

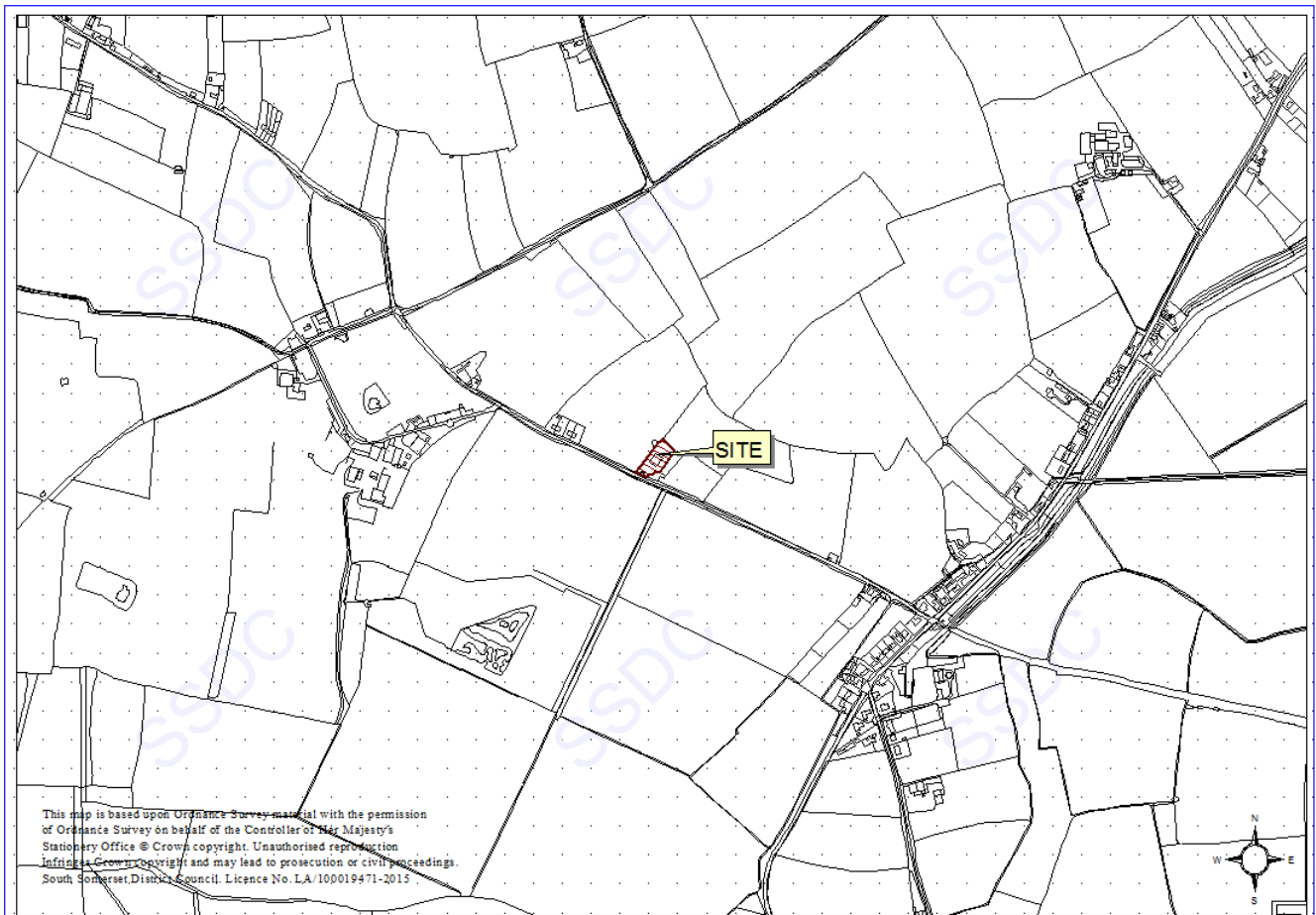
Officer Report On Planning Application: 17/01207/FUL

