

MR & MRS A DARE

Proposed reconstruction of agricultural building to form dwelling house and change of use of land to residential curtilage at Higher Knapp Farm, North Curry (retention of part works already undertaken)

Location: HIGHER KNAPP FARM, KNAPP ROAD, KNAPP NORTH CURRY,
TAUNTON, TA3 6AY

Grid Reference: 330336.125296

Retention of Building/Works etc.

Recommendation

Recommended decision: Refusal

- 1 The site lies beyond the recognised limits of a designated settlement in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the site is not suitable for housing as the proposal does not constitute a genuine agricultural or other appropriate need and the proposal would result in a dispersed pattern of development in a rural area which would be reliant on the need to use the private car to access employment and services. The proposal is considered contrary to Adopted Core Strategy Policies CP1, CP8, SP1, SP4, DM1, DM2 and the Emerging Draft Site Allocations and Development Management Plan Policy SB1.

Recommended Conditions (if applicable)

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

Proposal

Planning permission is sought for the erection of a two storey dwelling at Higher Knapp Farm. The ground floor will provide a kitchen/diner, living room, study, utility and two WC's. The first floor will provide two bedrooms, bathroom and a snug. Materials will comprise a mixture of render, natural stone, brick and timber cladding to the walls with clay tiles and fibre cement sheeting to the roof.

The external appearance of the barn is to replicate the permitted alterations to the agricultural barn (under application 24/15/0013), which has since been demolished apart from one section of brick wall.

Site Description

The site lies within the hamlet of Higher Knapp. It is outside of defined settlement limits, approximately 2km from North Curry.

The site is located between the road and the remainder of the farm buildings with the existing farmhouse sited within close proximity to the northwest.

The agricultural barn, previously sited on the land, represented a traditional stone and brick agricultural barn which had been extended over the years with various materials, including a corrugated section to the south, a large corrugated flat roof extension to the east and a block and tiled section to the north.

Relevant Planning History

24/14/0058/CMB - Prior approval for proposed change of use from agricultural building to dwelling house (use class C3) and associated building operations. REFUSED.

24/15/0013/CMB - Prior approval for change of use and conversion of agricultural building to one private dwelling house (use class C3) including partial demolition, formation of garden curtilage and parking provision. APPROVED.

Consultation Responses

NORTH CURRY PARISH COUNCIL –

Support application;

As the proposed barn will be identical to the development approved under permitted development rights, which the Parish Council originally supported, the Parish Council wish to continue their support. It has been noted that the reconstruction has been undertaken sympathetically, reflecting the original structure.

SCC - TRANSPORT DEVELOPMENT GROUP –

“Refer to standing advice”. Standing advice requires:

- Visibility splays of 2.4 x 43m in either direction, measured to the nearside carriageway edge.
- Pedestrian visibility splays of 2 x 2m to the rear of the footway.
- Provision of adequate drainage so that surface water does not drain from the site onto the highway or vice versa.
- The access should have a minimum width of 3m with a minimum of 5m over a minimum 6m length where more than 1 dwelling is served.
- The access should be properly consolidated for the first 5m and must not exceed a gradient of 1 in 10 for the first 6m from the edge of the adopted

highway.

- Vehicular entrance gates should be set back a minimum distance of 6m from the carriageway edge and should open inwards. Pedestrian gates should open inwards.
- On site turning space should be provided where the proposal derives access from a classified road.
- Turning will be required, independent of the necessary parking provision where an access is onto a classified road.

LANDSCAPE – The site would benefit from some landscaping in the form of native hedging along the northern and eastern boundaries.

Representations Received

12 Letters of support received;

- The Dare family have farmed for many generations at Knapp;
- The barn is already there and can only be seen by one other property which is not family owned;
- Barn has a lovely appearance and will become an attractive home;
- Mr & Mrs Dare have been sympathetically restoring the old barn;
- Appeal to considered this application in light of the circumstances in which Mr & Mrs Dare find themselves;
- When completed it will look the same as it would have done on the original consent;
- Will enable Mr Dare's son to move into the farmhouse;
- Design is tasteful;
- The development will enhance the area;
- The proposed change from a metal clad farm building to a restored barn is a significant improvement;
- Works are in keeping with the original stone work of the barn;
- Mr & Mrs Dare are always supporting and assisting with anything that goes on in the village;
- Looking at other less sympathetic developments that are occurring in the village it would be a travesty if this were turned down;
- Barn does not overlook anyone and will enhance area;
- Barn is not visible from the road and is using existing access;
- Applicants have been stalwarts of the local community for years;
- There will be no additional traffic;
- The conversion will enable Mr & Mrs Dare to remain living in the Parish;
- It will not change our outlook and is not isolated.

