

23/09/0010

BATH & WELLS DIOCESAN BOARD OF FINANCE

CONVERSION OF BARN TO FORM DWELLING AND ERECTION OF DOUBLE GARAGE FOR THE VICARAGE, PARSONAGE LANE, MILVERTON

312225.125819

Full Planning Permission

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PROPOSAL

This application seeks full planning permission for the conversion of an existing building to a new dwelling.

The existing access would be realigned to provide a straight driveway into the site, widening to a turning area that would be shared with the existing dwelling. Two parking spaces would be provided for the proposed conversion and a further two for the existing, together with a double garage, which would sit alongside the existing dwelling, to the south. The existing stone wall would be realigned and extended to enclose the new parking area and a further new wall would be provided on the opposite side of the entrance to enclose a small garden for the converted building. 6 trees are proposed to be removed.

The conversion itself would use existing openings on the front (east) elevation, facing the existing dwelling. One of the large garage doors would be in-filled with a timber plank door and vertical boarded panel, whilst the other large opening would be part glazed, providing a door to the garden area. A new first floor window would be inserted in the north gable end and a new slit window provided in the west elevation, facing the highway. The south elevation would be unaltered, with the exception of an access point for bats, which would be provided within the gable end. This would give access to a bat roost area, provided within the loft space.

SITE DESCRIPTION AND HISTORY

The site, within the centre of Milverton, is part of the large garden of a detached dwelling, which has been used as the vicarage since its construction in the 1950s. On the western end, adjacent to the access from Parsonage Lane, is a two-storey stone building, probably a former coach house for The Old House, which stands to the north of the site. The building is adjacent to the access point, but Parsonage Lane descends steeply past the site (from north to south) such that it is significantly elevated from the highway, above a bank and stone wall.

The building itself is constructed from stone, with a slate roof. There are a number of openings, including two 'garage' doors on the front (east) elevation, with a single window existing on the road (west) side, albeit obscured by significant ivy growth. A small single storey lean-to (open to the east) is attached to the southern elevation.

Application 23/08/0047 sought permission for a new dwelling within the grounds of the vicarage. The application was withdrawn following concerns over highways and

archaeology.

Application 23/09/0005/T was a notification in terms of felling some trees on site. No objection was raised.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SOMERSET COUNTY COUNCIL - TRANSPORT DEVELOPMENT GROUP - The proposal is located within the development limit of Milverton and will utilise an existing access from/onto, Parsonage Lane, which is an unclassified highway subject to a 20mph speed restriction.

Parsonage Lane does not benefit from any footways therefore egress is directly onto the highway. Visibility is restricted for vehicles emerging to see and be seen by a high roadside boundary wall to the north of the access.

The existing access to be utilised is considered to be substandard using current guidelines and an additional residential use would result in an increase in traffic over and above that which currently occurs. The Agent has stated that there will be no significant increase in vehicle movements, but the Highway Authority take a view, that an additional residential use, will effectively result in a 100% increase over that which currently occurs. Therefore it is essential in the interests of highway safety for all road users, that the access to serve the proposed development is improved.

To enable ease of maneuvering and to avoid conflict on the adjoining highway, the access should measure 5m in width over the first 10m of its length.

Parsonage Lane is subject to a speed restriction of 20mph and not 30mph as stated in my previous consultation response. I am not convinced that the traffic will be necessarily within this speed limit, particularly for vehicles travelling downhill north to south along Parsonage Lane. Notwithstanding the above point, I would be willing to accept a reduction to the previously required splay to 2.4m x 25m either side of the access to the nearside carriageway edge. However I consider this may still be difficult to achieve given the constraints of the proposal being in a conservation area and the roadside boundary wall.

Visibility from the access for vehicles emerging is clearly substandard and whilst I am aware it is already being used this is an historical arrangement, and it is imperative, in the interests of highway safety, that adequate visibility is incorporated to serve an additional residential use in this location. The Agent in the Design and Access Statement has acknowledged that the access is restricted.

It has been stated in the Design and Access Statement and in the Planning Statement from Cluttons, that highway advice has been provided by a transportation consultant and that the access is capable of providing safe access to three dwellings. No information or evidence has been provided to justify this statement.