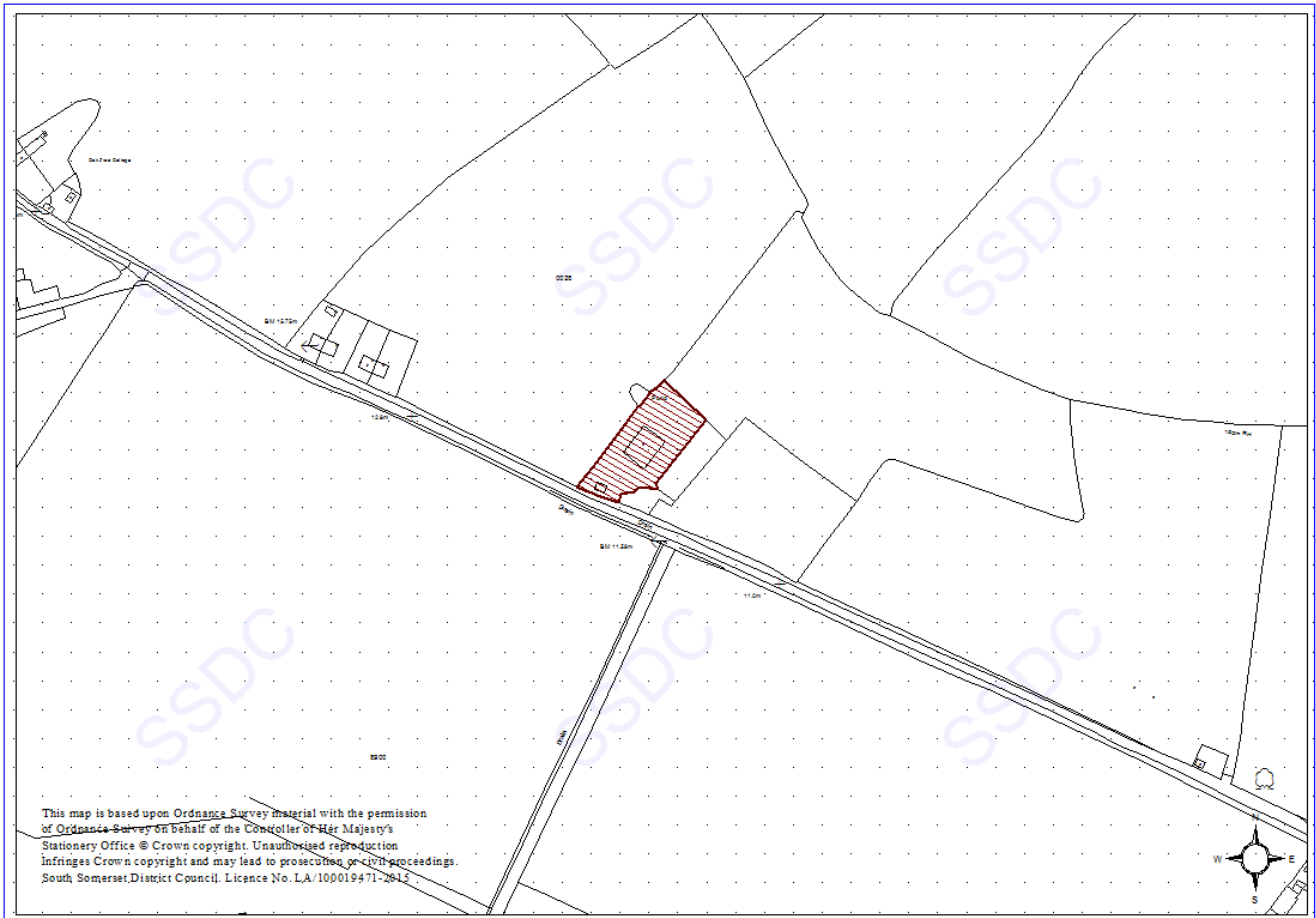
Proposal :	Barn conversion to form a dwelling.
Site Address:	Land OS 0017 Part, Isle Brewers, Taunton.
Parish:	Isle Brewers
ISLEMOOR Ward (SSDC Member)	Cllr Sue Steele
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	25th May 2017
Applicant :	Mr Owen Brownsey
Agent: (no agent if blank)	Mrs Lydia Dunne, Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application relates to a redundant agricultural building located on the north east side of Isle Brewers Lane, to the west of Westport. It sits within open countryside between Westport and Isle Brewers, which is sparsely developed and remote from key local services. The building itself is a steel framed building with concrete block wall up to a height of 2.5m above ground, and metal cladding for the remainder of the building. It is located within an enclosed yard with concrete hardstanding and a smaller building sits adjacent to the road.

