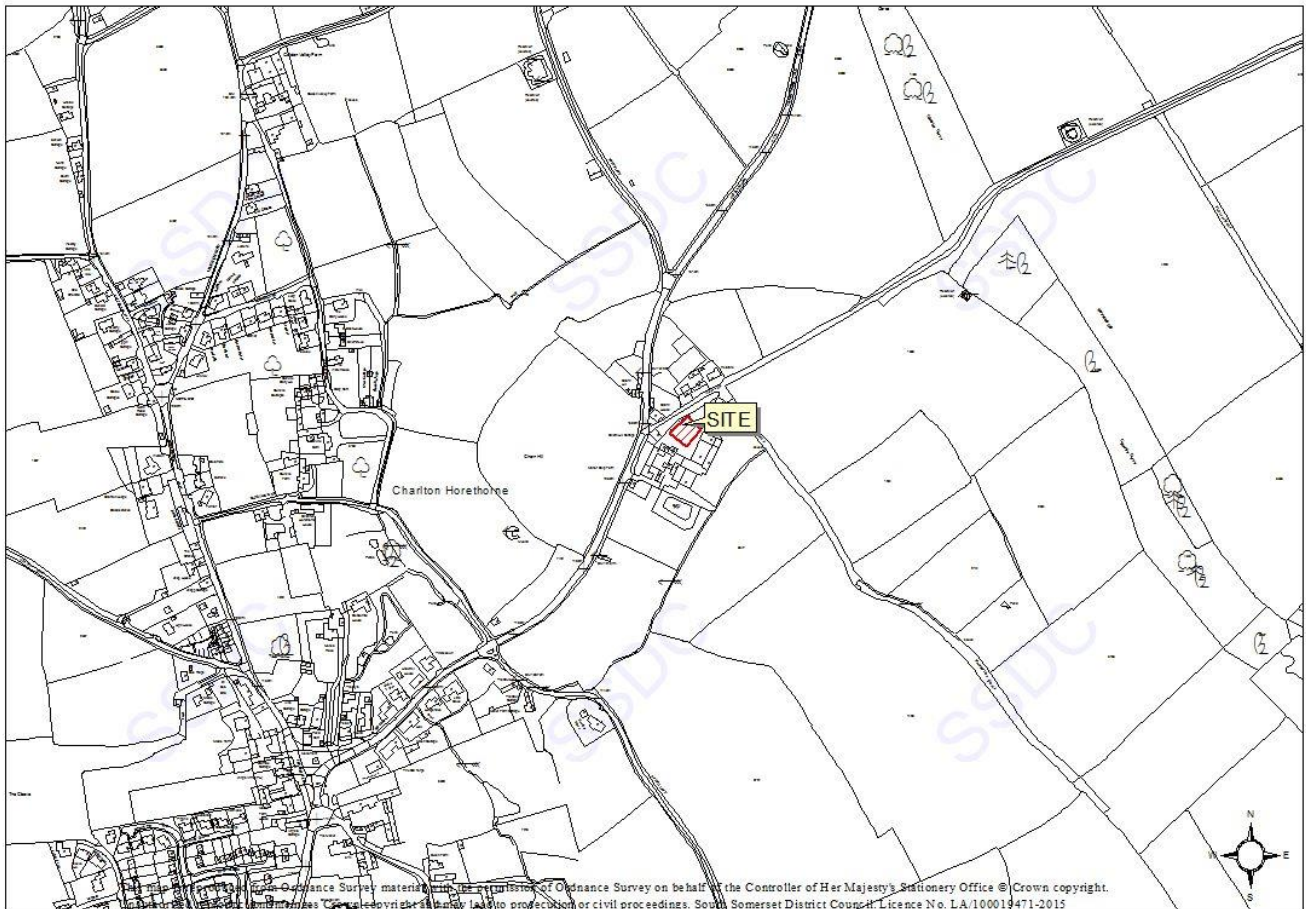
## Officer Report On Planning Application: 16/05421/FUL

<b>Proposal:</b>	Agricultural Building
<b>Site Address:</b>	Manor Dairy Farm Charn Hill Charlton Horethorne
<b>Parish:</b>	Charlton Horethorne
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr William Wallace
<b>Recommending Case Officer:</b>	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
<b>Target date:</b>	7th February 2017
<b>Applicant:</b>	Mr H C Archer
<b>Agent: (no agent if blank)</b>	Mr N Griffin 4 Vallis Road Frome Somerset BA11 3EA
<b>Application Type:</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL

This application is referred to the committee at the request of the Ward Member with the agreement of the Area Chairman to enable the comments of the Parish Council to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The application site is located in the countryside to the North-East of Charlton Horethorne. The site is part of an agricultural yard and buildings. A residential dwelling (Charn House, Grade II Listed Building) is located across the road from the existing structure that comprises a series of lean-to extensions attached to the original Dutch barn. The whole effect forms an 'L' shaped footprint (measured 23.2m by 14.5m that incorporates the Dutch barn with lean-to on south-east and north east elevations, with reduced length lean-to on north-west elevation being 9.5 wide and 12.5m length) with a separate lock-up garage within the 'wings' of the adjacent building.

The proposal seeks a replacement agricultural building measuring 21m wide and 23.2m deep. This shows a ridge height of 6.5m and eaves at 4.8m above ground level. Exterior materials include the use of polyester coated steel box profile vertical cladding (country green) with sealed roof lights within composite panel roof cladding (goosewing grey). The front and rear elevations each have three doors.

While there are no existing drawings the existing structure is considered stands at an overall height that is similar to that proposed, although the eaves are much higher and more continuous making up the elevation nearest Charn House that contrasts with the existing arrangement that shows the lock-up garage whose eaves are no greater in height than 2.4m (in contrast to 4.8m) and whose ridge stands not much higher than 3.5m at ridge level, with the bulk of the existing structure kept further away from the neighbouring property.

### Background

At the time the application was submitted matters were complicated by an open enforcement investigation covering the wider site that included reference to a commercial use within the subject building. The use has since been removed.

The situation evidently gave rise to local concerns about the replacement building being used other

than for agricultural purposes and in response the description of the proposal was simplified to reflect an 'agricultural building' that avoids any ambiguity as to what would be permitted. Specifically, the workshop element involving storage and repair of machinery should be viewed as an ancillary presence on any farm and need not be mentioned in the description.

## **RELEVANT HISTORY**

01/02846/COU - The change of use of redundant agricultural buildings to stables and provision of a mobile home, Approved (OFFICER Note: Barn to the WSW of current barn)

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

EQ2 - General development

EQ3 - Historic Environment

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Policy Guidance

Other Relevant Documents

Somerset Highways Standing Advice - June 2015.

## **CONSULTATIONS**

**Charlton Horethorne Parish Council** - supports the application.

**County Highway Authority** - standing advice applies.

**SSDC Highway Consultant** - No significant highways issues provided the proposed development is for the applicant's own personal use rather than a commercial use.

**SSDC Conservation Officer** - The site is close to a Grade II listed building to the northwest, called Charn House. I suggest that the site is also relevant to the wider setting of the village, as there are significant views over the building group to the southwest to the centre of the village, when the site is viewed from higher ground to the northeast. This includes the village core which is covered by a conservation area. The current building has a fairly modest agricultural scale and a more traditional

form, comprising a Dutch Barn, with lean-to elements to each side. It is a building form that has formed part of our agricultural landscape for a century. I suggest that the wide singular form of the replacement building is very different, and will be inappropriately prominent in terms of the immediate setting of Charn House and the wider setting of the village.

The application therefore fails to accord with policy 132 of the NPPF as the new building will cause harm to the setting of heritage assets. As such I recommend refusal.

**SSDC Landscape Architect** - whilst the proposed building appears to be a replacement structure, and is well-related to the existing farm form, the proposal will result in an increased development mass, and is designed in a manner that appears more industrial than agricultural, and thus a little more imposing in relation to properties to the northwest. If you are satisfied of the need for the building, then some moderation of the scale and finish would better assimilate it into context.

## **REPRESENTATIONS**

There have been three neighbour notification responses received. One supports the proposal and says 'I can see no problem with this proposal'.

The objections include:

- The industrial style and increased scale of the replacement building would have significant visual impact and adversely affect the historic setting of Charn House, a Grade 2 listed building,
- A workshop in the building, positioned in close proximity to Charn House and other tenanted properties, would impede residents' rights to enjoyment of their property. Noise would be amplified by the planned building materials and industrial style doors at either end of the structure.
- Hull Lane is a narrow country lane
- We are concerned at the potential commercial use of the building. There are already non-agricultural businesses operating at the premises.

## **CONSIDERATIONS**

### **Principle of Development**

There is support 'in principle' for a replacement agricultural building. Accordingly the main considerations include character and appearance, the setting of the listed building, highway safety and neighbour amenity.

### **Character and Appearance**

The Conservation Officer and Landscape Architect both refer to the increased scale and resulting building mass. The site is variously described including 'the current building has a fairly modest scale' and that 'the proposal will result in an increased development mass... whose design... appears more industrial ... and this a little more imposing'. The resulting singular mass is considered has a greater impact on the immediate locality, although as an agricultural structure its character and appearance is considered acceptable to its location.

### **Setting of Listed Building**

As is noted the existing building is in fact a composite building made up of a collection of lean-to structures incorporating what was originally a Dutch barn. A separate lock up garage stands within the proposed floor area of the replacement building. The scale and massing of the proposed replacement building is considered adversely impacts the historic setting of Charn House, given its relationship and proximity to Charn House. The conservation officer is not supportive of the replacement building.

### **Highway Safety**

The proposal seeks a replacement agricultural building. It is variously described as an implement store and workshop although the latter in connection with the agricultural use would be ancillary to the applicant's farming operations and as easily could be undertaken anywhere within the site and is not viewed to generate any more traffic than is already capable of making use of the site. The council's highway consultant has raised no issue with the proposal from a highways perspective on the basis that the use is purely related to the agricultural use of the site. To avoid any ambiguity as to its use the description is changed to the erection of an agricultural building.

### **Neighbour Amenity**

The existing building is less obvious than would be the new that is a much enlarged industrial style building on an expanded footprint. The resulting enlargement nearest the neighbouring property (Charn House) stands separated by the highway and a thin strip of third party land, although the relationship and proximity means that in coming closer to the most affected neighbour, the resulting overall height and increased mass at this point results in a much more pronounced and dominant north-east elevation that should be a matter of concern.

The current arrangement identifies within the immediate location an open structure on three sides and occupied by the lock-up garage whose ridge as noted above is considered stands not much higher than 3.5m, with eaves little more than 2.4m above ground level in contrast to the proposed eaves at 4.8m. The fact that the 4.8m eaves would be continuous at this point with no break and with a rising roof pitch provides an 'immediacy' of scale, to the detriment of neighbour amenity. The current interplay of roof pitches apart from the cut away within which stands the lock-up garage is seen helps reduce the overall bulkiness that is otherwise that much more pronounced in the singular replacement structure.

### **Concluding Remarks**

Pertinent to the planning considerations that are engaged include the impact on the setting of the adjacent listed building, and closely connected to this the resulting scale, massing and proximity of the replacement building in relation to the neighbour's amenity. While an agricultural building, the industrial nature of much modern agricultural development results in an increased scale that is seen with this proposal, that in close proximity to neighbouring occupants is considered to have a detrimental impact.

There is the added significance of the listed building setting that results and the concerns raised by the significantly larger singular building replacing the existing amalgam of structures that subtly are of a different scale and further removed from the immediate neighbours is viewed to have less impact. The proposal expands the existing footprint. The replacement building is also that much larger in terms of the overall height of the eaves that replaces the existing that presents a much reduced presence at this point.

Neighbour concerns have raised the potential commercial use that reflects the recent enforcement investigation. There is no ambiguity in that the planning permission is for an agricultural building that is capable of legitimate use as an agricultural workshop by the applicant. Given the enforcement matter, and presence of the commercial use that is now removed, it is considered that there are legitimate local concerns about future commercial use. However, this is not what is applied for, and would be subject to a further application at which time wider planning considerations would be engaged, notably amenity and highway concerns, as is, perhaps, suggested by the council's Highway consultant's response who otherwise is supportive on the basis of a continuing agricultural use.

### **RECOMMENDATION**

Refuse permission for the following reason

01. The proposed development by reason of its scale, massing, height and its location and proximity would result in a detrimental impact on the setting of the listed building (Charn House, grade II) and the residential amenity of adjacent occupants. As such the proposal is contrary to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

**Informative:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service and, as appropriate, updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.
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