

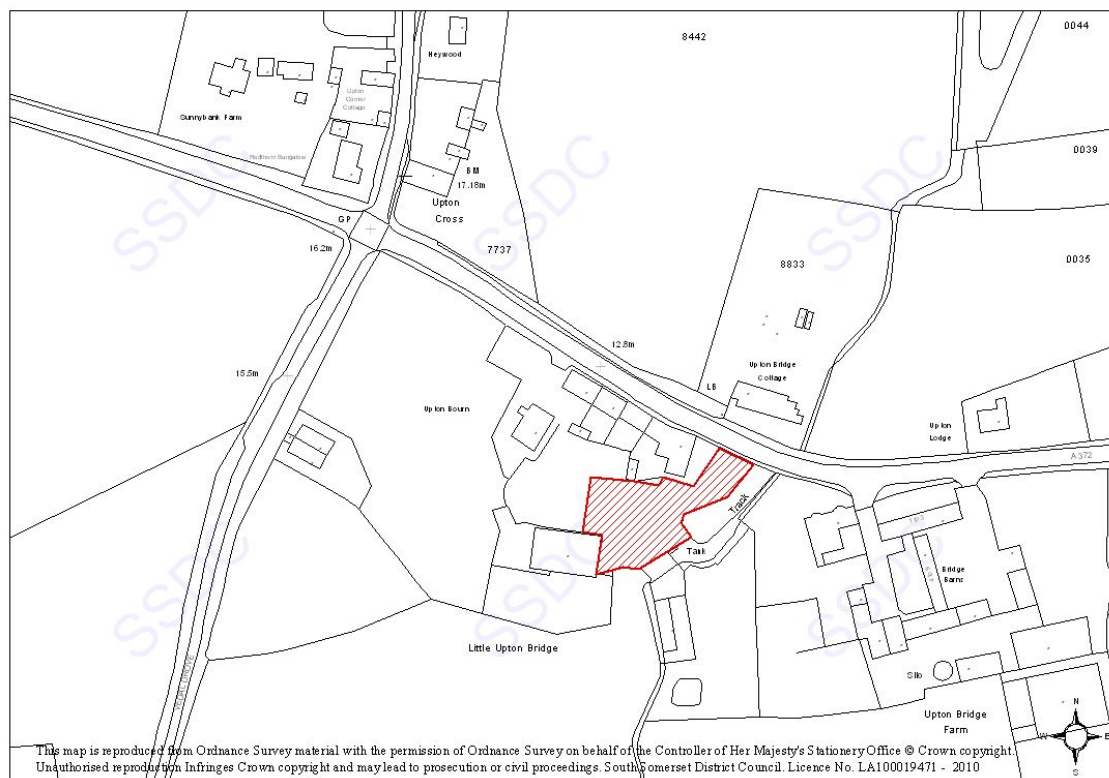
Officer Report On Planning Application: 10/00938/FUL

Proposal:	The conversion of 2 no. barns into 1 no. dwelling and 1 no. holiday let together with associated access, parking and turning (GR 345829/126298)
Site Address:	Little Upton Bridge Farm, Langport Road, Long Sutton
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Mr Rupert Cox (Cllr)
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	3rd June 2010
Applicant:	Mrs Gill Rickards
Agent: (no agent if blank)	Mrs Heather Chamberlain-Wills Stonecroft, Church Lane. West Pennard Glastonbury, Somerset BA6 8NT
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to the Area North Committee at the request of the Ward Member and with agreement of the Area Chairman, because the officer's recommendation is contrary to the views of the Parish Council.

SITE DESCRIPTION AND PROPOSAL



The application site is located in the countryside on the south side of the main Langport Road a little to the west of the village of Long Sutton. There is a dwelling across the road from the application site and another to the east, with employment units beyond.

The property is a non-working farm with a range of stone outbuildings, and various other former agricultural buildings. The structures that are the subject of this application are situated south of the main dwelling, and it is intended to use the approved access to the parking and turning area as part of the current proposal that is for the conversion of two stone buildings to provide an additional dwelling and a holiday let that will form part of the residential property that is included within the red outline of the current application.

PLANNING HISTORY

09/01896/FUL - Formation of a vehicular access with turning and parking area. Approved.

882456 - Reserved Matter (872219) for the erection of a bungalow. Approved. (A legal obligation limited its separate use only while the wider site remains in industrial use).

