

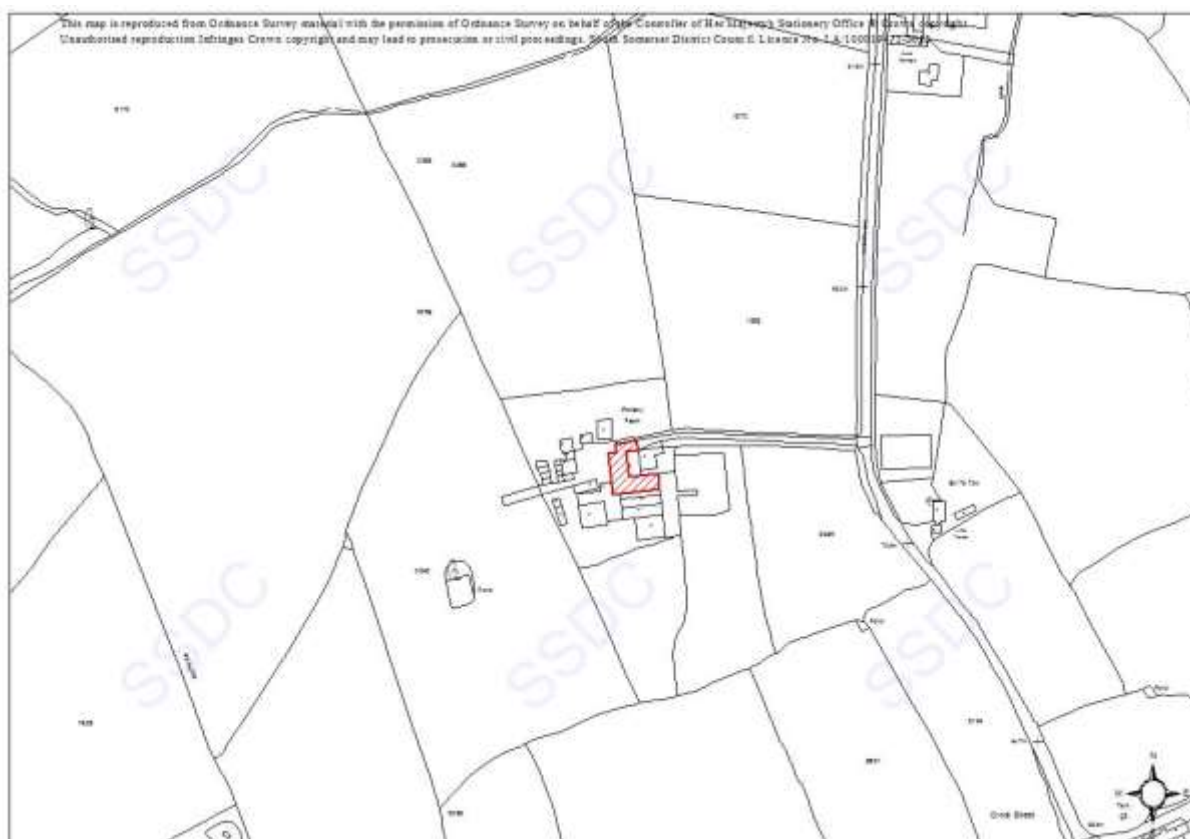
Officer Report on Planning Application: 13/00676/COU

Proposal :	Change of use of holiday cottage to community use (Use Class D1 - Childrens nursery). (GR 332099/113518)
Site Address:	Pottery Farm Whitney Hill Horton
Parish:	Donyatt
NEROCHE Ward (SSDC Member)	Cllr L P Vijeh
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	13th May 2013
Applicant :	Mr Chris Wilson
Agent: (no agent if blank)	
Application Type :	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

The application is before the Committee at the request of the Ward Member, with the agreement of the Area Chair, in order to allow the impacts to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The Farm is situated in an isolated location, 1.3km to the south of Horton. The property was a county farm that was sold in 2011 and comprises a farmhouse with some attractive stone buildings and a range of more modern farm buildings. The farm is accessed via a farm drive and sits within an extremely well screened location with few public views.

The application proposes the conversion of the existing barn used as holiday let for use as children's nursery (15-20 children). The application originally proposed use of the building for day care for those suffering from early onset dementia; this would be the same use class as a children's nursery (Use Class D1). A full re-consultation has taken place with regard to the proposed change.

The site is within the open countryside and within the consultation zone for a gas pipeline.

HISTORY

11/03580/FUL - Alterations, formation of boiler room, change of use of Granary to annexe, change of use of milking parlour to 1 No. holiday let and the change of use of agricultural land to residential use. Approved 15/11/2011.

11/03579/FUL - Two storey and single storey extensions to farmhouse. Approved 9th November 2011.

01/01961/COU - Use of former agricultural building as a camping barn. Approved 2001.

96/01640/R3C - Formation of covered yards and the erection of an agricultural building. Approved 1996.

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 decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

South Somerset Local Plan 2006:

Policies:-

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - Quality of Development

EC3 - Landscape Character

EH6 - The Conversion of Buildings in the Countryside

National Planning Policy Framework

Chapter 3 - Supporting a prosperous economy

CONSULTATIONS

Donyatt Parish Council:-

Commented on the original plans for use as a day care centre for those with early on-set dementia:-

'The Council does not support this application on the following grounds:

- There is no business plan
- There are already three local village halls (Donyatt, Horton and Broadway) also an Arts Centre at Ilminster which are all struggling in these current times. The Council considers that a D1 class premises which includes halls is not needed as the communities are already well served.
- The quality of the plans are poor, there are no dimensions and there is no reference to which building on site is the old Dairy Barn.'

No response received with regard to the amended proposal.

County Highway Authority

In response to original proposal:-

'The proposal seeks to change the use from an intermittent use to a more intensive use which has the potential to attract more traffic movements. Even the new use will not cause an enormous increase. It must be for the Local Planning Authority to decide if the additional reliance on the private motor car is outweighed by farm diversity or other policies in the South Somerset Local Plan.

The farm access is satisfactory and sited on the outside of a bend where visibility is acceptable. The access is hard surfaced and the geometry is acceptable. There is plenty of parking around the farm buildings so that the level of use described in the supporting documents should be dealt with without difficulty.

Because the proposal will little impact on the public highway, the Highway Authority raises no objection to this application.'

Advise that they have no observations in respect of the change of description.

If planning permission were to be granted they require conditions to be attached.

Area Engineer, Technical Services Department

No comments.

REPRESENTATIONS

None received.

CONSIDERATIONS

Principle

This is a basic change of use application that does not propose any external changes to the building. It is considered that the change of use from a holiday let to a children's nursery is supported by both local and national policies which seek to encourage rural businesses. Furthermore, both of these documents support the diversification of farms for other business uses. As such, the principle of converting this building into a children's nursery is considered to be acceptable.

Highways

The County Highway Authority consider that the proposal is acceptable in terms of its impact upon highway safety as the number of traffic movements that are to be generated is considered acceptable and the access provides good levels of visibility. In terms of parking there is ample around the buildings and as such this aspect is also felt to be acceptable.

The main issue would be with regard to the relatively isolated nature of the site that sits 1.3km to the south of the centre of Horton. Whilst it is recognised that almost all traffic movements associated with the proposed use will be car based this has to be balanced against policies that support the re-use of rural buildings. In this case, the building benefits from permission for use as a holiday let and so already has a business use. Clearly, the proposed use will generate additional traffic movements but it is considered that this is outweighed by the economic benefits that will result from the proposal. The NPPF notes that the sustainability or otherwise of a proposal needs to take account of other policies particularly in rural areas. In this case, it is considered that the rural employment opportunities that will result from the proposal outweigh the unsustainable nature of the location.

Residential Amenity

The site is extremely isolated from any other residential properties and as such it is not considered that the use will have any adverse impacts upon residential amenity.

Other Matters

In terms of the Parish Council's comments:-

Business Plan - It is not a requirement that a business plan be submitted and it is not for the Planning Authority to assess the potential success or otherwise of the proposed business in this instance. It is understood that OFSTED have visited the site and reacted positively to the proposal for a children's nursery in the location.

Other facilities in the area - As the proposal is now for a child care use this will preclude any other community uses of the building as it is extremely unlikely that a premises would be licensed by OFSTED if the building is available for other uses.

Plans - Adequate plans have been submitted which detail the building that is the subject of the application and the provision of parking around the building. This is change of use application and as such no elevation plans are required.

Summary

The proposed use is considered to be an acceptable use of this building that will not require any external alterations. Whilst the site is remote, the use of barns for commercial uses is fully supported by both local and national planning policies.

RECOMMENDATION

Grant Permission

01. The proposal, by reason of its scale and siting, provides a suitable use for this building without causing any demonstrable harm to the character and appearance of the area, residential amenity, or highway safety, in accordance with the aims and objectives of the NPPF and saved Policies ST5 and ST6 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 development hereby permitted shall be carried out in accordance with the following approved plans: drawings stamped 13/00676 received 7 and 18 March 2013.

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