

10/2004/023

P G KIRBY

CHANGE OF USE AND CONVERSION OF AGRICULTURAL BUILDING TO FORM DWELLING AT FORD FARM, MOOR LANE, CHURCHINFORD.

21618/12381

FULL PERMISSION

PROPOSAL

The building is located on the southern side of Moor Lane to the east of the village of Churchinford and within the Blackdown Hills AONB. The building is set back from the road and currently accessed by a field gate. There is evidence of a traditional stone building on site, but it has been much altered and a modern extension added. The proposal seeks to remove the more modern extensions and raised the eaves level, replacing the existing monopitched roof with a tiled roof. An earlier application was refused in August.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY it is largely a planning matter as to whether or not the buildings are suitable for conversion to a dwelling. From a transport point of view the site is in an unsustainable location but should the merits of the buildings and the need for its conversion outweigh this then from a highway point of view I would have no objection to the proposal subject to the provision of a suitable access, parking and turning facilities being provided prior to the occupation of the dwelling. The extract of the plan attached shows coloured pink the area of access driveway to be hard surfaced not loose stone or gravel and also the parking and turning facilities required. The following additional condition shall also be attached to any consent which may be granted:- 1. The gradient of the proposed access shall not be steeper than 1-in-10. 2. 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 by the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use. SOUTH WEST WATER no objection.

ENVIRONMENTAL HEALTH OFFICER suggest contamination condition.

PARISH COUNCIL this application was discussed by my Council at its planning meeting held on Monday last and, by a majority vote, it is in favour of this proposal. However, it was agreed that the points raised in dissent of that decision should be passed to you and, therefore I enclose a copy of the relevant Minute. The dissenting comments were as follows:- She pointed out that the new application differs from the original (refused) application in the deletion of a double garage and the addition of a high stone wall thus creating a curtilage; that TDBC original refusal criteria had been based on the need for "major rebuilding and significant alteration", criteria which are again, quoted on the new application; that the original building is not so much unsound as almost non-existent, leading to pure speculation on its original appearance; that Mr Kirby and Mr Burton (TDBC Planning Services) appear to have different interpretations

of the content of their conversation; that the Parish Council and everyone else, including Mr Kirby and any other potential developer, is deeply frustrated by what is happening on the Trents Farm site but that this is more reason for the PC to remain fair and consistent in its decision making; that the conversion of this field barn to residential use would render Ford Farm unsustainable as a working farm without the erection of a modern characterless barn in its place; that Andy Crabb's barn is almost completely intact, architecturally superior to the building in question, and well screened by trees; that Mr Kirby's integrity as an owner and restorer of old buildings is unquestionable but future owners of Ford Farm might not have his concern for the need to preserve the Blackdown Hills AONB, and that access to the proposed dwelling will inevitably involve the construction of visibility splays. Cllr Mrs Papworth concluded by saying that all the original objections as quoted, from TDBC's Guidelines on Barn Conversions remain unaltered and the application should be recommended for refusal. She feels that the inconsistencies displayed in regard to the Trents Farm and Ford Barton developments will provide an invitation to others to disregard the principles of the AONB's need for defined limits to settlements. That Cllr Mrs Papworth's comments should be included in the reply to TDBC.

SIX LETTERS OF SUPPORT received.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy H9. Outside the defined limits of settlements, the conversion of buildings to residential use will not be permitted unless; (A) the building proposed to be converted is of permanent and substantial construction and: (1) is in keeping with its surroundings; (2) has a size and structure suitable for conversion without major rebuilding or significant extension and alteration; (3) is unlikely to attract a suitable business re-use; and (4) is sited near a public road with convenient access by foot, cycle or public transport to a settlement; (B) and the proposal: (1) will not harm the architectural or historic qualities of the building; (2) does not involve the creation of a residential curtilage which would harm the rural character of the area; and (3) will not lead to a dispersal of activity on such a scale as to prejudice town and village vitality.

Policy EN10 Priority will be given to preserving and enhancing the natural beauty of Areas of Outstanding Natural Beauty (AONBs). Development which would adversely affect the landscape, character and appearance of AONBs will not be permitted. Within AONBs, major industrial or commercial developments will not be permitted unless they meet the following additional criteria: (A) the development would meet a proven national need; and (B) the development cannot be located elsewhere. The protection of views to and from Areas of Outstanding Natural Beauty will be an important consideration.

ASSESSMENT

The site lies in open countryside where planning permission for new housing will not normally be granted in line with Policies S8 and H1. In order to overcome this objection, a building needs to be suitable for conversion without major rebuilding or significant alteration. Whilst there are remnants of a traditional building here, much alteration will

be required, including the raising of the walls and the creation of an entirely new roof structure. The proposal is therefore fails to meet the requirements of Policy H9 and there is no reason not to reaffirm the earlier decision.

RECOMMENDATION

Permission be REFUSED for the reason that the building cannot be converted without major rebuilding or significant alteration and that the proposal is contrary to Taunton Deane Local Plan Revised Deposit Policies H9 and EN10.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES: