

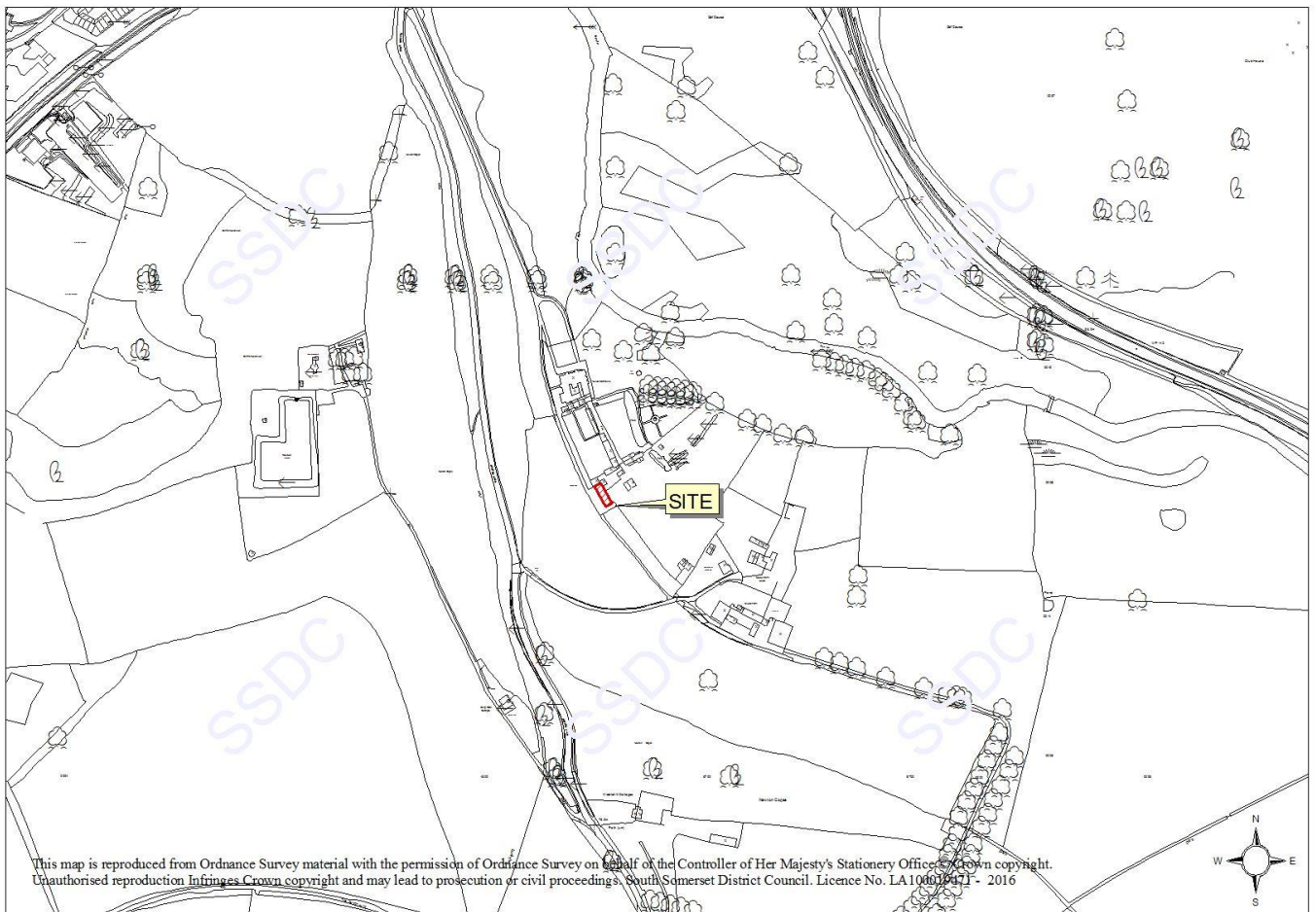
## Officer Report On Planning Application: 15/04703/COU

<b>Site Address:</b>	Newton Surmaville Newton Road Stoford
<b>Ward :</b>	COKER
<b>Proposal :</b>	Change of use of stable/coach house to Use Class D2 (Assembly and Leisure) and alterations to door on west elevation (Retrospective) (GR 356527/115299)
<b>Recommending Case Officer:</b>	Simon Fox Tel: 01935 462509 Email:simon.fox@southsomerset.gov.uk
<b>Target date :</b>	9th December 2015
<b>Applicant :</b>	Mrs Jane Cannon
<b>Type : 12</b>	Other Change Of Use

### Reason for Referral to Committee

This application is referred for Committee consideration at the request of the Development Manager in accordance with the scheme of delegation and with the agreement of the Chairman, due to the comments of the Highway Authority and adjacent neighbours.

