



JOINT AREA COMMITTEES IN SOUTH SOMERSET

Officer Report on Planning Application

07/03402/FUL

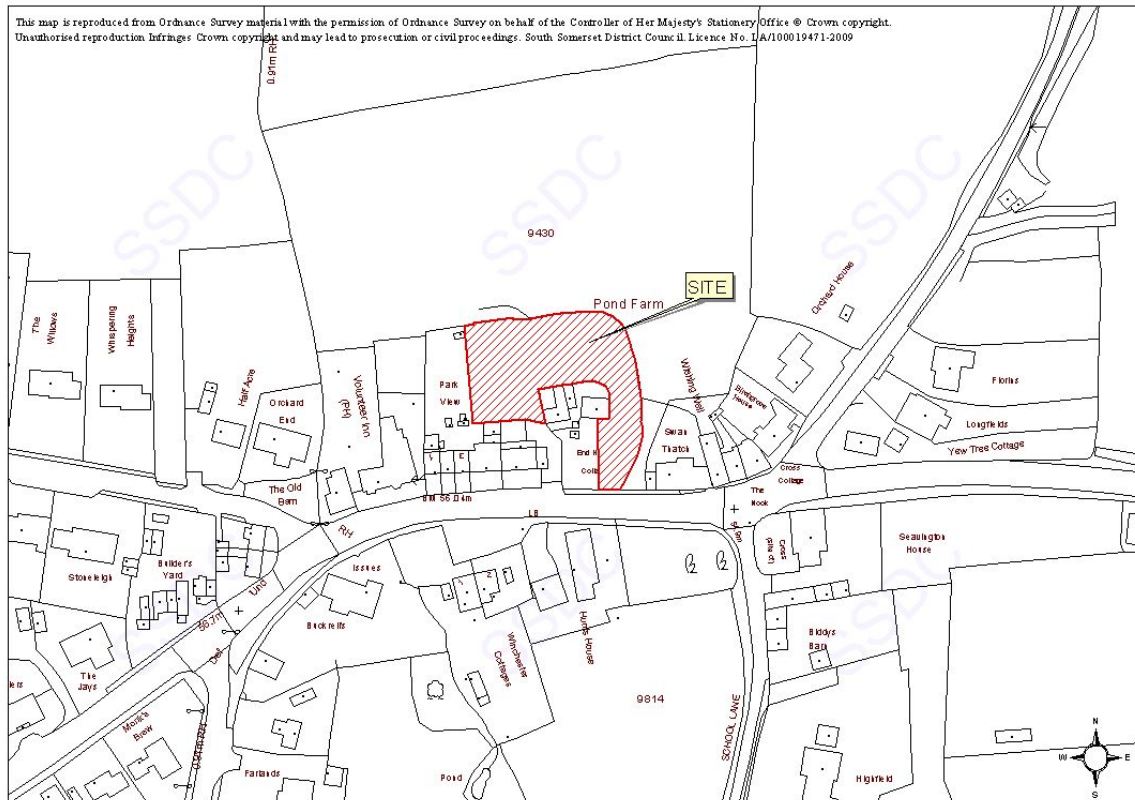


Proposal :	Conversion of redundant farm buildings (Unit A) into 2 no. residential units with associated B1 workshop (unit B) (GR 340950/115254)
Site Address:	Pond Farm Old A303 Seavington St Michael
Parish:	Seavington St Michael
SOUTH PETHERTON Ward (SSDC Member)	Paull Robathan (Cllr) Keith Ronaldson (Cllr)
Division (SCC Member)	Anne Larpent (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	26th December 2007
Applicant :	Mr & Mrs B Paull
Agent:	J D Thomas 33 Fairway Rise Chard, Somerset TA20 1NT
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Joint Area Committee North at the request of Cllr Ronaldson and Cllr Robathan, with the agreement of the Area Chair, Cllr Palmer. It is felt that the issues should be given further consideration by Members.

SITE DESCRIPTION AND PROPOSAL



The site is a former farm yard to the north of the Old A303, in the centre of Seavington St Michael and comprises a large mainly open fronted barn constructed from natural stone, a concrete block building and a couple of dilapidated open agricultural buildings. The main stone built barn, backs onto and is attached to Pond Farm, a grade II listed building, and as such is considered to be listed too. The site lies to the rear of a terrace of listed cottages and the property to the east, Swan Thatch, is also listed.

The site lies partly within the local defined development area and partly outside of it and consists of land to the rear of Pond Farm and land to the east, which runs southwards to the public highway. There is a former vehicular access to the south east of the site, which is currently blocked up and overgrown.

The proposal is made to convert the main barn (shown as A1 and A2) into residential accommodation and provide the existing concrete block building (unit B) as an associated B1 industrial unit. The proposal also includes the reinstatement of the former vehicular access onto the Old A303 and removal of the two dilapidated agricultural structures. The proposal includes making use of the existing openings to the front of the building, with the provision of two doors to the rear elevations and four small roof lights, two in each of the north and west roof slopes.

HISTORY

07/03404/LBC: Conversion of redundant farm buildings (Unit A) into 2 no. residential units with associated B1 workshop (unit B) - Pending consideration.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents:

Regional Spatial Strategy:

VIS 2 - Principles for Future Development

EN 3 - The Historic Environment

EN 4 - Quality in the Built Environment

Somerset and Exmoor National Park Joint Structure Plan:

STR1 - Sustainable Development

STR6 - Development Outside Towns, Rural Centres and Villages

Policy 9 - Built Historic Environment

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC8 - Protected Species

EH3 - Listed Buildings

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EH7 - The Conversion of Buildings in the Countryside

EP9 - Control of Potentially Polluting Uses

Policy-related Material Considerations:

Draft Regional Spatial Strategy for the South West (Proposed Changes July 2008):

SD1 - The Ecological Footprint

SD3 - The Environment and Natural Resources

SD4 - Sustainable Communities

Development Policy C - Development in Small Towns and Villages

Development Policy E - High Quality Design

ENV1 - Protecting and Enhancing the Region's Natural and Historic Environment

ENV5 - Historic Environment

PPS's/PPG's

Planning Policy Statement 7: Sustainable Development in Rural Areas

Planning Policy Guidance Note 15: Planning and the Historic Environment

Planning Policy Statement 25: Development and Flood Risk

South Somerset Sustainable Community Strategy

Goal 5 - A competitive high performing economy that is diverse and adaptable

Goal 11 - Protection and Enhancement of Our Natural Environment And Bio-Diversity

Other Relevant Documents:

SSDC Supplementary Planning Guidance: The Conversion of Barns and Other Historic Buildings

English Heritage Advice Note: The Conversion of Traditional Farm Buildings - A Guide to Good Practice.

CONSULTATIONS

Parish Council:

The Parish Council have made the following comments:.

1. Unit A1 is outside the Development Line as is the associated Workshop. Unit 2 is partially outside the development line. The Parish Council has not supported any development that is outside the Development Line.
2. The new proposed entrance still causes the Parish Council grave concerns:-
 - The proposed entrance will be over drains that were installed to prevent flooding along the road and work well. No consideration seems to have been made as to what will happen to these drains.
 - The stream does not seem to be shown correctly on the plan submitted.
 - The height of the new wall is not given and this will have an effect on the visibility for adjoining properties
 - Swan Thatch is a listed building. Will LBC be needed for this proposed new wall?
 - It does not appear that the existing road bollards are to be removed. The Parish Council cannot see how large vehicles can possible exit the site to the West if these are left in place.
3. On the site plan comments are made about the taking down and rebuild on Unit C. The Parish Council have never seen plans for this.
4. The plans for Building A do not appear any different than those originally submitted.

5. The Parish Council feel that should this application be approved then a Section 106 should be attached to the Planning conditions ensuring that any developer would be responsible for:-
 - a. Any costs incurred in connection with the removal and/or resiting of existing road bollards and pedestrian crossing
 - b. The creation of a footpath from David's Lane to the Volunteer Inn for safety reasons for pedestrians
 - c. Any works needed to ensure that the flood prevention scheme is not compromised.

SDDC Technical Services:

I was not aware of the existing onsite drainage system/ditch and I note from the latest plan (received 22 June 2009) that the ditch is shown as being retained along the eastern boundary of the site. I don't have a problem with this although an informative to the effect that responsibility for this ditch will remain with the landowner might be useful.

As I recall from when we carried out the flood alleviation works in Seavington in 1996 this ditch connects to a pipe in the footpath and this then crosses the road and runs down the driveway of 'Hunts House' opposite the development site. This then, in turn, connects to the main surface water outfall pipe from School Lane and this outfall was installed as part of the flood alleviation works. I don't believe we did anything to the existing system in the highway and it doesn't form part of the flood alleviation works. It does however serve as an outfall for the ditch at Pond Farm and as such it should remain intact.

