

Area West Committee – 17th November 2010

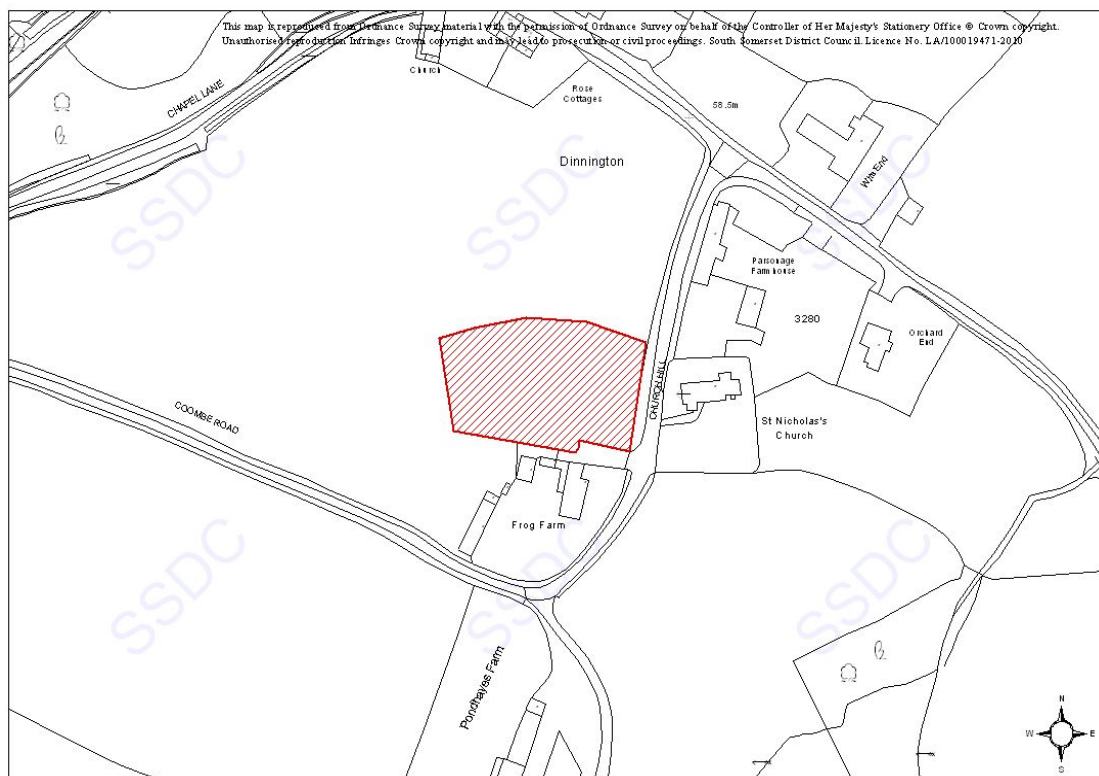
Officer Report on Planning Application: 10/00953/FUL

Proposal:	The repair and conversion of redundant barn to form a dwelling and the formation of a vehicular access. (GR: 340260/112735)
Site Address:	Manor Barn Church Hill Dinnington
Parish:	Dinnington
EGGWOOD Ward	Cllr S Bending
Recommending Case Officer:	John Millar Tel: 01935 462465 Email: john.millar@southsomerset.gov.uk
Target date:	28th April 2010
Applicant:	Mr Clive Wakely
Agent: (no agent if blank)	Mr Paul Richold 12 The Wool Hall St Thomas Street Bristol BS1 6JJ
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of Cllr Bending, with the agreement of the Area Chair, Cllr Turner. It is felt that the issues should be given further consideration by members.

SITE DESCRIPTION AND PROPOSAL



The application relates to a redundant barn, previously within the curtilage of Frog Farm, a grade II listed detached farmhouse located in an elevated position on the southern edge of the hamlet of Dinnington. Across the lane to the north east is St Nicholas Church, also a

listed building, there are open fields to rear, side and front of the site, with the fields rising away from the rear of the house.

The barn is not listed in its own right but as it falls within the historic curtilage of Frog Farm, it is considered to be listed in association with this property.