Irrespective of how lightly trafficked a stretch of highway is considered to be, it is essential that new development incorporates adequate visibility for vehicles emerging to see and be seen, and currently this access does not meet the required standards.

The fact that there has been no personal injury accidents recorded is not to say that it is safe in terms of technical detail.

I can confirm that the Highway Authority was contacted regarding the provision of traffic calming on Parsonage Lane. However, the scheme suggested raised serious concerns, and therefore was considered to be unacceptable from a legal and maintenance perspective.

There is sufficient space within the site for parking and turning to be provided for the proposed new dwelling which is not to the detriment of the existing Vicarage and is therefore acceptable”.

If the issue of visibility cannot be addressed, **recommend refusal** by reasons of the increased use of the existing access being prejudicial to road safety and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

MILVERTON PARISH COUNCIL – The Parish Council response first notes the relevant parts of the Development Plan insofar as they are perceived to apply to the proposal. It then states:

“The Parish Council **objects** to this application for the following reasons:
The application has 3 main aspects.

1. The conversion of the existing barn

The Parish Council has **no objection** to this conversion as such but wishes to see that the bat mitigation measures are addressed by a suitable condition.

2. The works to produce a parking area and access to the new garage

The Parish Council **objects** to this part of the proposal on the following grounds:

- The proposal requires the removal of a large quantity of earth and a complete change to the existing topography. Currently there is 7.5m between the east elevation of the barn and the existing garden boundary south of the garden path up to the Vicarage. Under the proposals this will increase to 20m creating a tarmac covered ‘hole’ with the surface level being about 0.7m below the present garden level (on average). This effective doubling of the tarmac car parking area will be a major intrusion into the Conservation Area...
- The whole area is one of High Archaeological Interest and therefore any proposed excavations will need to be preceded by a comprehensive archaeological survey. In addition the Ice House for the Old House is reputed to be in this area and will also need surveying...
- The Parish Council is not convinced that the access turning and parking arrangements are safe or sensible. The two barn parking spaces are close to the southern boundary wall and would be partially hidden from vehicles exiting the Vicarage garage in reverse to turn around, increasing the risk of collisions. If both spaces are filled vehicles reversing from the garage would either have to reverse into the bin area or be forced to reverse left-handed and then carry out a complicated 3-point manoeuvre between stone walls in order to exit the site in a forward direction...

3. The erection of a 30sq m garage to serve the vicarage

The Parish Council **objects** to this part of the proposal on the following grounds:

- The proposal is to build the garage in brick and slate to match the existing Vicarage. The Design and Access Statement acknowledges that the Vicarage is 'unprepossessing' and has no reference to its surroundings in the Conservation Area.
- The siting of the garage in relation to the existing Vicarage is perverse and dreadful. It will sit only 1.5m away from the south side of the building reaching up to first floor height thus blocking substantial amounts of light to the rooms on that side. The Parish Council does not understand the need to cramp the garage so close to the principal dwelling when the available plot is so large.
- Although not directly a planning matter there is no obvious need set out in the Design and Access Statement for a garage to serve the Vicarage. The Parish Council notes that the proposal does not include a double garage for the barn conversion and therefore questions the need for a large brick built one to serve the Vicarage.

Finally the Parish Council wishes to place on record its concern at the *ad hoc* nature of development proposals on this site. Although there are plainly plans for further development (Cluttons letter of 29th April refers) the applicant has failed to address the whole site and rather than adopting a holistic approach that is sympathetic to a Conservation Village, is delivering piecemeal proposals that fail to address its special needs. The resulting proposals are a 'hotch potch' and thoroughly out of keeping: the existing 'unprepossessing' vicarage is being retained but gaining an unnecessary and unsuitable matching garage, a large 'plot' is being left open by the entrance despite its known limitations and there are large unused areas at the east end of the grounds. There is an opportunity here for a suitable development which takes account of, and is sympathetic to the Conservation Area, which the applicant seems determined to miss! Perhaps an open meeting with the Parish Council to discuss might be advisable!!"

WESSEX WATER – The development is within a sewered area, with foul and surface water sewers. Recommends conditions.

DRAINAGE ENGINEER – Notes that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365.

CONSERVATION OFFICER –

1. The 'listed' status of the barn may be questioned. I have advised that if it can be determined that the 'barn' was in the same ownership as the Old House at the time of the latter's listing -20 January 1956 – then LBC for the current proposal is required.
2. Whilst a structural survey has not been submitted, I consider the extant building to be in sound condition.
3. I question the statement that the building has a 'semi domestic quality as a result of the style and number of windows'. The Design and Access statement is clearly lacking in this respect, as internal access reveals extant remnants of stalls (with associated flooring and drainage) and external openings, whilst

adapted for garaging in the past, strongly suggests that the building was formerly a coach house and stables, presumably associated with The Old House?

4. Existing arch headed windows of merit and their future 'treatment will need careful consideration. Clearly a condition can cover this aspect.
5. Proposed fenestration to east elevation and associated internal arrangement of accommodation of practical concern (i.e. future applications for amendment to extant plans can be anticipated vis a vis:
 - a. Entrance hall and staircase has no natural light.
 - b. Kitchen/dining room has minimal natural light.
 - c. Ground floor WC, bathroom and en suite have no natural light.
 - d. Proposed living room has minimal natural light (given orientation of building) and associated proposed east elevation fenestration considered inappropriate.
6. Given orientation of building and adjacent levels, proposed 'garden' is unlikely to be appealing i.e. in permanent shadow.
7. The existing vicarage is of no merit, being a structure dating from the 1960's/70's but thankfully well hidden from public viewpoints. This said, I do not consider it appropriate to compound its effect by sanctioning the proposed garage, which in itself would be very unfortunate but also detrimental to the setting of the subject 'barn', which clearly is of merit.
8. If permission is deemed acceptable, hard and soft landscaping will clearly be of importance.
9. If the 'barn' is subsequently determined as Listed by virtue of historical association, as noted at 1 above, clearly I would wish to advise on conditions not associate with planning permission.

SOMERSET COUNTY COUNCIL - DEVELOPMENT CONTROL
ARCHAEOLOGIST – The site is in the heart of the late Anglo-Saxon and medieval town, immediately to the south-east of the medieval church and south of the late medieval parsonage house....there is the potential for the survival of buried medieval remains on this site.

As this application is for conversion and it appears to only involve limited groundwork. It would therefore, be appropriate to place a condition on planning permission requiring the applicant to ensure all ground works are monitored by an archaeologist.

NATURE CONSERVATION AND RESERVES OFFICER - Clarke Webb Ecology Limited carried out a survey of the building in November 2008.

Bats

The surveyor found fresh to old droppings at the southern end of the building, mainly below the ridgeline, as well as droppings scattered elsewhere in the building. It is likely that long eared bats or lesser horseshoe bats left the droppings and that the building **is** used as a bat roost.

Because a bat roost has been identified a licence from Natural England will be necessary. Natural England will require a mitigation package possibly requiring a bat loft with a minimum height of 2m, not 1.8 m as proposed in the submitted Access and Design statement.

I agree that a summer bat survey will be necessary to gather a clearer picture of the use of barn by the bats.

Birds

The survey did not find evidence of birds. However there is some relatively heavy ivy cover on the western face of the barn, which could house nests. There were no signs of barn owls using the building.

In accordance with PPS9 I would like to see birds accommodated in this development.

If permission is granted I suggest that condition is included seeking further details of a scheme to protect bats and other wildlife.

Representations

FIFTEEN LETTERS OF OBJECTION have been received from EIGHT different people raising the following issues:

- The siting of the garage is poor – it will severely compromise the setting of surrounding listed buildings, will impact on the internal amenities of the existing house and the historic interest of the site;
- It is all being built for financial gain;
- Milverton will lose its historic core in the conservation area;
- There are archaeological implications for the proposed garage and areas of hardstanding - there was a former Tithe Barn on this site;
- The proposal would have a disastrous irretrievable impact on the conservation area, heritage village and Grade I listed church;
- The result would be an intrusive treeless urban blot;
- The loss of open space would undermine the openness of Milverton;
- The application runs counter to the principles expressed in the TDBC conservation area document that the surrounding area to the east of the church and Parsonage Lane as a haven of tranquillity and green space, Parsonage Lane has the feel of a country road, in spite of being at the centre of the village, and that in some parts of the area there is a sense that the threshold for infill has already been reached, if not passed;
- The area could be used for village enhancement;
- The site is a conservation area in sight of a Grade I listed church;
- The coach house is clearly visible from the church and yard;
- The proposed conversion is insensitive and there seem to have been no alternatives explored,
- The proposal is overdevelopment of the site;
- The dwelling would be dark with no outlook – future occupiers will wish to add new windows;
- The internal layout does not utilise the building creating a warren of pointless internal divisions;
- The proposed garden area is the current turning area, has no soil, and is the site

- of an icehouse or well which would be destroyed;
- The mix of trees and hedges is important;
- The barn would become another ugly modern building, totally out of sympathy with the conservation area of the Church, Churchyard, Cottages, Georgian Houses and narrow Parsonage Lane;
- The bat roost is irrelevant – the bats will die or find alternative roost during the course of development;
- There seem to have been no consideration of the public health issues of sharing living space with bats;
- The recommended re-survey for bats should be undertaken before the application is determined;
- The very limited access should rule out further development;
- The boundary wall should not be demolished;
- The previous highway response was correct when stating that the access and road were unsuitable;
- The recycling lorry is unable to navigate Parsonage Lane;
- The whole development will be seen from a wide area;
- The removal of the stone retaining wall will make the existing unattractive dwelling more visible from the street;
- The shared turning area is a recipe for conflict;
- The parking and turning area is inadequate, so vehicles will have to reverse onto Parsonage Lane;
- The previous application indicated 3 parking spaces for the proposed vicarage, now only two are proposed;
- It is not clear where visitors would park and manoeuvre;
- Parsonage Lane has no footways, yet is frequently used by pedestrians;
- The dwelling will not benefit from solar gain and will require internal lights in the daytime;
- No attempt has been made to market the building to find alternative uses;
- It is still unresolved whether the coach house is listed or not;
- The application must be considered in the context of application 23/08/0047 which the applicants still intend to go ahead with (the area is shown blank on the plan). Combined, very little garden would be left and parking/turning provision would be inadequate;
- The type of dwelling proposed is not required in Milverton - the Parish Council and District Council would have a better idea than the applicant or their agent.

PLANNING POLICIES

EN23 - TDBCLP - Areas of High Archaeological Potential,
 EN14 - TDBCLP - Conservation Areas,
 EN15 - TDBCLP - Demolition Affecting Conservation Areas,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 M4 - TDBCLP - Residential Parking Provision,
 S&ENPP9 - S&ENP - The Built Historic Environment,
 S&ENPP49 - S&ENP - Transport Requirements of New Development,
 PPG15 - Planning and the Historic Environment,
 PPG16 - Archaeology and Planning,

DETERMINING ISSUES AND CONSIDERATIONS

The site is within the settlement limit for Milverton. The provision of additional units of residential accommodation is, therefore, acceptable in principle. In areas such as this, where new build dwellings are acceptable in principle, there is no need to have first marketed the building to demonstrate that there are no suitable alternative uses. The main issues relate to the design and site layout, the impact on the character and appearance of the conservation area, the impact on nearby listed buildings, archaeology, parking provision and access to the site, the impact on neighbouring property, wildlife, and drainage.

It has been suggested that the building may be listed, by virtue of its historic association with The Old House. For this to be the case, it would have had to have been within the same curtilage at the time of listing in 1956. The Local Planning Authority does not believe this to be the case and no evidence has ever been provided from elsewhere. An informative note should be included on any grant of planning permission that the developer should satisfy themselves that the building is not listed prior to commencing works.

Design and Layout

The external treatment of the proposed barn conversion is considered to be acceptable. Where existing openings are used the details shown respect these openings. New openings are very limited in size and do not significantly alter the character of the building. Some concern has been raised by local residents and the conservation officer that the proposal does not provide particularly good internal living space. This seems to be a valid point, but internal layouts are not subject to planning permission and this matter cannot justify refusal of the application. It is true that the poor layout and lack of daylight could lead to pressure for further windows in the future, however, the Local Planning Authority could retain control, to be exercised if required. Any grant of permission should seek to secure further details of the proposed windows, doors, flues, meter boxes and extractor units by condition.

The proposed site layout will result in a greater amount of visible hard surface, when viewing the site through its access. However, provided the surface treatment is well considered (details can be sought by condition) then the continued presence of the stone walls around the site is considered to preserve its character to an acceptable degree.

In terms of residential amenity, the existing dwelling will retain sufficient private garden space to the rear (east) of the dwelling. A reasonable, usable garden is indicated for the proposed conversion, measuring around 100 square metres. Unfortunately, this will not be completely private, having a close relationship with the shared turning space for the two dwellings and only separated by a 1.2 metre wall. However, it is not possible to provide garden space elsewhere on the site that is reasonably related to the dwelling and it would be inappropriate in terms of the character and appearance of the site, and usability of the garden, to surround it with higher walls. It is not considered that the above issues with the proposed amenity space are sufficient to warrant refusal of the application, and the space is acceptable.

The proposed garage is of greater concern. The existing vicarage is a mundane building that contributes little (if anything) to the character and appearance of the conservation area. It is considered that the presence of the garage draws further attention to this neutral feature, and does not preserve the overall character of the area

in general. However, the agent is prepared to make some alterations to the garage so that it sits in the site more appropriately. At the time of writing, discussions over the precise treatment are still in progress and members will be updated at the meeting.

Conservation Area

The site sits at the heart of the conservation area. When deciding whether to grant planning permission, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character and appearance of the conservation area.

Although centrally located within the conservation area, it is not considered that the site can be regarded as making a significant positive contribution to the area, or seriously be considered as a significant and important 'historic core' as suggested by the representations. Its intensification, in principle, will not, therefore, significantly impact upon the area's character or appearance.

Parsonage Lane is a narrow twisting lane enclosed by high stone walls. This application does not propose to make any changes to the high stone walls which are so fundamental to the area's character at this point. As the Lane passes the application site, the enclosure is partly formed by the barn, subject to this application. The only change proposed to the elevation at this point is the insertion of a narrow slit window at ground floor level. It is not considered that this particular insertion would alter the character or appearance of the lane in particular or the conservation area in general. A further window would be inserted in the north gable end, which may be visible from outside the site, but again, it is not considered to be detrimental to the character or appearance of the lane.

The biggest change would be the removal of the curved stone wall just inside the site, to make way for a larger parking/turning area. The alteration would open up views into the site and reveal the existing vicarage building – currently obscured by trees – and the new parking area. The alteration of the wall aside, the loss of one of the trees, immediately in front of the entrance will be mainly responsible for the openness of the site that would result. However, regardless of the outcome of this application, application 23/09/0005/T has already sanctioned the removal of this tree, which is causing damage to the stone wall. It is not considered, therefore, that the loss of this tree and resulting change to the character of the site can warrant refusal of the application. The parking area would be surrounded by a new stone wall, which would return across the access closer to the existing vicarage. A new boundary wall would be built for the new dwelling on the right hand side of the access. Since stone walls will remain a feature of the site, subject to satisfactory surface treatment of the parking area – which could be controlled by condition – it is considered that the proposal would preserve the character and appearance of the conservation area.

Aside from Parsonage Lane, views to the site are extremely limited, with only glimpses of the coach house from Fore Street and only views of the top of the roof available from Creedwell Orchard on the opposite side of the valley. As such it is considered that there will be no discernible impact of the development on the wider conservation area and external views to it.

Listed Buildings

The site is surrounded by listed buildings – to the South, there are a number of grade II listed buildings on Fore Street, to the north is the grade II* listed 'The Old House', to the east the dwelling 'Homedale' on the opposite side of Parsonage Lane is listed grade II, beyond which is St. Michael's Church, listed grade I. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities to consider the desirability of preserving listed buildings, their setting and any features of historic or architectural interest that they possess when deciding whether to grant planning permission.

Despite being in the former grounds of The Old House, the coach house subject to this application is now visually and functionally divorced from its original dwelling. The boundary between the two sites is a strong mix of trees and hedges and The Old House is at a significantly higher level, with no visual connection between the two. Therefore, it is not considered that the setting of The Old House is affected.

Turning to the east, Homedale has a close relationship with Parsonage Lane, being built directly adjoining the carriageway. Parsonage Lane, with the backdrop of the church and churchyard provide this dwelling with its setting. As noted above, there are only very minor elevation changes proposed on the Parsonage Lane side of the barn and, as such, it is not considered that the proposed changes will adversely impact upon the setting of this dwelling. Although the churchyard and access to it are directly opposite the application site, the church remains at some distance and a visually separate entity. The changes to the Parsonage Lane elevation are so minor and distant from it that the proposal will not affect the setting of the Grade I church.

A number of grade II listed buildings on Fore Street border the site to the south. Their curtilages, which adjoin the site could notice some small impact resulting from the changes, with the barn taking on a slightly more domestic appearance. The proposed garage may also be visible from within the rear gardens, but this will largely be seen against the backdrop of the existing vicarage. As noted above, the agent is considering changes to the garage and at the very least, this is expected to rotate the roof so that the gable end faces into the site and the ridge runs parallel to the south elevation of the dwelling. This would lessen the prominence of the garage roof when viewed from the adjoining properties to the south. In any case, the setting of the listed buildings to the south is essentially derived from their relationship with Fore Street, which is unaffected by the proposals. There may be some additional disturbance perceptible from the development, but this is unlikely to be significant and is certainly compatible with the building's setting within a tight-knit village location. With regard to these factors, it is considered that the settings of the listed buildings to the south would be preserved.

Archaeology

The site is within an area of High Archaeological Potential, due to its location in the heart of the late Anglo-Saxon and medieval town. There is potential for the survival of buried medieval remains on the site. The works to convert the coach house will not result in any significant ground disturbance. The garage is proposed to be built on a slab, which will also only entail minimal ground disturbance. As such, a watching brief during the ground work would be sufficient to cover these elements and could be secured by condition.

The proposed new parking and turning area, however, appears to involve significantly greater ground works, with excavations of up to around 750mm, although the precise details are not clear. This matter has been discussed with the County Archaeologist who, despite the comments in his consultation response, has now suggested that this extent of ground works would be inappropriate to cover solely by condition. On the basis of the information available at present, the extent of ground works are sufficient to warrant refusal in the absence of further archaeological evidence – to be obtained from the digging of an initial exploratory trench. The agent is seeking to provide further information to clarify the extent of ground works or to amend the scheme such that there is less excavation required. Members will be updated at the meeting.

Parking and access

Comment has been made that the vicarage ought to have a greater parking provision than other dwellings as the vicar may expect to receive a greater number of visitors. However, in planning terms, the vicarage has no different status to any other dwelling. It is, therefore, recommended to have the same parking provision as any other dwelling and the two spaces provided are acceptable. The turning area is similarly sufficient to allow for the turning of vehicles within the site from all of the 4 spaces shown.

Access to the site would be obtained via the existing access onto Parsonage Lane. The access is narrow and joins the carriageway on the inside of a bend and on a slope (downhill to the south). Immediately to the south of the access is the bank which sits between the coach house and the highway and this, together with the fall in level of the highway obscures visibility slightly to the south. However, it is possible to see vehicles travelling up the lane from the south. To the north, the visibility is almost completely obscured by the stone wall which borders the highway. Visibility in this direction is between 5-10 metres, depending on the location of the oncoming vehicle, or pedestrian in the carriageway.

Due to the lack of visibility in the northern direction, the Highway Authority considers that any additional loading on the access would be seriously detrimental to highway safety, unless visibility can be improved. However, as noted above, the stone walls enclosing Parsonage Lane are fundamental to the character and appearance of this central part of the conservation area. Accordingly, no alterations should be permitted to these walls to accommodate visibility splays. The agent has commented that 'Manual for Streets' encourages flexibility in the provision of visibility splays in sensitive areas such as the application site. However, in this instance, it is considered that the visibility at the access is so short that no matter how slowly one emerges from the access, they would not be sited within a safe stopping distance and the highway is not wide enough to enable safe evasive action to be taken by the driver on the highway. In light of these reasons, refusal of the application is recommended.