We should include a condition requesting details for approval of surface water drainage arrangements with specific reference to the existing drainage system.

County Highway Authority:

In response to the amended plan I can confirm that the access arrangements as shown on the submitted plan are acceptable to the Highway Authority and will result in a significant improvement when compared to the existing arrangements. As a consequence, the Highway Authority wish to raise no objection to the proposal. However, in the event of permission being granted I would recommend that the following conditions be imposed:

1. The proposed access shall be constructed in accordance with details shown on the submitted plan and shall be available for use prior to first commencement of the development hereby permitted.
2. The proposed access over at least the first 10.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.
3. The gradient of the proposed access shall not be steeper than 1 in 10.
4. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.
5. The existing access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

6. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines drawn 2.0m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Note: Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Houndstone Business Park, Yeovil, BA22 8HT, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

County Archaeology:

No objections on archaeological grounds.

SSDC Ecologist:

I've checked the submitted bat and bird survey. There was evidence of a small amount of bat use but the surveyor concluded that the proposed development was unlikely to result in any significant harm. Evidence was also found of previous bird nesting. I therefore recommend the relevant informatives be attached in respect of bats and nesting birds.

SSDC Economic Development:

The farm buildings at Pond Farm have not been used for extensive agricultural purposes for a considerable time. They have in the true sense of the word become redundant from the purpose they were originally designed for. I encourage the renovation of farm buildings for conversion to alternative uses, particularly where there is an opportunity to re-introduce some commercial activity from them, albeit in an industry remote from agriculture.

I recall the Seavingtons' Parish Plan including a section on the Economy. The majority of respondents supported small business units (60%) and 51% of respondents would like more business in the Parish.

An extract taken from page 13 of the Seavington Parish Plan
Seavington has good road connections, a high quality environment and improving telecommunications, so is ideally placed to provide high quality units/workshops for small business.

From an economic perspective, I am comfortable with the proposals that I have been asked to consider. I would encourage a condition which ensures that Business Rates are paid on the proportion of the building which is to be used for commercial use. This should prevent any subsequent application seeking to extend the dwelling to incorporate the commercial part.

SSDC Conservation Officer: 27th December 2007:

The first point I would like to bring to your attention is that the visibility splays shown on the block plan are not indicated on the location plan.

Moving on to other matters: you will be aware of the close proximity of listed buildings to the application site and the fact that buildings A1 and A2 are attached to the listed building and are therefore listed. I also consider unit C to be listed in association with the house. Unit B will be listed in association with the house, provided it was built prior to the date of listing.

With regard to the conversions of units A1 and A2, I think that these can be converted in such a way that they do not damage the character of the building. As such, the proposed

scheme does go a long way towards fulfilling this, although it is unclear to me from the drawings submitted whether the floor will remain in as a large attic space. If it is to be removed, I would like to consider this further. I would also say that whilst I feel the elevational treatments of A1 and A2 have been well thought out in general, I think that there is a prospect that more of the concrete block could be removed from the front of A1 and treated similarly to that of A2.

I am also unclear at this time how the rear gardens would be sub-divided, if at all. This is important to the setting of the listed buildings.

As I have already said, Unit C is, in my view, listed in association with the listed buildings and will require listed building consent to be demolished or altered. On the basis of the information that was submitted and my brief walk around the outside of the building, I would object to its demolition.

The access to the site does cause me concern. The roadside wall is currently in poor condition, but is clearly of high quality. I am concerned that if it is demolished and rebuilt, any builder will struggle to rebuild it to the same quality and to this end, if consent is granted, I would require a sample panel of this roadside wall to be built, which would seek to mimic the existing high quality wall.

I find the provision of the splays in themselves a somewhat balanced issue and do have concerns that if the wall is demolished and rebuilt on the line shown for the splays along with this 4 1/2 metre, presumably tarmac, road running from it, that it will be damaging to the setting of the listed buildings and the street scene in general. At present the walls on this side of the road have a very linear flow and have very little punctuation in them, except at the public house. I am concerned that this combination of splay and wide access would be damaging to the area in general and the setting of the listed buildings. There may be some room for improvement by the provision of gate pillars and the immediate reduction in width of the roadway to a single track once within the site, but these matters in themselves do not reduce my concerns. I am also concerned that this access way through the site is inappropriate development.