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.

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

The relevant development plan comprises the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review, and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Save policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Policy STR 6 - Development Outside

Policy 49 - Transport

Save policies of the South Somerset Local Plan:

EH6/ 7 - Conversions

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

EC3 - Landscape Character

National Guidance

PPS1 - Sustainable Development

PPS3 - Housing

PPS7 - Rural

South Somerset Sustainable Community Strategy
Goal 8 - High Quality Homes

Other Relevant Documents :
Long Sutton Village Design Statement

CONSULTATIONS

Parish / Town Council - Original Consultation Response: Objection. Access on grounds of safety, the allocation of all the proposed parked cars and possibly more, clarification on fencing on the proposed boundary - too much, too harsh, necessary? Lacks sufficient detailed information with regard to boundary walls, fencing, access to proposed garden for barn 1.

Consultation Response to Amended Plan: Objects. A poor development and not particularly well thought through we would like to see the car parking elsewhere and as requested before more detail with regards to the boundary fence our preference would be natural stone.

County Highway Authority - It must be a matter for the Local Planning Authority to decide whether the retention of the buildings for re-use and/or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

In detail, it is noted that the existing access located approximately 70.0m to the north west of the proposed access does provide a suitable level of visibility for emerging vehicles in both directions. It also appears that this access could be widened sufficiently so as to enable two vehicles to pass at this point, although it should be noted that this would result in the need to relocate the existing telegraph post.

However, the application in front of me shows the access to the development being located on the southeast boundary of the site. The Highway Authority is content that adequate visibility can be achieved by emerging vehicles from the site on to the A372 given the location of the access on the outside of a slight bend. The access is also of sufficient width to enable two vehicles to pass.

From the submitted plan it is clear that vehicles in connection with the development will be able to enter and leave the site in a forward gear and not manoeuvre on the highway. As a result, from a highway point of view there is no objection to the proposal.

County Rights of Way - Comments given should any part of the development encroach on to the right of way.

Economic Development - From an economic perspective it is quite simple, are these barns still required for the purpose they were originally erected. From what I can see from their location and particularly drawn from the report, I would suggest that they are no longer required for agriculture.

Area Engineer - No comment

Landscape Officer- The proposal lays within an established building footprint, and there are domestic areas adjacent. Consequently I raise no issue with the principle of such development.

Building Control - The barns would appear to be suitable for a sympathetic conversion.

Environment Agency - FRA not required. Site is served by the public sewer, preferable to private drainage. (Following this comment the planning officer approached the applicant who advised that they would accept connection to the public sewer for the holiday let).

Ecologist - Satisfied with bat survey. No further comments.

REPRESENTATIONS

5 Neighbour notification letters were issued and a site notice posted at the site.

There have been four respondents that raise objections:

- changes in the scale and nature of the extant permission for access to the site,
- highways safety - four serious accidents,
- off road parking effectively becomes a commercial car park,
- division of the grounds giving rise to a cramped appearance,
- drainage issues,
- additions to the existing structures,
- alterations to the holiday let barn increases the scale of the development.
- Setting of a listed building,
- loss of privacy,
- outside development boundary,
- too many holiday lets,

Following receipt of an amended site plan neighbour comments received from the two adjacent properties maintain their objections to the proposal.

- The Little Bourne access is favoured
- The 2 metre high fencing around part of the car park area is inappropriate and should be 1.2m high natural blue lias stonework.
- Additional vehicular activity is contrary to government advice
- Amended plan does not materially alter the scale of the proposed development
- Not of good quality design. Glazed link is out of keeping.
- Inaccurate plans
- The site lies outside any development limits and meets none of the needs of the Parish Plan.

APPLICANT'S STATEMENT

We have tried to follow all the processes to ensure a development that fits with the Council plans. Before submitting plans we attended the Long Sutton Parish Council and were advised to seek pre-planning advice. This we did with Lee Walton from SSDC Planning Dept. and we followed all his recommendations: check with Highways, Ecology, Structural survey and to apply for 1 residential unit with an ancillary annex/holiday let (vs. 2 residential units). We also talked with our neighbours and the Parish Council twice on site to accommodate as many of their concerns as were feasible (drainage, boundaries, adding a gate and moving location of parking to improve view, etc) and then worked with Lee to alter the plans based on his advice. We believe the development will have minimal impact on the area but will bring in a new family to use local facilities (schools etc) and tourists to generate income in the vicinity. It also enables a future for these old picturesque buildings and will ensure their upkeep.