Ward Councillor supports application - It will only enhance the area and for Mr & Mrs Dare to enjoy their retirement in a more suitable home.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless

material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

SP1 - Sustainable development locations,
DM1 - General requirements,
DM2 - Development in the countryside,
CP8 - Environment,
SP4 - Realising the vision for rural areas,
CP1 - Climate change,
SB1 - Settlement boundaries,

Local finance considerations

Community Infrastructure Levy

Creation of dwelling is CIL liable.

Dwelling measures approx. 214.5m².

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £27,000.00. With index linking this increases to approximately £32,000.00.

This application replaces 24/15/0013/CMB where the CIL process has been completed and existing floor area is in lawful use and greater than proposed floor area. Therefore there was no CIL liability in respect to the previous application.

New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£1,079
Somerset County Council (Upper Tier Authority)	£270

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£6,474
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Determining issues and considerations

Unauthorised works

In 2015 Prior Approval was granted for change of use and conversion of an agricultural building to a dwellinghouse. The works involved minor alterations to the building, installation of windows and doors, formation of parking and curtilage area and partial demolition of corrugated sections. The Prior approval process is clear in that the works must accord with the approved plans. In this instance the approved plan was clearly marked with existing walls which would remain.

Following a complaint from a member of the public the site was inspected to see if the development was proceeding in accordance with the prior approval that had been granted. On site it was noted that the majority of the barn (that was to be retained) had been demolished, only a small proportion of the walls remained. Approximately 75% of the building had been removed and it appeared that what was remaining of the building had been demolished and rebuilt. The only obvious section of the original barn remaining was a section of brick wall. As such the development constitutes the demolition and the erection of a new dwelling in the countryside and the owner of the site can no longer rely on the prior approval that has been issued.

The unauthorised works were reported to Committee on 13th July 2016. The committee decided to defer enforcement to allow a valid planning application to be submitted with two weeks. This application seeks consent for the unauthorised works and for the reconstruction of the barn to form a dwelling.

Visual and residential amenity

The site is in a rural location and forms part of the small hamlet of Higher Knapp. The nearest property is the farmhouse to the north west of the building. There is considered to be no adverse impacts upon the amenities of the occupants of the farmhouse or any other nearby residential properties.

Whilst the proposed building is designed to replicate the previous barn, once converted, it is a new building in the open countryside and as such there will be a visual impact from the proposal. The proposed building will sit between the existing farm buildings and the road, within close proximity to the existing farmhouse and will have the appearance of a traditional rural building, which reduces its visual impact upon the surroundings .

Creation of new dwelling in open countryside

The NPPF has guidance on the promotion of sustainable development in rural areas, and that Local Planning Authority should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

The site is outside of defined settlement limits. The creation of an additional dwelling in this location would increase the amount of traffic to and from the site. The Core Strategy Policy SP4 justification states; "The Core Strategy aims to avoid creating a dispersed pattern of development in rural areas which then increases the need to use the private car to access employment and services". Policy CP1 of the Core Strategy aims to reduce the need to travel through locational decisions. Policies SP1, CP8 and DM2 of the Core Strategy also restrict new developments in open countryside. Policy SB1 of the Draft Site Allocations and Development Management Plan reinforces the Councils position on development in open countryside. Due to the remote location, any future occupiers of the proposed dwelling would be dependent on private vehicles, to access any local services and facilities. This would foster growth in the need to travel in comparison to the existing use of the site, resulting in an unsustainable form of development. Although it is acknowledged that the applicants wish to move into the proposed dwelling, the application would still be creating an additional dwelling in the countryside, likely to result in an overall increase in traffic.

The applicants are currently residing in the Farmhouse. The farm has been leased out and the applicant is now retired. There is no agricultural need for the proposed dwelling. The proposal would not, in effect, enable the family to continue farming.

There are many comments in the representations received which imply the dwelling should get consent to enable the applicants to remain in the Parish. However, as the applicants are already living in the Parish in the farmhouse this point does not have merit. The dwelling is not proposed as an annex, nor designed specifically for dependant relatives. It is proposed to be built over two floors with the bedrooms and main bathroom upstairs. If the applicants consider their existing property to be too large or not suitable for their requirements they should seek alternative accommodation in the Parish or a new dwelling within the designated settlement boundaries.

Conclusion

The proposal is considered to neither benefit economic activity or maintain and enhance the environment. The proposal is considered contrary to the Core Strategy and the Draft Site Allocations and Development Management Plan which aim to avoid creating a dispersed pattern of development in rural areas which then increases the need to use the private car to access employment and services.

Granting planning consent for a development of this nature would set an undesirable precedent, where these arguments could be used all too often. Regardless of the prior approval allowed on the previous building the application must be considered in line with current planning policy, which does not support unsustainable forms of development.

It is therefore recommended that the application is refused and that enforcement action is taken to remove the unauthorised structures.

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

Contact Officer: Ms F Wadsley