The proposal is made to convert the barn for residential purposes and create a new vehicular access, to separate the unit completely from the neighbouring dwelling. Planning permission and listed building consent have been granted previously, in 2003, 2007 and 2009. The latter applications were made by the current applicant and have been commenced. This application is made to vary planning permission 09/00762/FUL. The main changes are to increase the size of the approved strip roof lights and solar panels to the south elevation. The other details altered from the original consent include minor internal rearrangement, which does not require any changes to the external appearance of the building, the re-design of the screen above the garage doors and an updated landscaping scheme. As the previous consent has been commenced and the amended roof lights have been inserted, the application is made part retrospectively. The solar panels have not been inserted yet and the landscaping scheme has not been implemented. The proposal also included the addition of an oil tank on the east boundary of the site. This has since been amended to position it well within the site.

HISTORY

10/00989/FUL: Demolition of corrugated iron lean to roof, repair and alteration of the Wagon Shed to form garage and store with accommodation at first floor - Permitted with conditions

10/00990/LBC: Demolition of corrugated iron lean to roof, repair and alteration of the Wagon Shed to form garage and store with accommodation at first floor - Permitted with conditions.

09/00762/FUL: The repair and conversion of a dwelling and the formation of a vehicular access - Permitted with conditions.

09/00764/LBC: The repair and conversion of a dwelling and the formation of a vehicular access - Permitted with conditions.

08/00942/FUL: Conversion of wagon house into residential annexe for use in association with dwelling as approved 07/04434/FUL - Permitted with conditions.

08/00943/LBC: Conversion of wagon house into residential annexe for use in association with dwelling as approved 07/04435/LBC - Permitted with conditions.

07/04434/FUL: Conversion of barn to dwelling - Permitted with conditions.

0/04435/LBC: Conversion of barn to dwelling - Permitted with conditions.

03/00069/LBC: Change of use and conversion of a Barn into a single dwelling - Permitted with conditions.

03/00072/FUL: Change of use and conversion of a barn into a single dwelling - Permitted with conditions.

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

Somerset and Exmoor National Park Joint Structure Plan:
STR1 - Sustainable Development
STR6 - Development Outside Towns, Rural Centres and Villages
5 - Landscape Character
9 - Built Historic Environment

South Somerset Local Plan 2006:
ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character
EC8 - Protected Species
EH3 - Listed Buildings
EH5 - Development Proposals Affecting the Setting of Listed Buildings

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.
Planning Policy Statement 5: Planning for the Historic Environment

CONSULTATIONS

Parish Council - Object to the positioning of the oil tank at the eastern end of the barn as it will not safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area. The oil tank and the hedge surround will also reduce light to the window in the west end of the church.

No further comments received.

SSDC Technical Services - No comments.

County Highway Authority - It appears from the planning history of the site that the conversion of the barn element of the proposal has been permitted as part of a previous application and as such no comment is required at this time.

However, the proposal is seeking to create a new access on to the Highway at this point. Having visited the site I have the following comments to make. It is clear that the speed and volume of passing traffic at this point is limited. It is also noted that at present the whole of the site is served by one access and as such there is the potential for the meeting of vehicles at this point. Given that there is an inability for two vehicles to pass manoeuvring may take place on the highway, which is a highway safety concern.

It should be noted that the Highway Authority has concerns regarding the likely gradient of the proposed access. Given the nature of the existing access adjacent, it is likely that the gradient of the proposed access will be excessively steep. The Highway Authority would wish to see the access no steeper than 1 in 10 over the first 5.0m of its length. However, whilst this is of concern to the Highway Authority the benefits achieved through reducing the potential for conflict through the introduction of this access outweigh these concerns.

As a result, whilst finely balanced, I would advise you that from a highway point of view there is no objection to the proposal. However, in the event of permission being granted I would recommend the imposition of conditions.

County Archaeology - No objection on archaeological grounds.

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

SSDC Ecologist - The previous application was subject to a bat condition, which resulted in a survey report and mitigation plan being submitted and approved. I recommend a condition on the consent notice requiring implementation of this bat mitigation plan. I also recommend an informative regarding the need for a 'mitigation licence' from Natural England:

Before this development can commence, a European Protected Species Mitigation Licence (The Conservation (Natural Habitats, &c.) Regulations 1994) will be required from Natural England. You will need to liaise with your ecological consultant for advice and guidance on the application for this licence.

