

24/17/0007

MR & MRS M DYKE

## **Conversion of barn to dwelling at Garnseys Farm, Knapp, North Curry**

Location: GARNSEY FARM, LOWER KNAPP LANE, KNAPP NORTH CURRY,  
TAUNTON, TA3 6BQ

Grid Reference: 330569.125533

Full Planning Permission

---

## **Recommendation**

### **Recommended decision: Refusal**

- 1 The proposed dwelling would be sited in an area of open countryside, distant from any well serviced settlement. No evidence has been provided to demonstrate whether there is a demand for the building to be used for other uses set out in the sequential approach of Policy DM2 (7.b). Furthermore, the building is not of any architectural merit worthy of retention that may have been an exceptional reason to convert if the sequential test was passed. The proposed development therefore conflicts with Taunton Deane Core Strategy Policies DM2 (7.b) and would result in a residential unit of accommodation in an unsustainable area of open countryside contrary to the aims of Core Strategy Policy SP1.

### **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 has looked for solutions 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**

Conversion of barn to dwelling, use of land as domestic curtilage with two parking spaces.

Minimal alterations are proposed to the single storey building as previous works have changed the exterior of the building, infilling openings and inserting windows.

The proposed dwelling will accommodate two bedrooms.

## **Site Description**

The site lies within the hamlet of Knapp, outside of defined settlement limits. The building is sited next to agricultural buildings but within close proximity of residential dwellings.

## **Relevant Planning History**

24/15/0033/CQ - Prior approval for proposed change of use from agricultural building to dwelling house. Application was refused for the following reason: -

The Local Planning Authority considers that the proposed development is not permitted development as it does not comply with the limitations or restrictions set out in Schedule 2, Part 3, Class Q, paragraph Q.1 of the Town and Country Planning (General Permitted Development)(England) Order 2015 in that;  
(a) the site was not used solely for an agricultural use, as part of an established agricultural unit on 20<sup>th</sup> March 2013.

The above refusal reason was upheld by an appeal decision.

## **Consultation Responses**

### *NORTH CURRY PARISH COUNCIL -*

The Parish Council is aware that the Government has changed legislation in recent years to enable barn conversions and considers this to be a perfect example of a suitable barn for residential use.

*SCC - TRANSPORT DEVELOPMENT GROUP -* See Standing Advice.

### *BIODIVERSITY -*

Bat Survey carried out in 2015- No evidence of bats using the barn, some low potential for crevice dwelling bats. Limited nesting habitat for birds. No birds recorded during survey, although evidence of nesting birds.  
Recommendations and mitigation to be a condition.

*LANDSCAPE -* Minimum landscape impact.

### *SOMERSET WILDLIFE TRUST -*

Fully support recommendations for enhancements for birds and support the proposals in respect of landscape and planting scheme.

## **Representations Received**

Ten letters of support: -

- No adverse effect on any neighbouring properties.
- No adverse effect on local landscape.
- Minimal construction work required.
- Existing road access will be used.
- Will allow family to continue farming.

One letter of support from Ward Councillor: -

- Type of redundant farm building that should be converted to a home.
- Construction typical and in keeping with Knapp; renovation will enhance character.
- No highway problems.
- No good reason why previous appeal (24/15/0033/CQ) and appeal were refused.
- Support from local residents and Parish Council.
- Conversion will allow other members of family to move to Knapp and ensure existing farm is able to continue to operate.

## 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), the Taunton Site Allocations and Development Management Plan (2016), 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.

DM1 - General requirements,  
 DM2 - Development in the countryside,  
 CP8 - Environment,  
 SP1 - Sustainable development locations,

This takes into account the recent adoption of the SADMP.

## Local finance considerations

### Community Infrastructure Levy

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 £10,500.00. With index linking this increases to approximately £13,000.00.

### 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	£1,079
Somerset County Council	£270

## *6 Year Payment*

Taunton Deane Borough  
Somerset County Council

£6,474  
£1,619

## **Determining issues and considerations**

The proposed building to be converted is sited outside of any defined settlement within the countryside, as such, Policy DM2 (Development in the Countryside) of the Taunton Deane Core Strategy is relevant. Part 7(b) of Policy DM2 allows the conversion of existing buildings and follows a sequential approach; i. Community Uses; ii. Class B business uses; iii. Other employment generating uses; iv. Holiday and tourism; v. Affordable, farm or forestry dwellings; Vi. Community housing; Vii In exceptional circumstances, conversion to other residential use.

There has been no supporting information submitted to show that the other uses laid out within the sequential approach have been investigated and as to why they are not acceptable in each case before looking at a residential use. Furthermore, even if a supporting document had been submitted there does not seem to be an exceptional circumstance that would warrant the granting of residential use.

The building has been altered and has the appearance of a modern bungalow, this itself would not give justification for allowing the conversion to residential use; para 6.16 of the Core Strategy sets out that ' Residential uses will only be acceptable if the building is of particular architectural merit, worthy of retention and demonstrably unsuitable for all other listed uses'. This building did not comply with Class Q and was dismissed on appeal as not being permitted development. Non compliance with Class Q does not make a building suitable for residential conversion under planning policy.

The letters of support have made reference to the farm, its continued operation and other family members living on the farm. Whilst this is the case, no evidence has been submitted that the application is for a rural worker; no functional need has been established; whether the occupiers are primarily employed in agriculture; nor whether the need could be fulfilled by another existing dwelling on the unit or in the local area. As such, the proposal would not comply with Policy H1a: Permanent housing for rural workers, of the Taunton Deane Adopted Site Allocations and Development Management Plan.

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

**Contact Officer: Mr D Addicott**