In addition, it is also clear from the planning history and documentation submitted with this application, that there is an intention to seek planning permission for a further, new build, dwelling on the site. Conceding to this proposal could make it difficult to resist further developments on highways grounds in the future.

Neighbouring property

The only neighbours that would notice any significant impact from the development are those to the south, which back onto the site.

The conversion of the barn will result in new windows at first floor level facing into the application site. It may be possible for occupiers of this property to gain glimpses of the rear gardens, but these will be through fairly small, bedroom windows, set at a 90 degree angle. The garden areas are, to some extent, already overlooked by their neighbours. As such, it is not considered that any new overlooking would be sufficient to warrant refusal of the application. The use of the amenity space would also allow views over the wall to neighbouring gardens, however, the site is currently used as garden to the vicarage and it is not considered that there would be a material increase in overlooking.

There may be some increased disturbance from vehicles using the proposed parking/turning spaces. However, due to the boundary wall and presence of the existing dwelling, it is not considered that this would be significant and could not warrant refusal of the application.

The proposed garage, at a minimum of 5 metres from the southern site boundary, with an overall height of 5 metres is not considered to be overbearing on any neighbours to the south.

Wildlife

The submitted wildlife survey indicates that bats use the site and the barn as a roost. Proposals have been indicated to accommodate bats within the development and precise details of the external treatment of the access point and future management of the accommodation could be secured by condition. The representations comment that the works would result in bats moving their roost elsewhere, so it would be pointless to accommodate them within the development. It is also commented that there could be public health risks to bats using the future dwelling for accommodation. However, it is known that bats can be successfully accommodated within new development without prejudice to their long-term survival, the integrity of their host building or the wellbeing of the future human occupants.

The ecologist recommended that a further survey was undertaken to establish precise bat-use of the barn prior to development and it has been suggested by local residents that this should be undertaken prior to determination of the application. However, for the purposes of considering the application it is sufficient to know that bats use the building and that they can be successfully accommodated. Conditions can be imposed to cover the precise details.

Drainage

It is proposed to connect the foul drainage to the main sewer and surface water to soakaways. In principle, these methods of water disposal are the most desirable on any site and are acceptable. However, details should be sought of the precise locations and routes of pipes as there may be archaeological implications from these works. Conditions could be imposed to cover this aspect.

Other Matters

Considerable comment has been made regarding the applicant and their relationship/consultation with the local community. Whilst pre-application consultation is

always desirable, it is certainly not mandatory for an application of this scale. The nature of the applicant, their position within the community and the motives for development are clearly not material planning considerations.

It has been suggested that other uses could be found for the site that have some benefit to the local community or village enhancement. However, despite its current use as a vicarage garden, the planning system cannot justifiably secure this occupation in the long term, nor can the planning authority require the church to provide space for community facilities. Therefore, the use of the site is currently as any other domestic garden and community uses would be inappropriate, even if they have occurred here in the past at the discretion of the resident. In any case, the application must be considered on its own merits.

Conclusion

It is considered that the proposed barn conversion is acceptable in principle and the external treatment is well designed. The site layout is acceptable, providing adequate parking/turning and amenity spaces. The proposal will not impact unacceptably upon other nearby residents, the settings of the surrounding listed buildings or the character and appearance of the conservation area.

However, the visibility to the north of the access is extremely poor and any increased loading on this junction would be detrimental to highway safety. Although further information regarding the precise ground works is expected prior to consideration of the proposal, there is currently insufficient information to allow certainty that the proposal will not impact unreasonably upon archaeological interests on the site. For these reasons, it is considered that the proposal is unacceptable. It is, therefore, recommended that planning permission is refused.

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

- 1 The proposed access, by reason of the limited visibility to the north, does not provide sufficient visibility of or from vehicles emerging from the access directly onto the carriageway. Any increased use of this existing access, such as would result from the proposed development, would be prejudicial to highway safety, contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of the Taunton Deane Local Plan.
- 2 Insufficient information has been submitted to satisfy the Local Planning Authority that the ground works required to provide the proposed parking and turning area would not prejudice the integrity of archaeological remains that may be present on the site. Accordingly, the proposal is considered to be contrary to Policy 11 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy EN23 of the Taunton Deane Local Plan and advice contained in Planning Policy Guidance note 16.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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