### Site Description and Proposal





The application site concerns a Grade 2 listed coach house with attached former stables associated with Newton Surmaville, a Grade I house within a listed park and gardens abutting the outskirts of Yeovil.

The coach house with attached former stables date from the late 18th century and are constructed from Ham stone under a Welsh slate roof with coped gables. They are connected to the main house via a track alongside the walled garden. On the west side is the principal elevation where three double doors under semi-circular headed arches are evident. There is a Gardener's Cottage attached to the north side.

The proposal seeks to change the use of the building (not the cottage) to Use Class D2 (Assembly and Leisure) so as to offer a flexible space for events and functions.

The proposal is retrospective in that physical works to the building to facilitate the use have been undertaken, including internal fit-out and the repair of the three pairs of double doors, coupled with the installation of glass panels. An application seeking listed building consent for the physical works to the double doors is also running in parallel to this application.

During the course of the application the applicant has clarified the extent of the use, in this regard:

- The number of events/functions in the venue shall not exceed 52 in any one calendar year.
- That the capacity of the venue shall be no greater than 60 covers.
- Clarification over hours of use - no later than 11pm

There will also be 24 parking spaces available alongside the walled garden (which have already been created), accessed off the track. Another 6 parking spaces are available at the front of the main house, on an existing gravelled area. A recently planted hedgerow runs along the west side of the track.

The first floor of the coach house contains historic tapestries relocated from the main house under a 2012 listed building consent application.

A recent listed building consent application also allowed a rear lean-to on the coach house.

## **HISTORY**

Relevant history:

15/05662/LBC: The reroof of a lean-to garden store to Coach House (Implemented):  
Application permitted with conditions: 23/03/2016

15/04709/LBC: The carrying out of alterations to doors on west elevation (Implemented):  
Pending Consideration

12/01810/LBC: The relocation of tapestries from the main house to the nearby Coach House (Implemented):  
Application permitted with conditions: 23/09/2013

Other history exists.

## **POLICY**

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions., that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.

On this basis the following policies are considered relevant:-

### South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development  
SS1 - Settlement Hierarchy  
EQ2 - Design & General Development  
EQ3 - Historic Environment  
EQ7 - Pollution Control  
EP11 - Location of Main Town Uses  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards

### National Guidance - National Planning Policy Framework:

Chapter 2 - Ensuring the Vitality of Town Centres  
Chapter 7 - Requiring Good Design  
Chapter 12 - Conserving and Enhancing the Historic Environment

## **CONSULTATIONS**

### Barwick and Stoford Parish Council:

No objections to the amended planning application.

Previously the PC stated it did not support or object to the proposal but had concerns about traffic accessing the A37 from the premises.

### Highways Authority (Somerset CC):

Upon assessing the original plans the HA commented:

"The applicant will need to provide additional information in order for the highway authority to be able to fully consider the implications of this application".

There is a need to demonstrate the visibility available from the access.

There is a need for an indication as to the number of people the building can accommodate and the number of events to judge the likely traffic generation.

The HA was consulted on the amended information to answer the question posed on 29th April. No response has been received to date. Any comment on amended plans will be orally updated.

### SSDC Highway Consultant:

Has advised that improvements to the main access to increase visibility are needed; via the removal of vegetation in a southerly direction.

### Historic England:

Initial concerns regarding the level of detail contained within the application.

However on receipt of additional information HE has confirmed that the application should be determined in accordance with national and local policy guidance, and on the basis of the LPAs specialist conservation advice.

### SSDC Conservation Officer:

Initial concerns expressed concerning the level of detail within the application.

On receipt of further information:

"I note the various revisions that have taken place since my initial memo of 17.1.15.

An accurate set of floor plans has now been submitted and the insertion of glazing into the doors is considered acceptable, based on the submission of the photo showing glazing in one of the doors.

As the work is retrospective no conditions are needed".

### SSDC Environmental Protection Officer:

No comments to make.

## **REPRESENTATIONS**

Neighbouring properties/premises to the site have been notified and a site notice has been displayed.

One objection has been received from a resident of Newton Farm which backs onto the Newton Surmaville site detailing concerns regarding unlimited and undefined parking on fields surrounding the house, refuse storage and collection and the changes to install glass to the three pairs of double doors.

Other comments related to the owners of Newton Surmaville are stated but are not related to the application proposals.

## **CONSIDERATIONS**

### Principle of Use

The use may be considered to constitute a main town centre use; however the particular venue that has been created (albeit without consent initially) is one that clearly maximises the setting of the listed park and garden, the main house and the character and scale of the Coach House. The proposal has restored the redundant Coach House and given it a modern/sustainable use. The income will aid the viability of the listed house and its grounds and provide public access to an otherwise private residential property. The availability of a different type of high quality entertainment venue is also to be welcomed. Overall the use for the intended purpose is supported.

### Impact on Listed Building

This assessment is broken down into two aspects; the impacts of the physical works and the impact on the setting of the listed building/park and garden.

