

07/2007/023

MR TIM EVERETT

**CHANGE OF USE, CONVERSION AND EXTENSION OF BUILDING TO B1 USE  
AT BUILDING AT HEATHERTON PARK FARM, BRADFORD ON TONE  
(REVISED SCHEME)**

317008/122055

FULL

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**PROPOSAL**

The proposal is to convert and extend an existing disused farm building to form an art restoration studio, a B1 use. Such use is relocating from a more remote location in the district. The works involve a new pitched roof in slate for security purposes. Permission for the conversion and use of the building was previously granted in November 2007. This revised scheme includes a 3.5m extension to the eastern gable end and a 3.8m x 21m lean-to to the south to provide a timber store and wood working area.

**CONSULTATIONS AND REPRESENTATIONS**

PARISH COUNCIL - The Parish objects to the proposal for reasons that the building appears much larger than the plan approved in November, the height appears to correspond with the permission but it is wider and so the height appears more noticeable. There appears to be 3 small pieces left of the original building on the west and north sides. Overall, it appears to be not so much a conversion as a new building. None of the nearest neighbours has been approached by Mr Everett. It is understood that the road to the site is owned by someone else and has only agricultural rights over it. Of concern it was noticed material was being tipped to the west of the site and it is hoped this is not for a car park.

9 LETTERS OF OBJECTION on the basis the extensions will make the building more intrusive to neighbours, it will be closer to residential property, the roof lights will add to the aesthetic obstruction and block the view, the extension will be a dominant structure, the mass of the building will be increased by 50% over the approval which is unacceptable and out of context with a residential area, the erection of a 2m fence will not screen the roof, loss of daylight, roof lights, and any windows/doors will overlook, concern over security, lighting, impact on the Grade II listed building and its setting, hours of operation to include Saturdays, concern over materials, no right of access, building different from approved scheme, doubling the size will allow for greater activity, parking or extension to the east will adversely impact on the landscape.

**POLICY CONTEXT**

RPG10

Somerset & Exmoor National Park Joint Structure Plan Review Policies  
STR1 – Sustainable Development,  
STR6 – Development Outside Towns and Villages

Policy 19 – Employment and Community Provision in Rural Areas  
Policy 48 – Parking  
Policy 49 – Transport Requirements of New Development.

Taunton Deane Local Plan Policies  
S1 – General Requirements  
S2 – Design  
S7 – Outside Settlements  
EC6 – Conversion of Rural Buildings  
EC7 – Rural Employment Proposals  
M2 – Parking  
EN34 – External Lighting

## **ASSESSMENT**

The proposal is a revised conversion and extension scheme to this barn to allow its use for art restoration, a B1 use. The revised scheme involves a large extension for a wood store on the south elevation and a 3.5m extension on the eastern gable end. These alterations are in addition to the previous scheme which altered the roof height to 6m to 6.5m at ridge level to provide for slate, a secure roof for the art restoration building.

PPS7 and policy EC6 allows for some alteration of buildings for commercial use. The new roof will make the building more prominent locally, however this is as previously approved and the appearance of a new slate roof is not considered significant or to have an adverse detrimental impact on neighbours. This new roof will also allow for better sound insulation. One of the neighbour concerns relates to noise and Environmental Health had previously recommended a noise condition. Concerns have also been raised over the nature of a B1 use close to residential properties. B1 uses are normally acceptable in such locations and subject to noise conditions and operating hours (09:00hrs – 17:00hrs) it is not considered necessary to limit the nature of the B1 use or to make it a personal permission, which circular advice advises against. The applicant has indicated that retention of the operating hours condition previously imposed would be acceptable and so the re-imposition of this condition is proposed.

The proposal does create additional floor space over and above that previously approved. The increase with the extensions proposed is approximately 40% more in floor area and while this is large, the alterations are considered in keeping with the character of the building and not to harm the amenity of the area. The lean-to on one side will have no windows or doors in the wall and the roofline is set down below the existing. While there are two sets of roof lights in this lean-to the impact on the neighbours is considered an acceptable one. Details of the boundary treatment are to be conditioned and hedge planting to this boundary is considered appropriate. It is not considered the proposal is therefore contrary to policies S1 or EC6 of the Local Plan.

There has been objection in terms of the impact on the listed building at Heatherton Park House. While the application site is visible, from the house, it is around 90m away from it and the proposal is not considered to adversely affect the setting of the listed building to warrant refusal of the scheme.

The access is intended to be via the northern drive as before and the applicant claims to have a right of access over this. This is disputed but is a civil issue. The Highway Authority advise that there should only be access via this route as the southern option leads to a sub-standard junction. It also passes a number of residential properties. The applicant does not own the access and therefore it is not possible to condition the passing place referred to by the Highway Authority. However, it is possible to condition parking and access and ensure the southern route is no longer used and it is proposed to reiterate previous conditions. This would include the provision of a parking area to the north of the building.

Conditions in terms of controlling external lighting, new openings and swallow nest provision are all considered appropriate in view of previous comments received.

### **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, landscaping, swallow mitigation, boundary treatment, parking, no access to south, noise limit, working hours, timber windows/doors, no additional openings and external lighting. Notes re visibility, passing place, access right and wildlife protection.

**REASON(S) FOR RECOMMENDATION:-** The proposed development is not considered to adversely affect the amenity of the area and is considered to comply with Taunton Deane Local Plan Policies S1, S2, EC6, M2 and EN34 and material considerations do not indicate otherwise.

**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: