

Officer Report On Planning Application: 15/02934/FUL

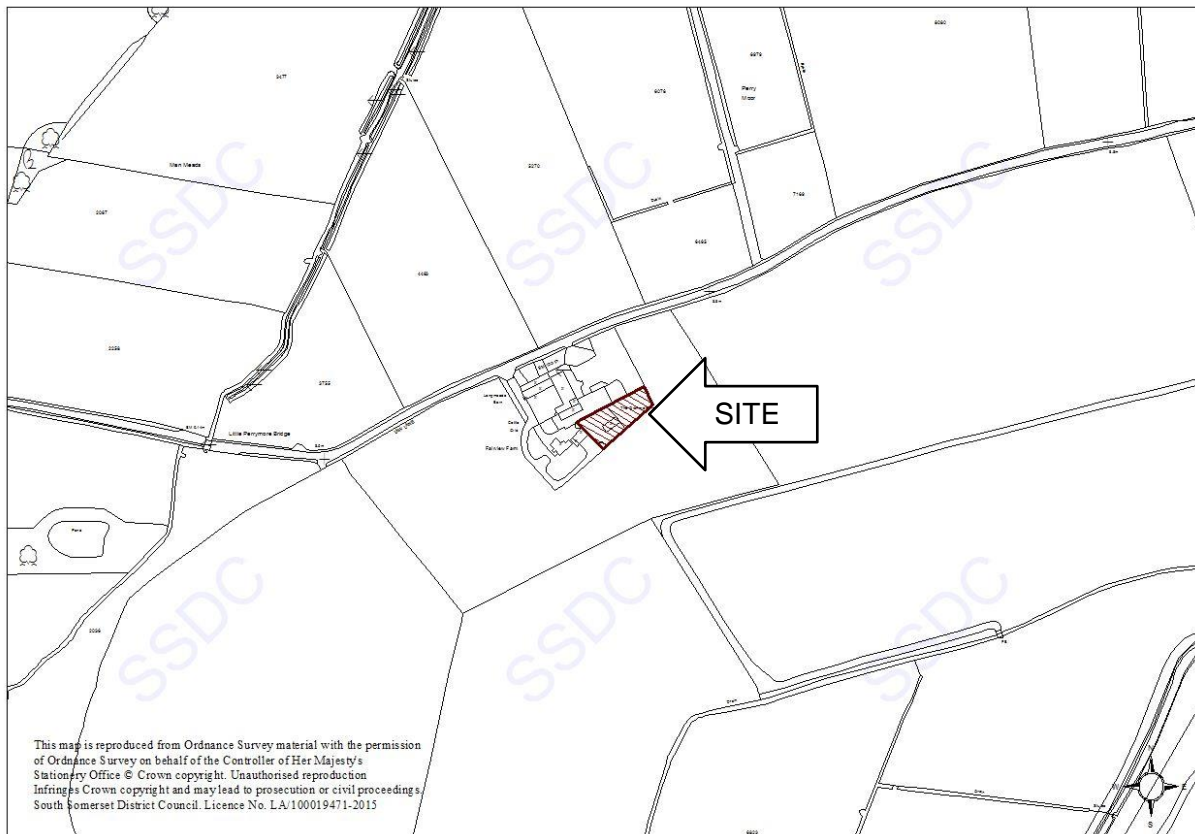
Proposal :	Conversion of redundant outbuildings to a dwelling (GR 341580/124531)
Site Address:	Fairview Farm, Law Lane, Drayton.
Parish:	Drayton
CURRY RIVEL Ward (SSDC Member)	Cllr T Osborne
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	31st August 2015
Applicant :	Mr Mike Curtis
Agent: (no agent if blank)	Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Area North Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the application should be given further consideration by Members, to allow the identified issues to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application relates to the conversion of two agricultural buildings adjacent to Fairview Farm, a residential dwelling on the south side of Law Lane, between Drayton and Muchelney. The site lies approximately 800m to the east of the developed edge of Drayton. There are also three other residential units adjacent to the site, which are converted agricultural buildings, originally granted consent in 1998. The buildings that are the subject of this application comprise a dual pitched building with concrete block walls and another building with asbestos curved roof over concrete block walls. The first building was in use for the accommodation of livestock in an adjoining field at the time of inspecting the site, while the other appeared to no longer be in use. In fact, the two buildings were required to be demolished as one of the conditions of planning permission 98/02172/FUL, which granted consent for the conversion of the adjoining dwellings. The presence of the buildings in excess of 10 years from when they were required to be removed does however make the breach immune from enforcement action. The site is accessed via a drive and access that appears to have been recently constructed to the side of the original site access. This access is included within the proposed site layout but not indicated on the existing site plan. As no record is held for the installation of this new access and the submitted application refers to the provision of a new vehicular access, it is assumed that this access and track have been installed without the benefit of planning permission and as such are unlawful at present.

This application is made for planning permission for the alteration and conversion of the existing buildings to provide a dwelling. The proposals include the replacing the existing curved roof with a new tin curved roof and the cladding of the buildings in timber. A link extension is proposed to join the buildings. Also included within the proposal is the provision of a post and rail fence to enclose part of the adjoining field as a garden area and also the provision of a new access to the west of the site, which will provide a track to the existing dwelling, Fairview Farm, and the proposed dwelling. This access also encroaches onto open countryside, enclosing a large area of adjoining land to provide the track and overspill parking for the adjoining dwellings.

HISTORY

- 01/01979/FUL: Carryout alterations to unit C - amendments to approval 98/0217/FUL - Permitted with conditions.
- 00/01377/FUL: Conversion of barn to form dwelling (revised scheme form application 98/02172/FUL) Permitted with conditions.
- 98/02172/FUL: Conversion of barns to form three residential units and alterations to existing vehicular access - Permitted with conditions.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

- SD1 - Sustainable Development
- TA5 - Transport Impact of New Development
- TA6 - Parking Standards
- HG4 - Affordable Housing Provision
- EQ2 - General Development
- EQ4 - Biodiversity

National Planning Policy Framework

- Core Planning Principles - Paragraph 17
- Chapter 4 - Promoting Sustainable Transport
- Chapter 6 - Delivering a Wide Choice of High Quality Homes
- Chapter 7 - Requiring Good Design
- Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

- Design
- Natural Environment
- Rural Housing

Policy-related Material Considerations

- Somerset County Council Parking Strategy (September 2015)
- Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: The Parish Council are fully in support of this application. The proposed property will be in an existing development of similar conversions. The creation of a smaller dwelling in the village would be ideal for downsizing/retirement therefore possibly freeing up a larger property for family occupation.

County Highway Authority: County Council Standing Advice should be applied, specifically provision of appropriate visibility splays, properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

SSDC Highway Consultant: Consider sustainability issues (transport). Traffic impact on Law Lane unlikely to be significant. Support the provision of the 2.4m x 90m visibility splays at the access, consolidation of the first 5m of access, surface water drainage measures, and on-site parking to accord with SPS standards.

SSDC Environmental Protection Officer: No observations.

REPRESENTATIONS

No comments received.

CONSIDERATIONS

Principle of Development

In terms of principle, the site is located well beyond the developed edge of the village of Drayton, with pedestrian access to the local services within the village only available by using Law Lane, which at this point is an unlit country road with no footpath. Despite the sites remoteness from essential local services, paragraph 55 of the National Planning Policy Framework (NPPF) states that "Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances". These circumstances include:

- Where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.

This application is made on the basis of making use of an existing building, which is redundant, despite the current use of one of the buildings for agricultural purposes. Notwithstanding this, the two buildings are constructed of concrete block walls, one with a dual pitched metal roof and the other with a curved asbestos roof, which it is proposed to replace with tin. The larger dual pitched roof seems to be more substantial in construction, with high walls and a sturdy looking roof structure. The other also has concrete block walls, although these are quite low, with the bulk of the building comprising the curved roof, which is to be replaced.