Firstly there have not been any objections to the internal works. Other than decoration the more significant works have included a door from the cottage that has been blocked and a room at first floor that has been converted into a suite of toilets. The primary source of concern has been the works undertaken without consent to the three double doors to install glazing in the upper sections and repainting of the joinery, with it being suggested that perhaps fully glazed doors may have been preferable. At one point it was not considered that a 'clear and convincing' justification had been put forward. It was acknowledged that the doors had been heavily repaired or even replaced in the past and so the timber sections lost to glazing did not represent historic fabric but the aesthetic was still questioned. Further information from the applicant showed a set of doors from the 1980s with glazing in the upper section, which had been replaced by the now current set of doors around 2000. When assessing the proposed use, the need for natural light and the desire to preserve internal doors from being glazed to create borrowed light, it is felt the intervention is justifiable.

In terms of introducing an assembly and leisure use to the site and the impacts this would have on the setting and character of the listed buildings and listed park and garden then regarding is paid to the scale and nature of the proposed use. The number of events is limited and the numbers of covers similarly restricted. This has had a consequential impact on reducing the area needed for car parking and the application has been clarified to show where parking can take place in a visually acceptable area avoid need to use the adjacent sloping field for unlimited parking.

The proposal is considered to be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy EQ3 of the Local Plan and the aims and objections of the NPPF.

### Residential Amenity

Despite planning permission not being in place a Premises License has already been granted by SSDC Licensing which allows live music (indoors) until 11pm seven days a week, the supply of alcohol until 10.30pm seven days a weeks and opening hours until 11pm seven days a week.

The nearest residential property is approx. 128m to the south. The objector lives 150m to the south east. Given the scale of the proposal, the proposed operation times, the fact the use is predominately contained inside a building and the parking areas are located a further 40m away from those aforementioned properties, it is felt that no detrimental impact will be caused to residential amenity.

It is also noted that within Newton Farm there is currently an operational farm and from on-site observation the noise associated with Newton Road is disproportionately audible from the application site.

The proposal is considered to be in accordance with policy EQ2 of the Local Plan

#### Highways

The substantive issue has been whether the use would create a volume of traffic movements in and out of a substandard access that would prejudice highway safety.

The access does not benefit from good visibility in a southerly direction looking back towards Stoford. It also falls outside the 30mph zone.

With the number of events and venue capacity having been clarified the volume of traffic can be better accessed. There are to be 30 parking spaces provided, based on two people sharing to attend an event. The SSDC Highway Consultant visited site and assessed that if visibility to the south could be improved then the proposal could be supported. The applicant has agreed to undertake this via a scheme to be agreed by condition. In reality it means removing a dense evergreen hedge and a few small trees. This collectively would improve visibility from the access and the forward visibility of vehicles approaching from the Stoford direction.

Comments from the Highway Authority are awaited and will be orally updated.

#### Other

There are numerous issues raised by the adjacent neighbour that are no planning issues and not related to this application.

### **RECOMMENDATION**

#### **Grant permission for the following reason:**

01. The proposal maintains the character of the area, facilitates economic investment and the creation of a quality event venue, safeguards heritage assets whilst ensuring highway safety and is therefore in accordance with the objectives of the National Planning Policy Framework; and policies SD1, SS1, EQ2, EQ3, EQ7, TA5, TA6 and EP11 of the South Somerset Local Plan (adopted 2015).

#### **SUBJECT TO THE FOLLOWING:**

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 1st April 2015.  
Reason: To comply with Section 73A of the Act
02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
  - a) Location Plan, Drawing Ref SK 01
  - b) Site Plan, Drawing Ref SK 02
  - c) Site Section, Drawing Ref SK 03Reason: For the avoidance of doubt and in the interests of proper planning.
03. The use hereby permitted shall not take place outside the hours of 12:00 to 23:00 daily. There shall be no more than 52 events held within any calendar year. In the year 2016

this shall be no more than 30 events. The building shall not accommodate more than 60 covers.

Reason: To safeguard local amenity, to maintain the character of the area and to create a level of traffic movements that ensures reasonable use of a substandard access, to accord with policies EQ2, EQ3, EQ7 and TA5 of the South Somerset Local Plan.

04. The 31 car parking spaces shown on drawing ref SK01 shall be retained in the positions shown so long as the use persists. Reason: To ensure parking is available on site and located in areas that safeguards the setting of the listed building to accord with the SCC Parking Strategy and policies EQ3 and TA6 of the South Somerset Local Plan.
05. A scheme for the improvement to vehicular visibility from the access onto Newton Road shall be submitted to and approved by the Local Planning Authority. The agreed scheme shall be fully implemented prior to the first event held via the use hereby permitted.  
Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan.

**Informatives:**

01. This approval includes no approval for advertisement signage. The applicant is advised to contact the LPA for advice regarding this.