

Area North Committee – 25 June 2014

## Officer Report On Planning Application: 14/01048/FUL

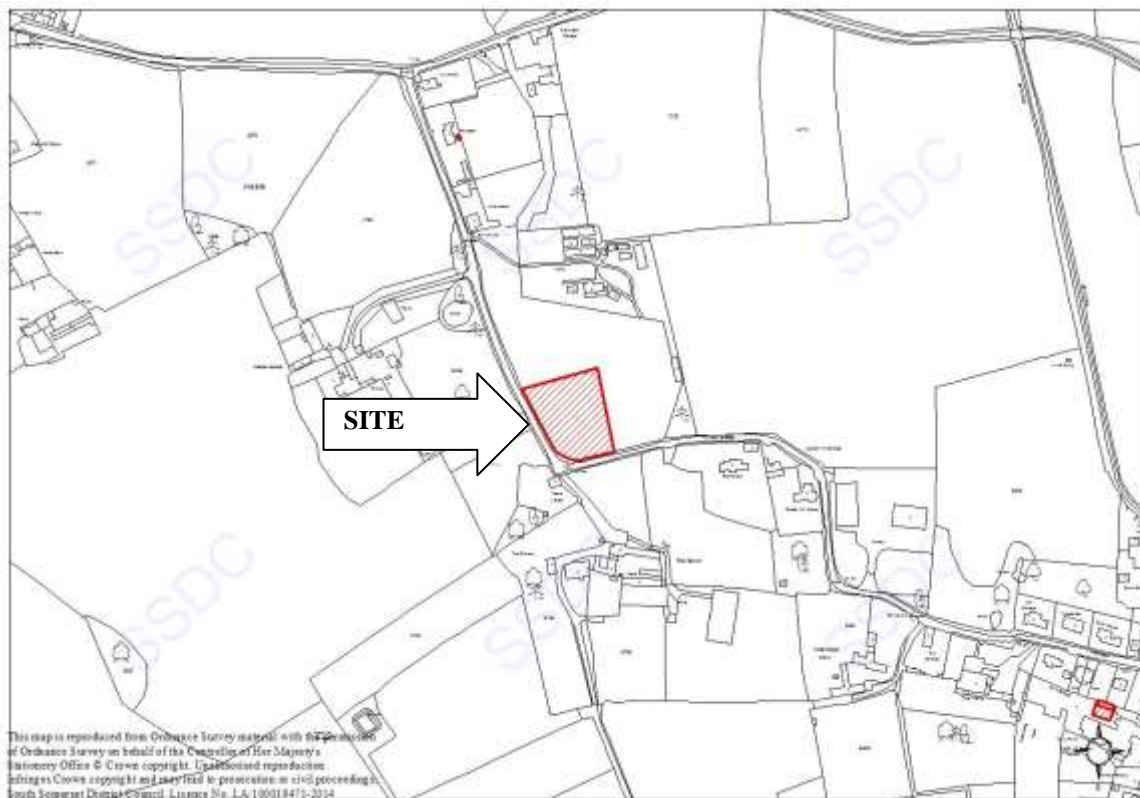
<b>Proposal :</b>	Conversion of redundant building to one dwelling (GR 338641/125528)
<b>Site Address:</b>	Land At Water Street, Curry Rivel
<b>Parish:</b>	Curry Rivel
<b>CURRY RIVEL Ward (SSDC Member)</b>	Cllr Terry Mounter
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	20th May 2014
<b>Applicant :</b>	Mr & Mrs N Oliver
<b>Agent: (no agent if blank)</b>	Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member with the agreement of the Area Chair to allow Members to fully debate the impact of the proposed development on the character of the surrounding area.

### SITE DESCRIPTION AND PROPOSAL





The application relates to the conversion of redundant building in open countryside to a dwelling. The site is located off Water Street, to the west of Curry Rivel and lies approximately 500m from the edge of the Curry Rivel defined development area. It comprises a single storey mixed brick, block, metal and timber clad structure with a metal roof and is located just off centre within an open field. There is an open fronted agricultural store to the east of the field, which is not within the application site.

The immediate vicinity of the application site is sparsely developed, although there is some low density development to the east and north along Water Street. The grade II\* Heale House is sited to the west and grade II listed Peel Barton and Heale Lodge are to the south. Of these, Heale Lodge is site in a roadside position, immediately to the south of the application site. Planning permission was granted in 2011 for the removal of a large group of buildings on land to the north and replacement with a dwelling.

This application is made for planning permission for the alteration and conversion of the existing building to provide a dwelling. The proposals replacing the existing roof with a zinc roof, with PV panels included to the south facing slope. It is also proposed to replace the existing metal and timber cladding with new timber cladding. The proposal also includes the provision of a new vehicular access to the west and a new drive with parking and turning area. The 0.3 hectare open field is to be sub-divided to form a residential curtilage for the proposed dwelling. It is proposed to plant the boundary with native hedge and carry out orchard planting to the south of the site.