SSDC Conservation Officer - In the context of the previous approval, I have no objections (to the proposed changes in relation to the solar panels). I have visited the site without the file. I would comment that I am happy with the roof lights that I saw on site. Concerns raised regarding glazed overlight above garage doors, feel that it would not look right above solid doors, as approved.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Four letters of objection have been received. The main points made are as follows:

- The barn is listed 'by association' within the curtilage of Frog Farm House, is surrounded by listed buildings, such as St Nicholas Church, and is in a conservation area.
- The position of the oil tank will be quite high and will have a detrimental visual impact, particularly due to close proximity to the church. The oil tank will also necessitate higher hedge planting, which may take light away from the window of the church and encourage growth of algae. The tank would be much better placed at the opposite end of the barn where it would not affect anyone.
- The mish-mash of different shapes and openings on the north elevation seems disproportionate. Have planning laws been relaxed? The character of old buildings should not be allowed to be destroyed.
- The solar panel on the south roof looks substantially larger than depicted on the previous plans, which does not maintain the character of the roof. The revised collectors, including flashings are almost four tile courses high and approximately one metre wider than previously approved.
- The 'slatted timber screen previously approved above the garage doors is now an 'overlight, which is different design with more glass. This is a more significant intervention that will have a greater impact on the building. This alteration along with that to the solar panels will not maintain the building's character and appearance as a traditional farm building and will detract from the setting of the adjacent listed house and church.
- The roof light strips are also a full three tile courses high, an increase of 50%, and doesn't accord with the previous view that they would not create a large intervention that will impact unduly on the large unbroken appearance of the roof. When approaching from the south, the roof slope and roof lights (along with the proposed solar panels) are clearly visible. Given the unbroken appearance of the east slope of Frog Farm and the south facing roof slope of the church, the significantly disrupted appearance of the barn roof will adversely affect the setting of the adjacent listed buildings and the character of the immediate area.
- It is felt that the application should be further amended to rectify the adverse affect prior to approval.

CONSIDERATIONS

Principle of Development

The proposed development is a revision of the scheme approved previously under planning permission 09/00762/FUL and therefore, is generally acceptable in principle. The changes to

the approved scheme include the enlargement of the approved glazed strip roof lights and solar panel and minor internal alterations. The scheme originally proposed the positioning of an oil tank close to the eastern boundary of the site and the installation of a glazed screen above the garage doors. Details of proposed landscaping is also included as part of the scheme.

Some objections have been raised by neighbours. These particularly relate to the increased size of the roof lights and solar panels, the positioning of the oil tank and the glazed screen.

In relation to the oil tank and glazed screen, the applicant has agreed to amend the proposal to rectify these issues. Amended plans have been received showing the oil tank well within the site and out of view and as such there are no objections to this element of the scheme. The applicant has also confirmed in writing that they no longer wish to include the glazed screen and will revert to the existing finish. It is noted that a slatted timber screen was approved under the previous permission and as such retaining this approved finish would also be considered acceptable. A condition will be imposed to this affect.

The internal alterations are minimal and will have no impact on the external appearance of the barn so no objections are raised to this part of the scheme.

Barn Conversion and Historic Context

The remaining objections relate to the enlargement of the glazed strips and the proposed solar panels on the south facing roof slopes. The roof lights are already in position but the solar panels have not been inserted yet, as such the application is part retrospective. The main considerations in assessing this amendment are whether the works will detrimentally impact on the traditional appearance of the traditional building and whether it will adversely affect the setting of the adjacent listed buildings, including the grade II* listed church.

Both the roof lights and the solar panels were shown as being approximately two tile courses in width. The glazed strips just exceed this and together with the proprietary flashing, now extend to just over three tile courses. The proposed solar panels will be approximately three tile courses, extending further with the flashing included. The objections are based on the increase in size and argue that this will be significantly more noticeable, which in turn will detract from the traditional appearance of the building and will adversely impact upon the setting of the listed buildings as a result. One comment also infers that the solar panels will be approximately one metre wider than previously approved.