From a road/visual amenity aspect the impact is minimised by the use of an access with existing planning, adding gates and locating parking so as to be invisible from the roads and footpaths (due to parking area being 3ft below the road) and the entrance being in a section of road with clear straight visibility in both directions (as approved by Highways)

CONSIDERATIONS

The main considerations relate to the principle of development, to character and appearance, the setting of the Listed Building, and highway safety.

Principle of Development:

Policy ST3 (Development Areas) restricts development in the countryside but must be read in conjunction with other Local Plan policies. Policies EH6/ EH7 considers the conversion of buildings in the countryside. EH7 considers residential development, and EH6 considers the holiday let accommodation. The policies require that the structural condition of the buildings is such that they are capable of conversion without any significant reconstruction and enlargement. To achieve a residential conversion the applicant needs to have shown that there is not an economic use to which the building can be put. The applicant has submitted a market appraisal and the Economic Development officer supports the case that an employment use is inappropriate in this location. A residential dwelling is therefore supported in principle in accordance with policies EH6/7. The holiday let is considered an economic benefit.

A bird/ bat survey was submitted and the Ecologist requires no further details. It is considered that the criteria set out in the policies have been addressed and therefore there is in principle support for the conversions that provide one dwelling house, and one holiday let that together form one additional residential unit.

Character and Appearance:

The physical alterations are limited and include a small linking extension to the proposed main dwelling to facilitate internal communication within the dwelling. The use of glazing is considered sympathetic to the character and appearance of the building. It is considered that the link is in keeping with the residential conversion.

The holiday let involves removal of a section of timber structure and retains a limited scale, while its position and relationship to the main dwelling is such that this argues against any future separation of the holiday let to create a new and separately owned dwelling.

Setting of Listed Building:

It is considered that given the location alongside a main road, across the road from the front aspect of a listed building the proposed development that provides for additional parked vehicles will not have any detrimental effect on the setting of the listed building. There is an extant planning permission that can be undertaken by the applicant, and which is discussed below.

The use of the land for domestic parking is not considered will have any particular impact on setting and an argument on the basis of the additional traffic cited is considered unreasonable, given that the site is considered relatively screened, given that the land is lower than the road surface and this further reduces the impact of any parked vehicles on site.

Visual Amenity:

The applicants revised the layout and include a gated access. Notwithstanding this the neighbours across the road would have a view from their first floor windows over the parking area. However, private views cannot be protected by the planning system although visual amenity is an issue where this relates to a wider public loss. Most passers-by are in their vehicles and will not be aware of the appearance of the parking area, if, indeed, it were considered a problem.

Extant Permission:

There is an extant planning permission, which would open up the parking area although it is understood that the objection is towards the increased traffic that results from the additional dwelling and the associated holiday let. The proposal seeks a limited increase in traffic movements. The proposal not only addresses the parking standards in local plan policy but provides additional parking opportunities.

Highway Safety:

The Highway officer supports the proposal and is content that adequate visibility is achieved by emerging vehicles from the site on to the A372. As part of their considerations reference will have been made to the accident level. Notwithstanding the objections the highways officer is supportive that the access is of sufficient width to enable two vehicles to pass.

Neighbour Responses:

All comments have been noted. The issues raised have been addressed as part of the considerations. There have been two visits to the site in company with the representatives of the Parish Council. Further consideration has been given to the wider site in the ownership of the applicants and whether an access via Little Bourne was feasible and would be a much better place to that proposed.

While objectors consider that the access to Little Bourne is the more suitable access the applicants are not prepared to alter their plans. We have therefore to consider the harm from the current proposal and whether it is reasonable to refuse the proposal on the basis of the proposed access. Without Highways support it is considered that to seek refusal would be unreasonable.

Reference is made by objectors to a commercial car park. The proposal more than doubles the number of parked vehicles compared to the extant permission for vehicular access, given the additional dwelling and the holiday let proposed. This aspect is a concern for objectors who draw attention to the additional parking and that it is reasonably likely, given that grown families generate the need for many more vehicles that the limited area for parking and turning will result in many more parked vehicles over and above the policy requirements for the site. Objectors claim that such saturation results in a cramped appearance that would have a detrimental effect on the setting of the listed building although the grounds for objection are not sustained by planning officers. However, the purpose in considering the current application is whether sufficient parking is provided, and the proposal can amply accommodate the required standards and more. So far as it is concerned that the proposal gives rise to many more parked vehicles on site there is no planning policy objection sufficient to seek a refusal on such a basis in this location.