This application is made for planning permission to convert the building into a dwellinghouse, as well as demolish the smaller building and replace it with a three bay carport. The proposal includes the replacement of the existing walls and roof with blue engineering brickwork plinths, timber and metal cladding, large aluminium glazed windows and sliding shutters. The design also includes large scale recessed glazing and balconies. There will also be some regrading and levelling of land around the building. It is proposed to carry out a scheme of tree planting with the aim of screening the building and wider site.

HISTORY

05/01413/COU: Change of use of redundant agricultural barn to b1 and b8 commercial use - Refused. Subsequent appeal dismissed.

922676: Erection of an agricultural livestock building - 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
SS1 - Settlement Strategy
SS2 - Development in Rural Settlements
TA5 - Transport Impact of New Development
TA6 - Parking Standards
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

Conserving and Enhancing the Historic Environment
Design
Natural Environment
Rural Housing

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: Isle Brewers has no objections to these proposals whatsoever, in fact we welcome them.

County Highway Authority: The application is to convert a former barn into a dwelling in Isle Brewers.

The average dwelling generates 6-8 vehicle movements per day which would not represent a significant impact on the existing highway or place the highway over capacity.

It is noted that the former use of the barn is likely to have been an agricultural use and as such there is already a use by agricultural vehicles. It is noted that the application accesses onto Isle Brewers Road which is de-restricted and classified. However, it can be considered a lightly trafficked rural road and due to the width of the road it is likely that vehicle speeds are approximately 40mph. Taking this into consideration and paragraph 16.2 of the Design & Access Statement, visibility splays of 2.4x120metres would be required.

The applicant must ensure that there is sufficient space within the site to allow vehicles to turn around and enter the highway in a forward gear. Drawing number DSGN0078_P_P01 shows vehicle tracking and that a vehicle can enter the highway in a forward gear.

The applicant must ensure that the access is fully consolidated, i.e. no loose stone or gravel to prevent loose material from being deposited onto the highway which could lead to a potential highway safety concern.

Should the applicant wish to use gates, then these would have to be set back a minimum of 6 metres from the edge of the carriageway to allow vehicles to wait off the highway while gates are opened. The gates should be designed to open inwards.

The applicant must ensure that under no circumstance should water be discharged onto the Highway.

The Highway Authority therefore does not object subject to the imposition of suggested conditions.

SSDC Landscape Architect: This is a bulky structure, and likely to be far more evident as residential, given its rural context; singularity; the amount of glaze being introduced, and night-light. As such, I do not view its 'conversion' as an enhancement, nor does it reflect local character, as sought by our LP policy EQ2. Whilst I note an outline landscape proposal to accompany the application that potentially could bring some level of enhancement to the site, I do not see it as compensating the adverse impact of conversion. Consequently I am not supportive of the proposal as it stands.

REPRESENTATIONS

None

CONSIDERATIONS

Principle of Development

The proposal involves the conversion of a redundant building for use as single residential dwelling. In terms of principle, the site is located in a rural location, distant from key services, where residential development is normally strictly controlled by local and national planning policies. 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 substantially unused and redundant, and no longer suitable for agricultural use. There is general policy support for the conversion of existing buildings, which is to be considered in this proposal. The South Somerset Local Plan (2006-2028) does not include a specific barn conversion policy, therefore it is appropriate to assess this policy in respect to the advice contained within the NPPF (paragraph 55). The building was originally built for the purposes of agriculture however after becoming vacant, the applicant has sought alternative uses. It is noted that an application was made to change its use to business use (B1 and B2) in 2005, however this was refused by the Local Planning Authority, and subsequently dismissed at appeal, with the Inspector finding that the site was unsuitable for business purposes due to increased traffic generation and on design grounds.