## HISTORY

No history on application site.

## 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

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC3 - Landscape Character

EC8 - Protected Species

EH5 - Development affecting the setting of Listed Buildings

EH7 - The Conversion of Buildings in the Countryside

### Policy-related Material Considerations

National Planning Policy Framework (March 2012):

Core Planning Principles - Paragraphs 14 and 17

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

## CONSULTATIONS

**Parish Council:** The Parish Council has no objections to raise in respect of this planning application, subject to the permitted development rights for the rest of the site being removed.

**County Highway Authority:** County Council Standing Advice should be applied, specifically provision of appropriate visibility splays (2.4m x 43m), properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

**Natural England:** No objections.

**SSDC Ecologist:** No comments or recommendations due to insufficient potential roosting opportunities within the building.

**English Heritage:** No comment - The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

**SSDC Conservation Officer:** The Conservation Officer has no objection to the conversion of the barn itself, however it is noted that the barn sits in an open area with listed buildings close by. Concerns are raised in relation to the change in nature of the land around the building to a domestic use. The area of land shown for the garden is extensive and is opposite the listed buildings. The main concerns are that a domestic use of the land will have an impact on the setting of the listed buildings.

**SSDC Landscape Architect:** Two landscape issues have been raised. Firstly, it is noted that there will be hedge removal to create a visibility splay. It is expected that the majority of the splays are accommodated by facing-up the road-side face of the hedge, without impacting upon its structure, so that any change to the character of the lane can be minimised to an acceptable level. Any further removal of the core of the hedge would be unacceptable as this would represent a partial erosion of the narrow character of the lane.

Finally, in considering the principle of re-development, the site is divorced from the core of the village, to be considered as being sited in a countryside location. There is a sporadic scattering of individual dwellings in the vicinity, along with farmsteads that are interspersed by small paddocks and larger agricultural fields, but no strong residential context. The application structure lays some way into the field, with farmland to fore and rear. The change of the building from agricultural to domestic, with associations of car movement; domestic paraphernalia, and night light extends domestic use into the countryside, unrelated to the established domestic pattern. I regard this to be at variance with local character and thus not meeting saved LP policy ST5 para 4, to justify a landscape objection.

## REPRESENTATIONS

No comments received.

## CONSIDERATIONS

### Principle of Development

In terms of principle, the site is located beyond any defined development area, where residential development is normally strictly controlled by local and national planning policies. Paragraph 55 of the National Planning Policy Framework (NPPF) states that "Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances". These circumstances include:

- Where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.

This application is made on the basis of making use of an existing building, which is redundant. Consideration has been given as to whether conversion could be carried out by applying the new permitted development rights that have come into force under Schedule 2 Part 3 Class MB of the Town and Country Planning (General Permitted Development) Order 1995, however there are a number of reasons why this proposal would not comply, with the principal one being that the building has been used in connection with the surrounding paddock and is therefore not considered to form part of an "established agricultural unit". Despite this, there is other general policy support for the conversion of existing buildings, which is to be considered in this proposal. Saved Local Plan policy EH7, which requires that every reasonable attempt has to secure a suitable business reuse of existing buildings, prior to their conversion for residential purposes, is still valid, however as this policy has not been replaced in the current draft Local Plan, it is considered appropriate to assess this policy in respect to the advice contained within the NPPF (paragraph 55).

In this respect the building is single storey agricultural storage building/workshop that has historically been used in conjunction with the surrounding field, however it is advised that the building has been disused for several years. It is constructed with solid walls on

three sides, comprising a mix of block work and an older brick gable with chimney, and is otherwise clad in timber and metal. Whilst dilapidated, the building is of permanent and substantial construction and is generally in sound structural condition and capable of conversion. It is necessary to replace the roof, with a simple zinc finish proposed, and it is also intended to re-clad with timber and insert aluminium frame windows and doors.

The proposed development is deemed to be capable of conversion in line with paragraph 55 of the NPPF, although consideration will still need to be given to other planning considerations such as impact on local landscape character, the setting of nearby listed buildings and highway safety.

### **Scale and Appearance**

The building retains the same height as existing and remains on the same footprint, with no extension, and the openings broadly correlate to existing opening positions, although there is inevitably a need to increase the number windows in the building. This creates a domestic appearance at odds with the simple functionality of this utilitarian rural building.

There is also concern relating to the land around the building and impact of domestication of this land. The site is located at distance from the edge of Curry Rivel, where the density of development reduces to very much an open countryside scale. There are a sporadic scattering of individual dwellings in the vicinity, with the main character of the area comprising the occasional farmstead interspersed with small paddocks and larger agricultural fields. There is however no strong residential context. The site itself comprises the building being considered for conversion and a large open field. The building sits to the centre of this field and is of a very simple agricultural form that assimilates well within the surrounding countryside. The Council's Landscape Officer has raised concerns on two parts, the first being potential impact on the roadside hedge due to the need to create a visibility splay for the proposed access, and secondly due to the increased domestic presence thorough, the new access, domestic paraphernalia, car movements and light intrusion, which is considered to lead to a development that fails to respect the form, character and setting of the locality.