Parish Council's comments:

Having given consideration to the comments made by the Parish Council it is noted that without the support of the County highways' officer that highway safety is a matter of concern, given also the extant planning permission for the new access that can be

undertaken without any further control there is little weight that can be attached on the grounds that the access is unsafe.

The proposed number of parking spaces is in accordance with local plan standards and the site is capable of providing additional spaces, although to speculate on the additional parking requirements is considered unreasonable.

As part of the amended drawings the internal boundaries were largely removed and the area to the front of the site opened up to provide a more spacious parking area. The latest drawing also indicates boundary arrangements to the rear of the site. The use of timber infill along front boundaries is considered in keeping with the type of treatment not uncommon elsewhere.

It is considered that it is difficult to argue that the proposal is a poor development given that the various requirements in dealing with barn conversions in the countryside have been met, with the result that the applicant's case comes to rest on whether the highway arrangements are acceptable, and whether the finish is likewise acceptable.

As part of the process investigations were made within the wider land holding as to whether there were alternative access arrangements, however, it became evident that an alternative access point gave rise to other difficulties notably circuitous arrangements for the occupants of the new dwelling, and the adjacent holiday let. While such arrangements might be argued acceptable for holidaymakers it is considered that these arrangements would not be acceptable for occupants of the main dwelling. The land levels, and solid stone walls within the site hampered a suitable layout, in addition, and given the limited scale of development (just the one dwelling with a holiday let) it is considered that there is no reason to insist on an alternative access. Notwithstanding the investigation we have to deal with the proposal that is submitted by the applicant who wants the application to be determined on the basis of the access that already has planning permission. We have, therefore, to consider the proposed access and not a preferred alternative. It is considered that the proposed access is acceptable.

Other Matters:

The applicant has proposed to connect the holiday let to the mains drainage and further details to confirm this will be conditioned. The internal fencing within the parking area was removed and the area opened up. A small front garden area is proposed to the existing dwelling while the 2 metre high fencing, commented on by objectors is used to infill an existing gap and compliments the existing part stone and timber enclosure. It is considered that the treatment is acceptable.

In conclusion:

Having considered the matters that arise the proposal addresses the earlier concerns about the division of the parking area and the clutter that was present through the revised site layout that opens up the area. The boundary treatment is considered acceptable, while the additional traffic is considered would not detract from the setting of the listed building. The conversions are in accordance with local plan policy, while Highways do not object to the increased use of the access that otherwise has the same visual impact as the extant planning permission.

RECOMMENDATION

APPROVE

01. The proposal, by reason of its substantial construction without the need for significant extensions and alterations, represent a buildings suitable for

conversion in accordance with the aims and objectives of policies ST4 and EH6/7 of the South Somerset Local Plan.

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 proposed access over at least the first 5.0m 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 further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

03. The gradient of the access way shall not at any point be steeper than 1 in 10 for a distance of 5.0m from its junction with the public highway.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

04. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5.0m from the carriageway edge.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

05. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

06. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

07. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: In the interests of visual amenity further to policy ST6 of the South Somerset Local Plan.

08. The development hereby permitted shall be carried out in accordance with the following approved plans: 09026-07 and 02 dated February 2010, and 09026-04 dated Nov 2009

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

09. No development shall take place before details of the access, including boundary treatment to walls has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity further to policy ST6 of the South Somerset Local Plan.

10. No development shall take place before foul 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. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure adequate drainage arrangements are in place to accord with policy ST6 of the South Somerset Local Plan.

11. The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holidaymakers for individual periods not exceeding 4 weeks in total in any period of twelve weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: The accommodation provided is unsuitable for use as a permanent dwelling because of its limited size and inadequate facilities on site and the Local Planning Authority wish to ensure the accommodation is available for tourism.

12. 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 dwelling and holiday let buildings without the prior express grant of planning permission.

Reason: The proposal was considered under the barn conversion policy and further enlargement should be controlled further to policies EH6, EH7 and ST6 of the South Somerset Local Plan

Informatives:

01. 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 County Council at The Highways Depot, Houndstone Business Park, Yeovil BA22 8RT, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.