The proposal now before us comprises that change of use of this building to residential use, however despite the applicant describing this as a 'conversion', it would appear that very little but the steel frame would be preserved. The plans indicate near complete, if not complete removal of all existing concrete blockwork, as well as wall and roof cladding. This being the case, the proposal goes well beyond conversion, comprising rebuild of all external surfaces, which does not comply with local or national policies for reuse of redundant and disused buildings, which is one of the few exceptions for residential development in open countryside locations such as this. The applicant has argued that in his conclusions, the Inspector dealing with the appeal against refusal 05/01413/COU, determined that the building was "of permanent and substantial construction and would be capable of conversion without major reconstruction." That may have been the case for the proposal in question at the time, as this maintained the same form but simply re-clad in a similar fashion as existing, albeit full height cladding over the existing concrete block, which was to be retained. The proposal now being considered involves major reconstruction and significant levels of new build to form a building that has little bearing on the existing structure, other than being of the same height and footprint due to the retention of the existing frame. Following the recent *'Hibbit'* High Court judgement, and subsequent appeal decision nationally, the level of rebuild would preclude conversion under permitted development rights, which are often more permissive than a conversion under paragraph 55 of the NPPF. For this reason, it is considered that the proposal does not fulfil the requirements of paragraph 55.

Scale, Design and Appearance

Notwithstanding the concerns raised in respect to the level of work required to the building, and whether that in itself complies with national guidance in respect to the reuse of redundant and disused buildings, the Council's Landscape Architect has objected design grounds.

While the building is in a dilapidated state, and a rather large structure, it is a simple functional agricultural structure, commonly found in open countryside and in itself sits comfortably within the site, having limited overall impact on its surroundings. The proposed alterations will introduce a design and appearance that is fundamentally more residential. The materials, which include large-scale glazing, blue brickwork plinth, timber and metal cladding, will be more obviously residential in style, also being of an appearance that fails to reflect local character, as required by Local Plan policy EQ2. The change from the existing, more subtle, functional building will be further exaggerated by its bulky structure. Furthermore, the domestic occupation of this site will introduce an intensification of use, along with provision of parked cars, residential curtilage, associated domestic paraphernalia and night-lighting, at odds with the low intensity agricultural use that could take place in this open countryside location.

While it is noted that the proposal does include additional planting within the site and to the boundaries, this is not considered to outweigh the harm to the local rural context resulting from the proposed development, and associated of domestic use of the site. Therefore, even were the proposal considered to be an appropriate conversion, the identified harm would mean that the scheme failed to provide the enhancement to the immediate setting required under paragraph 55 of the NPPF. There have been issues in more recent years with the site being left in a poor state by previous tenants, however they have moved on and the site is again under the control of the applicant. It is not uncommon to see disused buildings within the countryside. While there are some that are able to be successfully converted, it is not the case that every building is suitable, or must be used. In the cases where an agricultural building has reached the end of its natural life, and is unsuitable for other use, the option is always available for the building to simply be removed and the land restored to agricultural use.

Highway Safety

The application involves a reduction in the width of the access, provision of a new gate set back from the carriageway, and the formalisation of visibility splays. The Highway Authority have considered the proposal and raised no objections on the basis that it would be unlikely that use for residential purposes would lead to any significant increase in vehicular movements, or other harm to highway safety. Should

the application be granted planning permission, number of conditions are suggested in relation to visibility, surfacing of the access, retention of parking and turning space, drainage and position of gates. Overall, there are no highway safety concerns.

Residential Amenity

The building is located in an isolated location, with no immediate neighbours that would be impacted on by the proposed development. As such it is considered to be acceptable from a residential amenity point of view.

Other Issues

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The appropriate Form 0 has been completed and returned by the applicant.

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

Conclusion

Overall, the proposal comprises unacceptable residential development in a location that is remote from key local services. The proposal is not considered to comply with the reuse of redundant and disused buildings criteria of paragraph 55 of the NPPF, which is one of the few identified special circumstances which offers some justification to outweigh the otherwise strict planning policy considerations relating to the provision of new residential development in the open countryside. Furthermore, the proposed design and materials, together with introduction of domestic features associated with the proposed residential use of the site is considered to detrimentally impact on the character and rural context of the area.

RECOMMENDATION

Refuse

For the following reason:

01. The proposed development constitutes new residential development in open countryside remote from local services, for which an overriding essential need has not been justified. Furthermore, the proposed works to this simple, functional rural building would, by reason of the proposed design and finish, result in an alien and incongruous form of development at odds with the rural character and appearance of the locality. The proposal fails to provide an enhancement to the immediate setting, as required by paragraph 55 of the NPPF.

The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SS2 and EQ2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
