
Appeal Decisions

Site visit made on 17 January 2017

by **J J Evans BA Hons MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 February 2017

Appeal A Ref: APP/R3325/W/16/3158521 Leigh Farm, Stoke Trister, Somerset BA9 8LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rob Gale against the decision of South Somerset District Council.
 - The application Ref 16/01950/FUL, dated 24 April 2016, was refused by notice dated 22 June 2016.
 - The development proposed is the conversion of South Cottage into two cottages.
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Appeal B Ref: APP/R3325/Y/16/3160270 Leigh Farm, Stoke Trister, Somerset BA9 8LE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Rob Gale against the decision of South Somerset District Council.
 - The application Ref 16/01951/LBC, dated 24 April 2016, was refused by notice dated 22 June 2016.
 - The works proposed are the conversion of South Cottage into two cottages.
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Decision

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

Procedural Matters

3. Leigh Farmhouse is a grade II listed building, and its associated historic agricultural buildings have been regarded by the main parties as curtilage listed. As required by Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
 4. The Council's decision notice and the appellant's appeal form referred to the site address as being 5 Leigh Farm Cottages, Leigh Farm. However, the red site line area includes two other cottages and for that reason I have referred to the address as described on the appellant's application form as this more accurately describes the proposal.
 5. As set out above, there are two appeals on the same site, one for planning permission and the other for listed building consent. They seek the conversion of a single dwelling into two, with associated parking provision. I have
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considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

6. Drawing ref 3756/01 was annotated as being the existing situation. It was apparent from my visit that Unit 5 did not have two sitting rooms or two kitchens as shown on this drawing and that it had an existing store building. The main parties have confirmed that Unit 5 is a single dwelling with one kitchen, one sitting room and an attached store. For the avoidance of doubt I have determined the appeal with regard to the conversion of a single cottage into two.

Main Issues

7. There is no dispute between the main parties as regards the impact of the proposed conversion on the historic form and fabric of the listed barns. Consequently, the main issues are *firstly*, whether the proposed parking provision associated with the conversion of a single cottage into two cottages would harm the setting of grade II listed buildings; *secondly*, whether the proposal would provide adequate living conditions for existing and future residents; and *thirdly*, whether the proposed conversion would provide a suitable location for a dwelling, having regard to the principles of sustainable development.

Reasons

Heritage Matters

8. The appeal site comprises former agricultural barns that have been converted into dwellings. The historic form and function of the farmhouse and its agricultural buildings, their construction from local materials and their positioning to create a yard is part of the special interest of the former farmstead. Even though the agricultural use of the farm has ceased, the former use of this group of historic buildings remains legible, as is their previous functional interdependence and the linkages between them and the surrounding countryside. This is part of the special interest of these buildings and an important part of their settings.
9. The proposed layout would position parked vehicles to the front and side of the building. The number of spaces may meet the Council's parking provision requirements. However, to achieve this level of provision would necessitate vehicles being parked very close to the converted buildings, including near to doors and openings.
10. This and the regimented layout would unacceptably exaggerate the constrained nature and dominance of the parking, and would be at harmful odds with the former functional use and interdependence of the buildings and their relationship with the yard. Moreover, the provision of a tenth space at the end of Unit 6 would intrude a parked vehicle into the access track, the degree of which would be exacerbated by having to park away from the drain at the end of this building. As such the cramped dominance of the parking would unacceptably harm the significance of this group of listed buildings.
11. I accept the yard is already being used for parking, and I note there is disagreement between the parties as to the level of provision. From the evidence before me including what I saw on site, the presence of footways, soft landscaping and outdoor amenity space provides physical and visual relief from

parked vehicles. Even if existing residents choose not to use a garage for parking, and the conversion would not increase the number of bedrooms, it does not follow that the new households would only have one vehicle.

12. The National Planning Policy Framework (the Framework) requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The parking would result in less than substantial harm due to the comparative size compared to that of the farmstead as a whole. The appellant has referred to a need for smaller dwellings, but such provision would be a very modest public benefit that would not outweigh the harm I have found.
13. The Framework requires great weight to be given to the conservation of the significance of a designated heritage asset. In this instance the conversion of a single cottage into two would unacceptably harm the setting of a listed farmstead. This would fail to accord with Policies EQ3 and EQ2 of the South Somerset Local Plan (2015) (LP), that require amongst other things, high quality development that safeguards or enhances the significance of heritage assets, thereby reflecting the Framework.

Living Conditions

14. The parties disagree as to the dimensions of the proposed parking spaces, with the Council concerned that they would not meet the requirements of Manual for Streets. The spaces shown vary in size and some are positioned directly in front of both doors and windows. The cramped nature of the layout would compromise easy access to the doors of the buildings and this would not be the high quality design or the good standard of amenity for all existing and future occupants of land and buildings sought by the Framework.
15. Manoeuvring within the yard would be constrained by both the proposed parking layout and the existing uses. Getting into and out of spaces particularly at the southern end of the yard would require a number of movements. To turn near the farmhouse as suggested by the appellant would necessitate reversing the length of the yard, then having vehicle movements occurring very close to the ground floor windows of this property. As such existing and future residents would experience unacceptable and frequent noise and disturbance.
16. Thus, the proposal would neither be high quality design nor provide adequate living conditions for existing and future residents. This would be contrary to LP Policies EQ2, TA5 and TA6. These seek, amongst other things high quality design and appropriate levels of design led parking.

Sustainable Location

17. Although there are a cluster of dwellings near the former farmstead, the proposed dwellings would be positioned within a countryside location. The appellant has referred to the presence of a number of facilities being within walking and cycling distance. However, to get to these would be via busy roads, and near to the site there are neither pavements nor lighting. The route of a nearby public footpath has not been provided so I cannot assess whether it would provide a safe or convenient alternative to the private car. On the basis

of the evidence before me, future residents would be reliant on a car to access day to day services and employment.

18. Reference has been made by the appellant to the need for single bedroom homes, with there being a waiting list for the proposed dwellings. Be that as it may, paragraph 55 of the Framework and LP Policies SD1, SS1 and SS2 seek to control development in the countryside. Even with the Council's shortfall in housing land supply the adverse impacts of granting permission would significantly and demonstrably outweigh the modest benefits of an additional dwelling. Taken as a whole, the proposal would not be the sustainable development required by the Framework, nor that of the above referenced LP policies.

Other Matters

19. Concerns regarding land ownership, including existing parking issues, have been drawn to my attention. However, these would be a matter for the relevant parties to resolve, and have not had any bearing on my assessment of the planning issues in this appeal.
20. Finally, the appellant has pointed out the presence of a number of structures and buildings within the garden of the listed farmhouse. Whether these have planning permission would fall to be pursued by other means separate from the appeal process and is not for me to consider.

Conclusion

21. The proposed parking provision associated with the conversion of a single cottage into two cottages would unacceptably harm the setting of grade II listed buildings. The scheme would not provide adequate living conditions for existing and future residents, nor would it be a sustainable location for a further dwelling. For the reasons given above and having considered all other matters raised, the appeals are dismissed

J J Evans

INSPECTOR