

21/2007/017

J FAWLETT ESQ

**CONVERSION OF BARN TO FOUR DWELLINGS WITH DEMOLITION OF AGRICULTURAL BUILDINGS AND FORMATION OF CAR PORTS, MIDDLE CHILPLEY FARM, LANGFORD BUDVILLE AS AMENDED BY LETTER DATED 30TH JULY, 2007 WITH ACCOMPANYING DRAWING NO. 207.17/006, FOLLOW UP SURVEY FOR BATS AND BIRDS DATED AUGUST 2007 AND RECEIVED ON 23RD AUGUST, 2007 AND LETTER DATED 4TH OCTOBER, 2007 WITH AMENDED AND ADDITIONAL DRAWING NOS. 207.17/003A, 004A, 005B AND 007**

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FULL

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## **PROPOSAL**

The proposal provides for the conversion of an existing barn into 4 dwellings together with the demolition of modern agricultural buildings and the formation of car ports. The application is accompanied by a structural survey, wildlife reports and a design & access statement. The proposal provides for 3 four bed houses and 1 three bed house. The existing access point is to be used. The building is listed by virtue of curtilage. The structural report submitted with the application concludes that the main walls of the building are generally sound and show no problems with their foundations. There is an extant permission granted in July 2005 for the conversion of the building to 2 dwellings.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the site lies outside the settlement limits, therefore it must be a planning matter as to whether or not the barn is suitable for conversion and that any overriding need outweighs the policy guidance that seeks to reduce the reliance on the private car. Visibility at the site entrance should be improved. If a need is established and planning permission is granted, would recommend conditions with regard to surfacing of drive, parking, visibility splays (90m to the north and 45m to the south), entrance gates set back, no discharge of surface water onto highway and gradient. Satisfied with the parking / turning layout submitted.

NATURAL ENGLAND wildlife survey/report out of date.

NATURE CONSERVATION OFFICER the submitted report identifies the site as an important site for a range of bats. Access for this range of species will need to be incorporated in the converted building and a new bat loft created according to the report recommendations. A European Protected Species Licence will be required. The location of these will have to be agreed with Natural England as part of the licence application, but advise that the Conservation Officer is consulted before the EPS application is submitted. Suggests conditions with regard to bats and swallows.

ENVIRONMENTAL HEALTH OFFICER recommends contaminated land remediation condition.

DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365. Percolation tests should be carried out to ascertain the required length of sub surface irrigation drainage.

LANGFORD BUDVILLE PARISH COUNCIL strongly object. Supported the original application for two dwellings but feel that four dwellings is overdevelopment of the site. Concern over traffic flow in the area. Building does not lend itself to 4 units. Imposing on neighbouring properties.

NYNEHEAD PARISH COUNCIL (adjoining parish) no objection.

FOUR LETTERS OF OBJECTION have been received raising the following issues:- four units is an inappropriate and excessive intensity for this area and two units would be more suitable and sustainable in this small hamlet, given traffic and safety concerns; culvert passes through property; asbestos roofing on the building; area of proposed gardens regularly floods when there is heavy rainfall; assume 'potato shed' will be retained and suitably restored; no mention of removal of lean-to on eastern end of building; access would need to be assured to water main; overlooking from one of gardens into adjacent property; need to ensure right of access for maintenance of adjacent property; boundaries and building works should be in keeping with the adjacent listed building; increase in traffic; may affect water pressure nearby; no pavement in area; increased noise will inflict stress and intrusion on the houses around.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 on sustainable development is relevant. Part of this policy requires the development of a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking. The County Highway Authority considers that the proposal would clearly foster a growth in the need to travel and is therefore unsustainable in terms of transport policy. I consider that the economic benefits of the development in terms of diversification in the rural economy and the retention of the building outweigh the sustainability concerns of the Highway Authority.

Taunton Deane Local Plan Policy S1 sets out general requirements for new developments. Policy H9 of the same plan states that outside the defined limits of settlements, the conversion of buildings to residential use will not be permitted unless certain criteria are met. It is considered that the relevant criteria are met with the proposal.

## **ASSESSMENT**

The proposed layout has been designed to make the best possible use of the existing openings. Existing infilled openings are to be opened up and re-used in their original proportions. Some new openings are proposed, but these have been

restricted in number. With the submitted amended plans it is not considered that the proposed conversion works will have an adverse effect on the setting of the adjacent listed building. The buildings are of traditional character and meet with the criteria of the Council's barn conversions policies. Given the previous use of the access as a farm access, I consider that the visibility splays requested by the County Highway Authority are inappropriate to the character of this rural lane and the setting of the listed building. It is not considered that there would be any significant overlooking of the adjacent residential property to justify refusal of the application.

## **RECOMMENDATION**

Subject to the receipt of amended plans incorporating bat mitigation measures and the further views of the Nature Conservation Officer and Natural England, the Development Manager in consultation with the Chair/Vice Chair be authorised to determine permission be GRANTED subject to conditions of time limit, percolation tests, materials, rainwater goods, landscaping (hard and soft), retention/protection of existing trees, no service trenches beneath tree canopies, no felling/lopping, boundary treatment, parking, meter boxes, schedule of works, timber doors/windows, removal of GPDO rights for extensions, ancillary buildings, doors/windows, and walls/fences, hard surfacing of access for 1st 10 m, no discharge of surface water onto highway, access gradient, contamination investigation, removal of modern agricultural buildings, swallows, bats and further wildlife survey. Notes re conversions letter, future extensions unlikely, disabled access, energy/water efficiency, meter boxes, CDM Regulations, Listed Building Consent, contamination, consent to discharge, soakaways and wildlife.

**REASON(S) FOR RECOMMENDATION:-** The Local Planning Authority considers that the proposed development complies with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

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

**CONTACT OFFICER: 356461 MR J HAMER**

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