

Application Details	
Application Reference	2024/1319/FUL
Application Types	Full Application
Extension of Time	Agreed to
Description	Change of use agricultural barn to residential single storey dwelling and addition of single storey extension
Site Address	Land At 379869 148317 Styles Hill To Berkley Cross Rodden Frome Somerset
Parish	FROME East
Conservation Area	Not relevant
Somerset Levels and Moors Ramsar Catchment Area	Not relevant
AONB	Not relevant
Case Officer	Carlton Langford
Agent	Carol Tracey Architect
Applicant	D. Beauchamp and H. Newton
Reason for referring application to Members	This application has been called to committee following referral to the Chair and Vice Chair of the Planning Committee as the case officer's recommendation to refuse differs from that of the Parish Council.

1. Recommendation

1.1 Recommendation for refusal.

2. Executive Summary of key reasons for recommendation

2.1 This application relates to a small agricultural barn situated within the open countryside within the Parish of Selwood. There is no development plan policy support for the application.

3. Planning Obligations, conditions and informatives

3.1 Obligations

None

3.2 Conditions

The recommendation is for refusal.

4. Proposed development, Site and Surroundings

4.1 The proposal seeks planning permission for the change of use of the barn to residential single storey dwelling and addition of single storey extension, which effectively doubles the size of the building.

4.2 The site is accessed via the A362, a Class 1 highway with a speed limit of 40mph at the location of the access.

4.3 The barn and land previously formed part of Pear Tree Farm and is now redundant. The barn is located immediately adjacent to 2 dwellinghouse and is accessed via an existing field access off A3098.

5. Relevant Planning History

5.1 None

6. Habitat Regulations Assessment

6.1 Not required for this application

7 Consultation and Representations

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

7.1 Statutory/Non Statutory Consultees

7.2 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order.

7.3 The full comments are available on the Council's website.

Consultees	Consultee Comments
Selwood Parish Council	No Comment
Divisional Member	Support

7.4 Local consultation and representation

Notifications were sent to all properties that adjoined the site. No comments were received.

8. Relevant planning policies and Guidance

8.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 The site lies in the former Mendip area. For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)

8.3 Relevant policies of the development plan in the assessment of this application are listed below.

Policies of the Mendip District Local Plan Part I: Strategy and Policies (December 2024)

- CP1 – Mendip Spatial Strategy
- CP2 – Housing Provision
- CP4 – Sustaining Rural Communities
- DP1 – Local Identity and distinctiveness
- DP4 – Mendip Landscapes
- DP5 – Biodiversity and ecology
- DP6 – Bats
- DP7 – Design and Amenity

- DP9 – Transport
- DP10 – Parking
- DP22– Conversion and Re-Use of Rural buildings

Other Relevant Documents

- National Planning Policy Framework (NPPF) (2024)
- National Planning Practice Guidance
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- National Design Guide (2019)

The National Planning Policy Framework 2024

The National Planning Policy Framework (NPPF), last update December 2024 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

- 2: Achieving sustainable development
- 4: Decision-Making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport

9. Material Planning Considerations

9.1 The main planning issues relevant in the assessment of this application are as follows:

- The principle of development
- Design, Appearance, and Scale of the Development
- Residential Amenity
- Ecology and Tree Protection
- Highway Safety and Parking Provision

Principle of the Use:

Principle of the Use:

9.2 The application site is situated within the open countryside where development is strictly controlled. However, Policies CP1, CP4 and DP22 of the LP, make exceptions for the conversion of rural buildings to new uses with dwellinghouse uses given favourable consideration where the proposal leads to an enhancement to the immediate setting and where all other criteria for a successful conversion under policy DP22 are met.

9.3 Having regard for the assessment below, the proposed scheme fails to accord with the provisions of Policy DP22 of the LP. The proposal represents significant 'fresh' build by way of the proposed extension doubling the size of the barn and as such, unsustainable development which fails to meet the exceptions as set out within Policies CP1 and CP4 of the LP.

9.4 However, the Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently the provisions of paragraph 11 d) ii of the Framework should be applied. The proposal would provide a number of benefits, including providing a house of a small scale on a small site which would contribute towards the supply and mix of housing in the area. However, the proposal would represent unsustainable development which fails to accord with the Council's exception development as set out within Policies CP1 and CP4 of the LP, and the revised criteria set out at 11dii. The adverse impacts of granting permission for a dwelling in an unsustainable location will be considered as part of the planning balance (refer to conclusion section).

Design of the Development and Impact on the Street Scene and Surrounding Area:

10.1 The barn on site is of a sound construction and worth of adaptation. However, its limited size is unlikely to provide sufficient space for a permanent dwelling.

10.2 The proposal is to double the size of the barn by way of a new single storey extension allowing sufficient space for use as a dwelling. The proposed extension would represent a major addition to the barn in excess of that allowed under Policy DP22 of the LP.

Impact on Residential Amenity:

11.1 The proposed dwelling is in an isolated location and therefore there is unlikely to be any impact on nearby properties.

11.2 On this basis the proposal accords with Policy DP7 of the LP.

Impact on Ecology:

12.1 The Applicant has commissioned a Preliminary Ecological Assessment Report which concluded that there was no evidence of protected species or protected habitats on site.

12.2 Recommendation for ecological enhancements to include bird and bat boxes and planting etc were suggested and would need to be implemented pre-occupation should permission be granted.

12.3 On this basis the proposal accords with Policies DP5 and DP6 of the LP.

Assessment of Highway Issues:

13.1 Access will be derived off and existing access point. Whilst there is limited visibility at the access, it is not considered that the proposed use of the site will generate significantly more traffic movements than the current agricultural use.

13.2 Whilst there is sufficient space on site to provide for off-street parking and turning to serve the development, a scheme to show how this will be laid out would first need to be approved in writing by the LPA should permission be forthcoming.

13.3 The proposal is acceptable in terms of highway safety and accords with the Countywide Parking Strategy in accordance with Policies DP9 and DP10 of the LP.

Refuse Collection:

14.1 Refuse bins would need to be kept at the entrance where there is sufficient space not to impact on highway safety.

Environmental Impact Assessment

15.1 This development is not considered to require an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act

6.1 In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusion and Planning Balance:

17.1 As concluded above the proposed extension to the building is considered to go beyond the terms of reference of what would be supported by Policy DP22. Paragraph 11 of the NPPF sets out that decisions should apply a presumption in favour of sustainable development and that, under criterion d) where the policies which are most important for determining the application are out of date as is this the case in this instance, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Given the lack of a five-year housing land supply, paragraph 11 d) of the Framework is engaged.

17.2 The benefits of the proposal of 1 dwelling would make very little contribution to assisting the Council's shortage of housing land within the District as a whole. There would be benefits with regard to the provision of an additional dwelling adding to the housing supply, benefits from construction, potential for the creation of jobs, but given the very limited scale of the proposal, the benefits from the provision of one additional dwelling and from construction would be limited.

17.3 The site is seen as being isolated and remote from any day-to-day facilities or services. The scheme would not promote the use of sustainable modes of transport and end users would be heavily reliant on a private motor vehicle. These are matters that should be given significant in completing the planning balance assessment as directed in the NPPF guidance at 11 d) ii.

In terms of the planning balance, the harms as described are considered to carry a significant level of weight which demonstrably outweighs the very limited benefits of the proposal, and the application is therefore recommendation for refusal.

Recommendation for refusal as follows.

18.1 The application site is situated within the open countryside where development is strictly controlled. The proposed extension which doubles the size of the host barn and therefore goes

beyond what is considered an acceptable conversion of a rural building under policy DP22 of the Mendip District Local Plan 2006-2029 and accordingly, fails to accord with Policies CP1 and CP4 of the Mendip District Local Plan 2006-2029 for sustainable development. The proposed development therefore represents unsustainable development by virtue of its distance and poor accessibility and connectivity to local services and facilities and would foster growth in the need to travel by private vehicle contrary to the provisions of Policy DP9 of the Mendip District Local Plan 2006-2029 and Chapter 9 within the NPPF. Accordingly, the adverse impacts of granting permission would in this case significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole and the development is therefore contrary to Policy CP1, CP2, CP4 and DP9 of the Mendip District Local Plan 2006-2029 and guidance within the National Planning Policy Framework – December 2024 to include paragraphs 11d)ii), Chapters 5 and 9.

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