In summary, I am very concerned about the access in terms of the visibility splays and the roadway into the site, and whilst I consider that these are a good starting point for the conversion of the buildings, there is additional information that I would need in order to understand the proposal prior to being able to recommend the grant of consent.

4th March 2009: The proposal goes a little way to addressing my concerns, but I still remain concerned about the need for a 4 1/2 metre access both on to the road and through the site and the fact that the wall to the east is set back from the road.

I cannot comment on the elevation, as there is no elevation submitted.

If you are minded to agree an access at this point, I would seek at the very least to see that the access is narrowed and that the wall on the west side mirrors that on the east side. The access through the site should also be minimum width if possible perhaps with the odd passing place.

I would also like to know what the proposals are in relation to the Unit C within the middle of the site, which I have previously indicated is listed in association and should not be demolished. There are also other issues raised within my memo which need to be addressed.

3rd November 2009: I am happy with the proposals as revised.

I would ask you to ensure that we are clear that the building that was shown to be demolished is not part of this application, and we don't approve demolition by default.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Letters of objection have been raised from four neighbours. The main points of concern are listed below:

- The proposal will generate significantly more traffic, despite the comments of the Highways Officer.
- The provision of a B1 workshop could lead to more intensive uses. The site has not been used as a working farmyard for more than twenty years so additional noise and activity could have an adverse affect on those living nearby.
- There is no mention of the boundary treatment, these should be of the highest quality to be in keeping with the listed building. Maximum height ham stone walls would be appropriate.
- The plans are minimal and don't show specific parking or garden areas. The area to be developed covers a large area with only part of the existing buildings being within the village line. There will be room for further development and this potential for proliferation is a major cause of concern.
- Matching walls either side of the new access are likely to restrict views from the car port of Swan Thatch and create a hazardous access.
- There is a right of way across the existing access for the owners of End Cottage so this should not be blocked up. Also there are concerns that any damage to the existing driveway or the water and sewage services along and across it, caused by construction vehicles should be paid for by the contractors, in the event of planning permission being granted.
- The new access is unlikely to have adequate visibility and will be very close to the existing road bollards and illuminated pedestrian access, creating additional hazards and restrict access to the site.
- There is concern regarding the existing road drains and an existing watercourse adjacent to the proposed access. Care should be taken to avoid blockage or any works that will cause flooding. If these are removed, this could impact on the village flood prevention scheme, making it ineffective.
- Bats have been seen around the site, these should be protected.

CONSIDERATIONS

Principle of Development

The application relates to the conversion of a set of redundant barns to provide two units of residential accommodation and one associated unit for B1 business use and the provision of a new vehicular access onto the Old A303.

The site is located on the north edge of the village defined development area, with the new access arrangements and about half of unit A2 within the development area and the rest of the site outside.

New development is considered to be generally acceptable in principle within defined development areas, subject to being in accordance with other development plan policies and

procedures. However, as the majority of the site where the proposal will take place is outside of the development area, there are strict controls in place.

Despite this, Local Plan policy generally supports the re-use of existing buildings in open countryside. Local Plan policy EH7 states that the change of use of existing buildings outside defined development areas to residential use will be permitted provided that:

- Every reasonable attempt has been made to secure suitable business reuse or residential conversion is a subordinate part of a scheme for business reuse.
- The buildings are of permanent and substantial construction and are capable of conversion without major reconstruction.
- Their form, bulk and general design are in keeping with their surroundings.
- Any legitimate planning objections (for example on environmental or traffic grounds) which would otherwise outweigh the advantages of reuse can be overcome by the imposition of reasonable planning conditions.

In considering whether the site could have been used for more intensive business use, it is noted that due to the access constraints, this is unsuitable for commercial uses that may involve the regular movements from larger vehicles. There is an existing concrete block building (Unit B), which is structurally sound but of no particular merit. It is proposed to include this with residential Unit A1, which is fully outside defined development limits, to provide a small-scale B1 business unit.

As part of the application process, the Council's Economic Development Unit was also consulted and no objections have been raised. Furthermore, the Economic Development Manager has made reference to the Seavington's Parish Plan, which refers to the villages being ideally placed to provide units and workshops for small businesses. It is considered that while a large scale business development is unlikely to be acceptable, a small-scale use in conjunction with residential accommodation on site will allow the renovation of redundant buildings, while still providing some economic benefit.

Overall, due to the location of the site, in relation to neighbouring dwellings and the access onto the Old A303, it is considered that mainly residential conversion with limited ancillary business use is the most suitable re-use of the buildings.

Some of the objections note that the majority of the site is beyond development limits and that this proposal may encourage additional development and proliferation of built form. This is not considered to be the case, as policy supports the re-use of existing buildings but there is no general policy support for new build in this location. Any future application would have to be considered on its own merits but there is no current policy support. It is also noted that the site to be developed, whilst being beyond development limits, is in line with the garden curtilages of properties facing the Old A303 and will not encroach into the open fields beyond.

Barn Conversion and Historic Context

Units A1 and A2 are attached to Pond Farm, one of the grade II listed building to the south and as such are considered to be listed. Likewise, Unit B is listed in association with the house, if it was built prior to the date of listing.

Local Plan policy EH3 states that planning permission will only be granted for development that does not adversely affect the character of a listed building, its setting, or any features of special architectural or historic interest it possesses. Similarly, Local Plan policy EH5 states

that planning permission will not be permitted for development that would have an adverse affect on the setting of a listed building or its contribution to the local scene.

In assessing this application, consideration should also be given to guidance contained in SSDC supplementary planning guidance, 'The Conversion of Barns and Other Historic Buildings' and English Heritage's advice note 'The Conversion of Traditional Farm Buildings'.

The main barn, which will contain Units A1 and A2 is poorly maintained but is generally structurally sound. The north and west elevations are ham stone and with the east and south elevations being the open fronted element. Some of these openings are still open while some have been filled in with a mix of timber, blockwork and brick. It is proposed to fill in the open sections with glazing and timber and make new openings in the non-historic blockwork. The only new openings proposed are four small roof lights, two each in the north and west elevations and two doors into the west elevation to access a small area of amenity space, laid to lawn. The roof materials will be put to the side during works to strengthen the roof and these will be re-used.

Overall, the scheme is considered to be sensitive with minimal impact on the parts of historic quality. The alterations to the south and east elevations make use of existing and former openings and the additional openings to the other elevations are small in scale and are not considered to detrimentally impact on the character of the traditional building.

The main concerns raised by the Council's Conservation Officer related to the works to create the new access i.e. impact on the stone wall on the road frontage, the width of the access and the width of the drive through the site. These concerns were in relation to the potential impact of these works on the setting of the listed buildings and the street scene. During the course of the application process, considerable negotiations have been carried out between the applicant, planning officers, the Conservation Officer and the County Highway Authority. After several amended plans, the most recent scheme (received 22nd June 2009), was considered to be a compromise that satisfied both the requirements of the Highway Officer and the concerns of the Conservation Officer. The proposal includes rebuilding part of the boundary wall and building an identical section to the opposite side of the access. The main concern is the quality of the build, as such a condition will be imposed to provide a sample panel to be agreed prior to commencement of works. In regard to the width of the access and drive, this is proposed to be 4.5m for the first 10 m, then narrowing to 2.5m throughout the rest of the site, to reduce the impact. Overall, the Conservation Officer is satisfied with the proposed alterations to the roadside boundary road and does not consider that the proposal will have any adverse impact on the setting of the listed buildings and the overall street scene.

One other concern related to the another barn, shown as Unit C, which lies to the south of the site, outside the red line site. This building is a natural stone barn, which has partially collapsed. The site plan refers to demolition of this unit and erection of a new dwelling. An application to be made for these works but none has been forthcoming. This has been discussed with the applicant's agent and it is confirmed that this is not part of the proposal being considered under this application. Furthermore, this is outside of the red line site and as such, an informative is proposed to be added to advise the applicant that any permission does not include the demolition of Unit C or erection of a new dwelling. It is also noted that the demolition of Unit C is likely to require Listed Building Consent, as it is considered to be listed in association with the main listed dwellings.

The only other matter to be controlled relates to the landscaping of the site and any boundary treatments. A condition will be imposed to provide details of hard and soft landscaping within the site.

In addition to the main area within the site, there is a small strip of land approximately 4 metres wide, to the west of the barns. It is proposed to provide a small area of amenity space on this land, which will be accessed through the new doors to the rear of the barns. One neighbour feels that any boundary here should in keeping with the listed building, preferably a new stone wall at the maximum height. The proposed boundary treatment will be a simple post and rail fence to delineate the boundary along an existing path.

Highway Safety

One of the main objections raised relates to potential impact on highway safety, as the proposed access is onto a classified 'C' road. These include concerns that the access will be dangerous due to limited visibility and that the access will be close to an existing pedestrian crossing with bollards, potentially increasing risk to pedestrians and preventing vehicles using the access properly.

The County Highway Authority is a statutory consultee and has been consulted as part of the application process. Several amendments have been made to the proposed access in order to find a satisfactory compromise, which deals with both highway and conservation concerns. The latest amendment includes rebuilding part of the roadside boundary wall to provide visibility splays and an adequate width to allow two vehicles to pass in site.

The Highway Authority considers that the existing access to the site, which is to the side of End House Cottage, is extremely substandard due to its restricted width and visibility. While the proposed access does not conform to the Highway Authority's maximum requirements it is welcomed as it gives the opportunity to improve access in and out of the site and is considered to be a significant improvement on the existing access. Consequently, the proposal is considered acceptable from a highway point of view subject to a number of conditions. These include the provision of visibility splays in line with that shown on the amended plans and also blocking up the existing access into the site, thus reducing the number of vehicles using the severely substandard access.

Some correspondence has been received from the occupiers of the neighbouring properties to the south, concerned about the requirement to close off the access, as they also use this and also whether the visibility requirements will impact on the boundary wall beyond the applicant's control. It is confirmed that the requirements are to close the access into the application site only, not the actual access onto the road, which serves the other properties too. Also, visibility relates only to the section of wall fronting the road, within the red line site.

One objection was received from the occupiers of Swan Thatch, to the east of the proposed access. The property has an attached carport, which accesses directly onto the highway. The neighbour is concerned that the erection of the new part of wall adjacent to this access will significantly reduce visibility for vehicles exiting the carport. It is noted that there is a former access into the application site, immediately adjacent to the carport. There is no wall at this point but the opening has been closed with a fence and has since become overgrown. The fence is in line with the wall and the planting extends beyond the site, onto the pavement. The proposed wall will be in line with the existing boundary line and will not extend any further forward. Overall, it is not considered that the proposal will be cause a detrimental impact on the highway safety of other road users at this point.

Other Issues

The Parish Council and some of the other contributors also refer to an existing watercourse, to the east of the site and existing storm drains sited where the proposed access is. There are concerns that the removal of these storm drains could lead to flooding onto the highway and potential increase in surface water run off to the detriment of Seavington St Michael's

flood prevention scheme. The Council's Drainage Engineer has been consulted and has no objection in principle to the scheme. It is noted that the storm drains referred to are not part of the village flood alleviation but do serve as an outfall for the existing watercourse at Pond Farm and should therefore remain intact. It is considered adequate to impose a condition requesting details for approval of surface water drainage arrangements, which also refer to the existing drainage system.

A Bat and Bird survey has been supplied with the application, which found evidence of a small amount of use by bats and evidence of previous bird nesting. The Council's Ecologist has considered the survey and does not feel that the proposal will lead to any significant risk to ecology on site. As such no objections are raised, subject to the addition of informatives relating to bat and birds in relation to construction works.

The siting and orientation of the barns, to the rear of the properties fronting the Old A303, are such that it is not considered that there will be any overlooking of existing dwellings or associated private amenity space. The only other matter that could potentially cause disturbance would be an intensive use of the proposed business unit. It is considered that the use as a B1 light industrial unit is unlikely to generate noise levels or type of vehicle movements that would be detrimental to the residential amenity of the neighbouring properties or would have a significant impact on highway safety. Any more intensive noise generating use that would be likely to cause disturbance to neighbours would be likely to be classed as a general industrial use and fall under Use Class B2. Such a change of use would require an application for planning permission in its own right and therefore impact on residential amenity could be considered at that point.

The Parish Council feel that in the event of planning permission being approved, a Section 106 should be attached to the permission to ensure that the developer is responsible for costs relating to the need to remove or re-site the road bollards, to create a footpath from David's Lane to the Volunteer Inn and for any works to ensure that the flood prevention scheme is not compromised.

This is not considered reasonable. Firstly the County Highway Authority is satisfied with the access arrangements in relation to the road crossing and bollards. There is currently a footpath in place along the roadside but this is restricted in width at places. However, the pedestrian crossing is still in place and no objections have been made by the Highway Authority in relation to additional risk to pedestrian safety. In regard to impact on the flood prevention scheme, the development should not pose any risk to this, as conditions are to be imposed to ensure that adequate drainage is provided on site, including retention or adequate replacement of existing storm drains where the proposed access is to be sited.

CONCLUSION

Overall the proposed barn conversion scheme and associated works, including provision of a new access and alterations to the roadside boundary wall are acceptable and are considered to have no adverse impact on the traditional character or setting of the barns and no adverse affect on the character of the listed buildings, their setting or any features of special architectural or historic interest. It is also considered that there will be no significant harm caused to the residential amenity of the occupiers of neighbouring properties or to highway safety.

Therefore, the recommendation to members is to grant planning permission for the proposed development.

RECOMMENDATION

Grant permission with conditions

01. The proposed development and associated works to the boundary wall and creation of a new vehicular access, by reason of design, size, scale and materials, has no adverse impact on the character and setting of the traditional buildings, does not adversely affect the setting of the listed buildings or their character or any features of special architectural or historic interest and causes no unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of PPS7 and PPG15, policies VIS 2, EN 3 and EN 4 of the Regional Spatial Strategy, policies 9, 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3, EH5 and EH7 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans and specifications as amended by drawings '733/A1', '733/02A' and '733/11A', received 22nd June 2009'.

Reason: For the avoidance of doubt as to the development authorised as the submitted proposal has been amended.

03. The works hereby granted consent shall be completed in all respects within 12 months of the commencement of the works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the Local Planning Authority.

Reason: To ensure that the works hereby approved are completed and/or not left in a partially completed state for a protracted period detracting from the character and appearance of the listed building in accordance with PPG15 and policies EH3 and EH5 of the South Somerset Local Plan 2006.

04. No work shall be carried out on site unless particulars of the materials (including the provision of samples to be used for all external walls, roofs and new boundary walls) have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, roughcast, etc). Slate hooks shall not be used.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

05. No work shall be carried out on site unless full details the new natural stonework walls (for the buildings and the roadside boundary wall), including the materials (including coping details and treatment to both sides of the new boundary wall), coursing,

bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

06. No works shall be undertaken on site unless the following details have been submitted and a sample panel provided on site for inspection and written approval of the Local Planning Authority:
- a) Full details, including elevational drawings, to indicate the areas to be repointed.
 - b) Details of the method of removal of existing pointing. In this regard mechanical tools shall not be used,
 - c) Details of the mortar mix, and
 - d) A sample panel of new pointing that shall be carried out in the agreed mortar.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

07. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

08. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

09. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details

once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

10. The area(s) of rebuilding shall be restricted to that defined on the approved plan(s) and shall not be enlarged without the prior express grant of planning permission. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be recommenced if and when consent has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

11. No work shall be carried out on site unless details of the roof lights have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

12. No works are to be undertaken to any structural timbers until details of any alteration have been submitted to and approved in writing by the Local Planning Authority. The works will only be undertaken in accordance with the agreed details, and if found to be impracticable will cease until an alternative has been agreed. Any intervention into historic fabric will be minimal with the introduction of additional timber or steel to the structure always being preferred to the replacement of timber.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with PPG15 and policies EH3 and EH5 of the South Somerset Local Plan 2006.

13. No work shall be carried out on site unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with PPG15 and policies EH3 and EH5 of the South Somerset Local Plan 2006.

14. No work shall be carried out on site unless details of all new and replacement plasters, renders, floor surfaces, ceilings etc, including any making good of any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with PPG15 and policies EH3 and EH5 of the South Somerset Local Plan 2006.

15. No work shall be carried out on site unless full construction details of the new partitions and finishes have been submitted to and agreed in writing by the Local Planning Authority. Such details shall show new partitions scribed around, not cut into the existing cornices, skirting or other features.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with PPG15 and policies EH3 and EH5 of the South Somerset Local Plan 2006.

16. All electrical and telephone services to the development shall be run underground. All service intakes to the dwelling(s) shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwelling(s) in accordance with details, which shall have been previously submitted to and approved in writing by the local planning authority and thereafter retained in such form. All soil and waste plumbing shall be run internally and shall not be visible on the exterior unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

17. In as much as any boundary and external surface treatments may need listed building consent, no work shall be carried out until details of boundary treatments and subdivision of the curtilage of the listed building have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

18. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (planting), which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a

period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

19. The building hereby granted consent for B1 commercial use (shown as `Unit B' on plan '733/A1') shall be used only for the purposes as defined in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In order to determine the scope of the permission and in the interests of residential amenity and highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policies ST5 and ST6 of the South Somerset Local Plan.

