

Application Details

Application Reference Numbers:	24/00794/LBC
Application Types:	Listed Building Consent
Extension of Time:	Yes.
Description:	Conversion of a range of traditional curtilage listed buildings into 5 dwellings
Site Address:	Land At Manor Farm Kitchens Lane Lopen South Petherton Somerset TA13 5JP
Parish:	Lopen
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	N/A
Case Officer:	Stanley Norris
Agent:	Mrs Nicola Quick, Carter Jonas
Applicant:	Mr Charlie Field, Somerset Council
Reason for reporting application to Members:	This application is referred to the Somerset Council Area South Planning Committee as Somerset Council are the applicants.

Location plan



1. RECOMMENDATION

1.1 That the application be approved subject to conditions.

2. EXECUTIVE SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposal would see the conversion of a number of existing redundant historic barns into 5 dwellings. The principal of conversion is supported and is considered to provide a viable reuse of the heritage assets that are currently empty and prone to dereliction without further investment, whilst helping to address the five-year shortfall of deliverable housing.
- 2.2 It is considered that the proposed development represents an appropriate conversion, utilising existing openings where possible and retaining the agrarian nature of the buildings, allowing the development to read as a former farmstead. Similarly, the wider redevelopment of the site would see the removal of further large agricultural buildings and therefore enhancing the setting of heritage assets. The Conservation Officer has been consulted and has raised no concerns subject to a number of conditions securing details.

3. PLANNING CONDITIONS AND INFORMATIVES

3.1 Obligations
None required.

Conditions

- 1) Time limit 3 years
- 2) Approved plans
- 3) Conservation and Building Regulations
- 4) Roof Materials
- 5) Joinery Details
- 6) Rainwater Goods
- 7) Schedule of Works

Full details of conditions are set out at the end of this report.

3. PROPOSED DEVELOPMENT, SITE AND SURROUNDINGS

4.1 Manor Farm is accessed via Kitchens Lane and is set on the western edge of the settlement of Lopen. The site includes the Grade 2 Listed Manor Farm (the farmhouse), a number of agricultural barns and surrounding land. Manor Farm Cottage which neighbours the Grade 2 Listed Farmhouse does not fall within the applicant's ownership.

- 4.2 The buildings have been used in the recent past for housing livestock, fodder and machinery up until the surrender of the agricultural tenancy in September 2023. The farm is now redundant.
- 4.3 The existing barns are not within any area of designation, i.e. Conservation Area nor National Landscape (formerly AONB) and the site is located within an area falling within a Flood Zone 1. However, owing to the relationship with Manor Farm, the older, more traditional barns are considered to be curtilage listed. As such, an application for Listed Building Consent has also been submitted.
- 4.4 Consent is sought for the conversion of the traditional barns immediately south of the farmhouse into five dwellings. These would provide 3 x 4-bedroom dwellings and 2 x 3-bedroom dwellings. It is noted that three of the properties would be set on a single level.
- 4.5 The proposal would see the provision of four parking spaces per dwelling, including an electric vehicle charging point.
- 4.6 It is noted that a number of modern agricultural buildings throughout the site have recently been demolished, whilst two have previously been granted consent for conversion under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4. RELEVANT PLANNING HISTORY

- 5.1 Application 24/00793/ is being considered concurrently.
- 5.2 24/00941/PAMB - Prior notification for change of use of agricultural building to 1no. dwellinghouse - Permitted with conditions
- 5.3 23/02752/PAMB - Prior Approval Notification for the change of use of an agricultural building to a dwellinghouse - Permitted with conditions.
- 5.4 22/03502/AGN - Notification of intent to erect an agricultural storage building - Permission not required.
- 5.5 07/03057/FUL - Erection of two agricultural buildings and the construction of a new dirty water system - Permitted with conditions.
- 5.6 07/03058/FUL - Erection of agricultural livestock building - Permitted with conditions

5. CONSULTATIONS

Statutory consultees (the submitted comments are available in full on the Council's website).

6.1 Consultees

Consultees	Consultee Comments (and Officer Comment)
Lopen Parish Council:	<p>Support the granting of permission, making the following comments:</p> <ul style="list-style-type: none"> • Opportunity to provide quality dwellings on a brown-field site whilst making use of redundant farm buildings. • Done well (we support comments from conservation officer et al re preserving and enhancing the history), this should be an asset to Lopen • Net reduction in smells, flies, mess, mud, heavy traffic. <p>However, the Parish have raised the following comments:</p> <p>Parking: Parking for barns C,D & E is proposed as being separated from the main development (at the request of the conservation officer as we understand it). Purpose being to preserve the appearance of the historic barn. While we can understand the thinking behind it, two issues arise:</p> <p>1)If people are able to park closer to their property than the allocated parking space, they will – and the idea will fail. Not clear how this would be prevented in the short or longer term (landscaping, barriers, covenants?).</p> <p>2)The result is a separate, stand-alone parking area for 12 vehicles that will create an incongruous concentration of cars and look like a car park on the edge of the village, visible at distance. We dislike this as it stands.</p> <p>Suggestions:</p> <ul style="list-style-type: none"> - Maybe allocate one space per barn close to the barns with additional/overspill elsewhere? - Parking area to comprise carports in the style of stables / cowshed more in keeping with ancient farm buildings than a car park (preferred). - Breaking up of the parking area with landscaping/planting. <p>Drainage</p> <p>We realise that this is complicated in planning terms by mixture of existing dwelling(s), 2 class Q barns and this 5-dwelling development, but in practical terms a single solution seems most sensible. It is stated that connection to mains drains is not practical, but the supporting map shows only a limited area. We presume that ultimate discharge from any package treatment plant(s) would be to the watercourse as the ground to the south of the site has heavy soil and is frequently waterlogged making it unsuitable as a drainage field. If this route is chosen we request that the consents and maintenance requirements are strongly conditioned for ongoing environmental protection.</p>

	<p>We also note that the site is approx 700m east of Long Road WWTW and 400m west of Lopen sewage pumping station and the pipe linking the two must pass close to the site. Perhaps it might be possible to join this?</p> <p>Local nuisance during construction phase. Conversion/construction works on this site (and adjacent class Q barns) are likely to take a long time. Manor Farm Cottage is separate from this development, is occupied and located on site, immediately adjacent to the site access track. The owners/occupiers have commented separately and while they have no objection to the development in principle, they clearly and reasonably have concerns about disturbance during the construction phase. They have pointed out that that the access track is in poor repair and will need some upgrading prior to construction commencing (Highways have commented separately on upgrading prior to occupation). They have also requested a limitation on working hours of deliveries and construction work carried out during normal working hours i.e. Monday to Friday 8.00am to 5.00 pm. LPC strongly support this request. LPC also point out that access routes to this site are either very narrow (Kitchens Lane) or have right- angled bends (Frog Street/Water Street), so delivery vehicle size will need to be limited. We would also like to see a requirement that all construction vehicles be parked on site and not on Kitchens Lane/Water Street/ Water lane.</p> <p>Power supply - not strictly a planning matter, but just want it on the record that some concerns have been expressed by nearby residents that the local power network is already overstretched / failure prone and this (especially EV charging points) could make matters worse. Assume local grid will be upgraded if required.</p>
<p>Officer Comment: The comments in relation to the parking, drainage and construction are noted and will be further discusses below/secured by condition.</p>	
<p>Somerset Council Conservation Officer</p>	<p>The Heritage statement is very well presented and has considered the evidential and archaeological significance of the entire site and the familiar history associated to the site. The supporting information has used map regression and research to set the scene for the as found condition and extant use of the site without any need for supposition or conjectural assumption that could influence a decision. A factual and well considered assessment.</p> <p>The assessment of the curtilage protection of the immediate barns is accepted and that Barn A technically falls out of curtilage protection in relation to the guidance but does have potential to impact the setting to the collection of listed buildings if handled inappropriately with both retained materials or if materials are brought in that are considered to be of a modern appearance or texture. The development of this site and the conversion to residential is a positive potential future for this historically significant estate. The principal of conversion is supported as this provides a protected and useful use of the listed buildings that are currently empty and prone to dereliction.</p>

The planning officer will need to assess the potential for over development and space standards to ensure that the living accommodation is appropriate and that sufficient communal and private amenity space is afforded to each dwelling together with the usual and required space for vehicles and parking. The information appears to be lacking in this area or they may appear within the full planning application. However the new use of such an important set of listed buildings does carry some weight to offset or balance the usual assessment and my advice would be to assume a light touch on space standards to ensure that the site is enabled with a future that secures the historic significance and brings this forward through appropriate textures and traditional locally sourced materials.

The structural assessment appears to quite robust yet does lack some details that would usually fall into a specification of works-this will form part of the conditional support together with a complete whole house understanding of exactly what building regulations will be applied to exactly where within the listed buildings. This is to ensure that the thermal mass and permeability of the solid walls are not excluded or isolated from the accommodation through the intervention of non-permeable materials. The risk of incorporating tanking materials that ignore or isolate the thermal mass of the original from processing vapour and air in the way they have always performed could bring about interstitial condensation contamination to the embedded historic timbers, joist ends, roof structure to be retained. If consent is awarded, please add the below conditions to any decision notices.

Prior to work commencing, the details of works required under building regulations that have potential to restrict permeability of original fabric, increase the risk of interstitial condensation or embed original features behind modern materials are to be submitted and agreed in writing by the local planning authority. Once approved, the development shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition as inadequate details of these matters have been submitted with the application to assess the implications of works required under building regulations. The condition ensures the suitability of such works and that they preserve the special architectural and historic interest of the listed building.

It is anticipated that the external materials will be selected to match or re use original materials salvaged from the existing buildings and bolstered with reclaimed materials to match if insufficient original material are available on site. The below condition should be applied to the historic barn conversions:

Before the new roof(s) hereby approved is/are installed, samples or detailed specifications of the new roof tiles/slates, which shall be natural clay non-interlocking pantiles/natural slates/plain clay tiles/rosemary tiles, shall be submitted to and agreed in writing by the Local Planning

	<p>Authority. The works shall be carried out only in accordance with the agreed materials. Reason: To preserve the special architectural and historic interest of the listed building.</p> <p>Before the roof lights, windows and doors hereby approved are installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details. Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building.</p> <p>Before the rainwater goods hereby granted consent are installed, samples or detailed specifications of all rainwater goods (including the method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed rainwater goods details. Reason: To preserve the special architectural and historic interest of the listed building.</p> <p>There is understandably a lack of detail relating to how the converted farmyard will be managed in relation to the conservation of external appearances that, if managed poorly could bring about external appearance alterations that could be harmful if not controlled by condition. The below seeks to manage this risk Schedule of works.</p> <p>Prior to the commencement of works, a detailed methodology shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a full schedule of works which comprehensively addresses the conserving of original textures, mortars retained and external appearance. Reason: To preserve the special architectural and historic interest of the listed building.</p>
<p>Officer Comment: The recommended conditions will be imposed on any planning permission granted.</p>	
<p>Society for the Protection of Ancient Buildings (SPAB)</p>	<p>Map regression provided within the Heritage Statement (HS) shows that four of the buildings proposed for conversion had been constructed by 1838, but the buildings may be much older. This would have a bearing on their significance. Nonetheless, the HS does allow an understanding of the existing arrangement, which includes a number of unsympathetic alterations to the historic barns at Manor Farm. In principle, we do not object to the conversion of these barns to residential use. However, in order to safeguard the significance of the historic buildings at Manor Farm any conversion should be executed with sensitivity and follow a conservation-led approach.</p>

	<p>Unfortunately, the application presently lacks detail, particularly regarding changes to historic fabric, and it does not include a satisfactory impact assessment. The application therefore fails to satisfy paragraph 200 of the National Planning Policy Framework (NPPF), which requires applicants 'to describe the significance of any heritage assets affected' by proposals. Resultantly, we are unable to support the application.</p> <p>Your Conservation Officer has identified specific items which require additional information. We do not intend to repeat those concerns but we are able to support them. In addition, we suggest the applicant is asked to provide further detail regarding the historic fabric affected by the proposals. A revised HS should then be prepared, which should contain a thorough impact assessment considering this additional detail.</p> <p>Without this, we cannot be confident that the proposals are conservation-led, and that they have been devised to give 'great weight' to the assets' conservation, as required by paragraph 205 of the NPPF. Consequently, if the additional information identified is not forthcoming, we recommend that the application be refused.</p>
<p>Officer Comment: Whilst the concerns raised by SPAB are noted, great weight is given to the views of the Somerset Council Conservation Officer and the conditions recommended will be imposed in the event that permission is granted.</p>	
<p>The Council for British Archaeology</p>	<p>We note that the structures proposed for conversion are in need of a sustainable use to ensure their long-term conservation and do not object to the principle of conversion to domestic use.</p> <p>The Heritage Statement and Structural Survey permit an understanding of the buildings' significance and current state of repair. Despite some unsympathetic later alterations, they have clear evidential and historic value as traditional agricultural structures with legible former uses; these illustrate the development of the farmstead and of local agricultural practices more broadly. They make a positive contribution to the setting of the Grade II listed Manor Farmhouse, which could be enhanced through a sensitive scheme of conversion.</p> <p>Unfortunately, the Heritage Statement does not address the impacts of the proposed works. In order to ensure that the proposed conversion is undertaken with a conservation-led methodology which will avoid any inadvertent harm to the farmstead, we request that additional information is provided on the proposed works. In particular, the CBA are concerned that significant areas of surviving historic fabric should be retained, that the historic uses of the buildings should remain legible, and that a suitable materials palette should be used. Any insulation and lining materials should be suitable for historic buildings to avoid long-term fabric deterioration. The applicants may wish to refer to Historic England's guidance on Adapting Traditional Farm Buildings:</p>

	<p>https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/</p> <p>Unless additional information is provided which allows us to fully understand the impacts of the proposed works, we recommend that this application be refused, as it does not meet the requirements of paras. 200 and 205 of the NPPF.</p>
<p>Officer Comment: Whilst the concerns raised by CBA are noted, great weight is given to the views of the Somerset Council Conservation Officer and the conditions recommended will be imposed in the event that permission is granted.</p>	

Local consultation and representation

6.1 In accordance with the Council's Adopted Statement of Community Involvement the application was publicised by way of a site notice and can advert in the Western Gazette. Whilst two representations have been received in regards to the concurrent FUL application, no comments have been lodged regarding this application.

7. RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

7.2 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)

7.3 The relevant policies of the South Somerset Local Plan

EQ2 - General Development
EQ3 - Historic Environment

National Planning Policy Framework December 2024 (NPPF)

7.4 The NPPF relevant policies of the NPPF

16. Conserving and enhancing the historic environment

8. PLANNING CONSIDERATIONS

8.1 As the current application is for listed building consent, the only consideration in this case is the impact upon the historic fabric, character and setting of the listed building itself. Any harm caused by the proposal must be weighed up in light of

the guidance provided within the NPPF and weighed against any potential public benefits.

Impact Upon the Designated Heritage Asset

8.2 As outlined previously, the application buildings are considered to be Curtilage Listed owing to their relationship with the Grade II listed Manor Farm Farmhouse and as such are a designated heritage asset.

8.3 Paragraph 212 of the NPPF requires that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

8.4 In addition, Paragraph 215 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

8.5 In the case of the current application, it is noted that the works proposed represent a sympathetic conversion with the proposed window/door layout utilising historic openings. As such, there is limited intervention into the external historic fabric.

8.6 It is acknowledged that the application has garnered objection from SPAB and the CBA, however, the Somerset Council Conservation Officer had raised no objections subject to a series of conditions. Whilst within his response, the Conservation Officer does not quantify whether he perceives that there would be harm to the Listed Building as a result of the conversion, he does however conclude that the development provides a protected and useful use of the listed buildings that are currently empty and prone to dereliction, which in itself represents a sizable public benefit.

8.7 In this case securing the long term use of the heritage assets as residential dwellings, whilst helping to address the five-year shortfall of deliverable housing is considered to represent a sizable public benefit, as well as the wider enhancement of the overall site. Other public benefits include social and economic throughout the construction period and increased patronage of local services via future residents.

8.8 Therefore, notwithstanding the concerns raised and in line with the Conservation Officers comments, it is considered that the proposal represents an acceptable form of development that would not adversely harm the setting of any heritage assets.

9. PLANNING BALANCE AND CONCLUSION

10.1 In light of the Conservation Officers comments, the proposal is considered to be acceptable and would not result in any demonstrable harm to the designated heritage asset. Similarly, there are numerous public benefits associated with the development which seeks to secure a future for the redundant barns. As such, the proposal is in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, with aims and objectives of Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and relevant guidance within the NPPF and is recommended for approval.

RECOMMENDATIONS

Approve application 24/00794/LBC subject to the stated planning conditions for the following reason:

The proposal is considered to be acceptable in this location and would cause no significant adverse impact on the setting of the designated heritage asset. As such, the proposal is in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, -the aims and objectives of Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and relevant guidance within the National Planning Policy Framework (2024).

Subject to the following conditions:

1)The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2)The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below):

MFL-PL-01 Site/Block/Roof Plan

MFL-BB-PL-01 Barn B Location, Site and Roof Plan

MFL-F-PL-02 Barn F Proposed Floor Plan and Elevations

MFL-CDE-PL-02a Barn C,D,E Proposed Floor Plan

MFL-CDE-PL-03a Barn C,D,E Proposed Elevations And Section

Reason: For the avoidance of doubt and in the interests of proper planning.

3)Prior to work commencing, the details of works required under building regulations that have potential to restrict permeability of original fabric, increase the risk of interstitial condensation or embed original features behind modern materials are to be submitted and agreed in writing by the local planning authority. Once approved, the development shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition as inadequate details of these matters have been submitted with the application to assess the implications of works required under building regulations. The condition ensures the suitability of such works and that they preserve the special architectural and historic interest of the listed building.

4) Before the new roof(s) hereby approved is/are installed, samples or detailed specifications of the new roof tiles/slates, which shall be natural clay non-interlocking pantiles/natural slates/plain clay tiles/rosemary tiles, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed materials.

Reason: To preserve the special architectural and historic interest of the listed building

5) Before the roof lights, windows and doors hereby approved are installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building.

6) Before the rainwater goods hereby granted consent are installed, samples or detailed specifications of all rainwater goods (including the method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed rainwater goods details.

Reason: To preserve the special architectural and historic interest of the listed building

7) Prior to the commencement of works, a detailed methodology shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a full schedule of works which comprehensively addresses the conserving of original textures, mortars retained and external appearance.

Reason: To preserve the special architectural and historic interest of the listed building.