It is noted that these features will be larger than those already approved but in the context of the previous approval, it is not considered that there will be a significant change in appearance so as to affect the general setting of the building or the wider setting of the nearby listed buildings. In terms of the scale of the features in relation to the overall size of the roof, the increase is not considerable. The glazed strips as approved were approximately 700mm in width and those installed are now about 900mm, with the flashing increasing the size of opening to 1.15m in width. The solar panels were also approved at 0.9m, the proposed increase is to 1.05m, with flashing totalling approximately 1.25m. This indicates a total increase (including proprietary flashing) of approximately 450mm for the roof lights and 550mm for the proposed solar panels. The Council's Conservation Officer has been consulted and has raised no objections to the proposal. Having visited the site and seen the glazed roof strips in situ, it is considered that they are acceptable in the context of the previous approval. It is also noted that English Heritage have raised no objection in relation to the impact on the grade II* church.

While there is an increase in the size of the glazed roof strips and the proposed solar collectors, the increase is not excessive in relation to the size and scale of the roof. They still sit comfortably in the roofline and are not considered to create such a large intervention that will impact unduly on the largely unbroken appearance of the roof. The revised scheme is still considered to be consistent with advice contained with SSDC guidance and English Heritage advice.

CONCLUSION

Overall the proposed works are deemed to be acceptable and are not considered to have an adverse affect on the character or appearance of the traditional building, the setting of the local landscape character or the listed buildings. Therefore, the recommendation to members is to grant planning permission for the proposed development.

RECOMMENDATION

Approval with conditions.

JUSTIFICATION

The proposed development, by reason of its size, scale and materials, has no adverse affect on the character or appearance of the traditional building, the setting of the local landscape character or the listed buildings and does not cause any unacceptable harm to residential amenity, in accordance with the aims and objectives of PPS5, policies STR1, STR6, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST3, ST5, ST6, EC3, EH3 and EH5 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: '914/151 P2' and '914/153 P6' received 7th June 2010 and '914/152 P9', '914/154 P3' and '914/155 P3' received 3rd March 2010.

Reason: For the avoidance of doubt as to the development authorised as the submitted proposal has been amended, in the interests of proper planning and to safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

3. No approval is granted hereby for the provision of the 'overlight' shown above the garage doors on proposed elevation plan '914/153 P9', received 7th June 2010. This shall be replaced by the slatted timber screen, as shown on elevation plan '914/153' of the approved scheme 09/00762/FUL, otherwise the existing horizontal boarded panel shall remain in place, as agreed in writing by correspondence dated 19th August 2010.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

4. No work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.)

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint

Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

5. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

6. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

7. No work shall be carried out on site unless details of the lintels to all new openings, including those in any new build, and the treatment to the surrounds of the window and doorway openings have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

8. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

9. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 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 re-commenced if and when consent has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

11. No work shall be carried out on site unless details of the roof lights and solar panel collectors 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

12. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

13. 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. On (all) buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of the buildings or to roofs. 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: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

14. The development hereby approved shall be carried out in complete accordance with the contents and recommendations contained within the approved bat mitigation plan accompanying the survey carried out on 26th July, 31st July, 24th August and 24th September 2009, unless otherwise agreed in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan 2006.

15. The approved scheme of landscaping shall not be carried out otherwise than in complete accordance with the submitted plans and specifications as detailed in drawing no. '914/151 P2', received 7th June 2010. All planting, seeding, turfing or earth moulding comprised in these 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. The scheme of landscaping shall include a hedgerow planting scheme for the south west field boundary and the north boundary of the approved residential curtilage, as agreed in writing by correspondence dated 27th July 2010.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

16. 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, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

17. 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.

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

18. 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 to the south. Such visibility shall be fully provided before the access hereby permitted is first brought into use 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 saved policy ST5 of the South Somerset Local Plan.

19. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of line drawn 2.4m back from the nearside carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge

25.0m to the north of the access. Such visibility shall be fully provided before the access hereby permitted is first brought into use 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 saved policy ST5 of the South Somerset Local Plan.

20. 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 building, or other external alteration made without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

21. 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 building and no buildings or other structures including walls, fences and ponds to be built within the curtilage of the building without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the building, the adjacent listed buildings and the character and amenities of the rural area in accordance with PPS 5, policies STR1, 5 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006.

Informatives:

1. 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 at South Somerset Area Highways Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
 2. Before this development can commence, a European Protected Species Mitigation Licence (The Conservation (Natural Habitats, &c.) Regulations 1994) will be required from Natural England. You will need to liaise with your ecological consultant for advice and guidance on the application for this licence.
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