20. The office/workshop unit (shown as `Unit B' on plan '733/A1') hereby approved shall be solely for the use and benefit of the occupiers of the dwelling (shown as A1) hereby approved. There shall be no subdivision to facilitate separation of the uses comprised in the mixed workshop-home use.

Reason: In order to determine the scope of the permission and in the interests of residential amenity and highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policies ST5 and ST6 of the South Somerset Local Plan.

21. The proposed access shall be constructed in accordance with details shown on the submitted plan `733/A1' and `733/11A', received 22nd June 2009 and shall be available for use prior to first commencement of the other elements of the development hereby permitted.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

22. The proposed access over at least the first 10.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

23. The gradient of the proposed access shall not be steeper than 1 in 10.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

24. The existing access into the site shall be stopped up, in accordance with the details shown on submitted plan '733/A1', received 22nd June 2009 and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

25. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines drawn 2.0m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility shall be fully provided before works commence on the other elements of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

26. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. This shall include details of existing storm drains at the proposed access and measures to retain or replace these so as to prevent discharge of surface water onto the highway or elsewhere beyond the site. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, highway safety and to protect the local water environment, in accordance with policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6 and EP9 of the South Somerset Local Plan 2006.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the buildings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the listed buildings, in accordance with PPG15, policies EN 3, EN 4 of the Regional Spatial Strategy, policies 9 and STR1 of the Somerset and

Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006.

Informatives:

01. Note: Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Houndstone Business Park, Yeovil, BA22 8HT, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

02. **Bat informative for applicants, agents and contractors**

There is a reasonable possibility that the roof space or structure of this property may be used by bats. We would therefore like to draw your attention to the following:

The applicant and contractors should be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and under European legislation.

Should a bat or bats be encountered whilst work is being carried out on the property, work should cease immediately and advice should be sought from the Government's advisers on wildlife, Natural England (tel. Batline 0870 833 9210). You should also seek further advice before commencing work if you know your property is used by bats.

When working on the property...

Special care should be taken when roof tiles or slates are removed (advise removing by hand and checking underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Eaves and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March - May or September - November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

Bats should preferably not be handled (and not unless with gloves) but should be left in place, gently covered, until advice is obtained.

Bats in Britain

There are some 15 species of bat resident in Britain, all of which are small (5-35g in weight). Eight of these commonly roost in buildings, the most common of these being the pipistrelle bats. Some use very small crevices and can be very hard to find, while others suspend themselves in open spaces (e.g. the loft space) and are generally much more easily located. Many roosts are used on a seasonal basis so a survey carried out only at one time of year may not give a full picture.

Should you wish to have a professional bat survey done as a precautionary approach and to minimise the risk of delays once work has started, we can provide a list of approved bat consultants. If they find evidence of bats, they'll be able to advise on measures necessary to enable you to progress with your plans in a wildlife sensitive way and compliant with wildlife legislation.

03. **Informative - Nesting birds**

Houses, barns, stables and other outbuildings are sometimes used by birds for nesting, particularly swallows. The Wildlife and Countryside Act 1981 makes it an offence intentionally to disturb a nest of any wild bird whilst it is in use or in the process of being built. (There are certain exceptions for some species regarded as 'pests' e.g. pigeons.) If buildings are being used by nesting birds, the applicant should be aware of the legal protection provided to them, and time the proposed works to avoid the nesting season.

Some rarer birds, e.g. barn owls, have a greater level of protection under the Act and are protected from disturbance at all times of the year.

For further information or advice contact the Council's Ecologist, Terry Franklin or Deborah Elton on 01935 462451.

04. The applicant is advised that the building shown as 'Unit C' on plan '733/A1' is outside of the red line of the application site and as such, the planning permission hereby granted infers no approval for demolition or any other works to this building. Furthermore, the building is likely to be listed in association with the main listed building so listed building consent is required for its demolition or alteration.
05. It is noted that it is the responsibility of the landowner to ensure that the watercourse to the east of the site is kept clear of obstruction in order to reduce the risk of flooding of the site.