It is considered that the proposal does push the boundaries of what can be considered to be a conversion, particularly due to the size of the roof being replaced, however it is ultimately felt that the buildings are broadly capable of conversion in line with paragraph 55 of the NPPF, although consideration will still need to be given in particular to the element of the policy that requires there to be an enhancement to the immediate setting. Additionally other planning considerations such as highway safety and residential amenity need to be considered.

Scale and Appearance

In terms of design and appearance, the proposed finish is relatively sympathetic to the existing building, retaining a simple and functional finish. The buildings retain the same height as existing and remains on the same footprint, with a minor extension proposed to link the two buildings. Notwithstanding this, the key policy requirement to this exception under paragraph

55 of the NPPF is that the development leads to an enhancement to the immediate setting.

In this case, the two buildings are very low key functional agricultural buildings with very little impact on the surrounding area. Rather than enhancing the immediate setting, it is considered that the proposal will have a more negative impact on the immediate setting through the introduction of additional garden area to the east and the provision of the new access to the west, which encroaches significantly into the adjoining field and includes the provision of visibility splays 90m to each side of the access. For this reason, the development is considered to be unacceptable, as it fails to accord with the requirements of paragraph 55 of the NPPF.

The applicant does argue that the removal of agricultural buildings from such close proximity to residential properties will have an enhancing, however the current use appears to be low key and it has not been demonstrated that their use has been having a negative impact on local amenity. It is disappointing that an application is made to convert buildings that should have been removed as a condition of planning permission 98/0172/FUL, however it is acknowledged that the condition is no longer enforceable due to the length of time the buildings have remained intact.

Other Issues

The application includes the provision of a new means of access and a parking and turning area within the site. The County Highway Authority have made no specific comments, instead referring to their standing advice. In this case, the access arrangements, which have already been carried out without the benefit of planning permission, incorporate the a visibility splay of 2.4m by 90m, which is considered to be acceptable from a highway safety point of view.

The layout also shows adequate space for turning of vehicles and for the parking of 2 cars, which is sufficient to meet the requirements for a two bedroom dwelling in this location. Details of surface finish are proposed in accordance with the requirements of the standing advice and drainage arrangements can be dealt with by condition. Overall, the proposal is considered to accord with the standing advice and there are no objections in respect to highway safety.

The site is adjacent to existing residential units, however the relative distance from the adjoining properties, presence of a well-established boundary treatment to the north and lack of windows providing overlooking opportunities, lead to the conclusion that there will be no unacceptable harm to the residential amenity of nearby residents.

In accordance with the requirements of Local Plan policy HG4, there is a requirement for the provision of a financial contribution for the provision of affordable housing within the district. As such should this application be approved, there will be a requirement for the applicant to enter into a legal undertaking with the District Council to secure the planning obligation, which in this case equates to £40 per square meter.

Conclusion

Overall, while it is considered that the building is broadly capable of conversion to a residential unit, it is considered that rather than offering an enhancement of the immediate setting, as required by paragraph 55 of the NPPF, the development, which includes the encroachment into open countryside due to the provision of a new access and garden area, is considered to have a negative impact on character of the area.

RECOMMENDATION

Refuse for the following reason:

01. The proposed development, which includes the introduction of increased domestic presence as a result of the provision of a new vehicular access, drive, parking and turning area, as well as the formation of the necessary amenity space and inevitable presence of domestic equipment, associated with the conversion of the existing building from agricultural to residential use, fails to provide an enhancement to the immediate setting, as required by paragraph 55 of the NPPF. Furthermore, it is considered that the encroachment into open countryside as a result of the provision of the proposed garden area and recently completed unauthorised access arrangements, fails to preserve or enhance local character. As such, the proposal will have a negative impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 6, 7, 11 and the core planning principles of the National Planning Policy Framework.
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