While the applicant has indicated that the visibility splays can be provided with some cutting back and reinforcing of the roadside boundary hedgerow, without large scale removal, the domestication and associated intrusion into open countryside associated with the proposal is still of concern.

The applicant has proposed to carry out orchard planting within the proposed curtilage area and has also suggested the inclusion of a condition to remove permitted development rights for the addition of outbuildings and domestic paraphernalia. This is acknowledged, however it is not considered that it would adequately mitigate the inevitable domestication of the site and the loss of the openness of the land that would result from the formation of a residential plot in the middle of this field. Furthermore, it is pointed out that a dwelling of this nature would almost certainly generate pressure for ancillary outbuildings such as garages, stores, etc. Whilst such development would be subject to an application, it is considered very unlikely that the Local Planning Authority would be in a position to resist the principle of such a request, particularly where domestic use of the site has been permitted.

The Council's Conservation Officer has raised concerns in respect to the development as he considers the open character of the site and the surrounding area to be a key feature of the setting of the nearby listed buildings. It is considered that the change in nature of the land from a simple open agricultural form to a more enclosed and domesticated appearance, will adversely impact on the distinctive character of the area, which defines, and creates the setting for these listed buildings.

Finally, it is noted that to comply with paragraph 55 of the NPPF, the proposed reuse of redundant or disused buildings should also lead to an enhancement of the immediate setting. The applicant has argued that the building is rundown and overgrown, with a line of non-native conifers along the west side of the building, which are incongruous, and that the proposal offers the opportunity to enhance the appearance of the building and its immediate setting. The presence of the non-native specimens are acknowledged, however these are not considered to be so incongruous as to have a harmful impact on local landscape character. Also the building may be a little dilapidated but it is a simple low profile agricultural structure, commonly found in open countryside and in itself sits comfortably within the site, having little overall impact on its surroundings. Far from leading to an enhancement, it is considered that the subdivision of the field, provision of a new vehicular access, drive, parking and turning area, as well as the necessary amenity space and inevitable presence of domestic equipment, will adversely impact on the character of the area, having a negative impact to the detriment of the locality.

One of the criteria listed under paragraph 17 of the NPPF (Core Planning Principles), also reiterates the need to *"take account of different roles and character of different areas"*, including *"recognising the intrinsic character and beauty of the countryside"*. Again, the proposed development is considered to be contrary to this core planning principle of the NPPF, and therefore fails to accord with the presumption in favour of sustainable development within the National Planning Policy Framework.

### **Other Issues**

The application includes the provision of a new means of access and a parking and turning area within the site. The County Highway Authority have made no specific comments, instead referring to their standing advice. In this case, the proposed access arrangements incorporate the required visibility splay of 2.4m by 43m, of which all the necessary land is within the applicant's control or that of the Highway Authority.

The layout also shows adequate space for turning of vehicles and for the parking of 2 cars, which is sufficient to meet the requirements for a two bedroom dwelling in this location. Details of surface finish and drainage arrangements will be dealt with by condition. Overall, the proposal is considered to accord with the standing advice and there are no objections in respect to highway safety.

No bat survey has been carried out, however the Council's Ecologist has considered the proposal and is satisfied that there would be insufficient roosting opportunities within the building to present a constraint on development. A survey could be required by condition if deemed appropriate.

The site is in a relatively isolated location with a good distance from the nearest residential properties and as such there are no residential amenity issues.

### **Conclusion**

Overall, while it is considered that the building is capable of conversion to a residential unit, it is located towards the centre of an open field, where the subdivision of the site and introduction of domestic features associated with the proposed residential use of the site is considered to be unacceptable. Rather than offering an enhancement of the immediate setting, as required by paragraph 55 of the NPPF, the development is considered to detrimentally impact on the distinctive open character of the area, which also forms part of the setting of nearby listed buildings.

**RECOMMENDATION**

Refuse planning permission

**REFUSAL REASON**

01. The proposed conversion of this simple, functional, isolated rural building, sited centrally in this 0.3 hectare field, would, by reason of the addition of domestic doors, windows, eaves and fascia detailing, the creation of a substantial domestic curtilage, access track and parking and turning areas, result in an alien and incongruous form of development at odds with the open rural character and appearance of the locality and detrimental to the rural setting of the nearby listed buildings, that would not lead to an enhancement of this site. As such the proposal is contrary to saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006 and the provisions of paragraph 17 and chapters 6, 7, 11 and 12 of the National Planning Policy Framework.
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