

51/12/0004

MR & MRS DAVID

CONVERSION OF REDUNDANT FARM BUILDING TO FORM DWELLING AT SUNNY FARM, STANMOOR ROAD, BURROWBRIDGE

Grid Reference: 335762.130057

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

RECOMMENDED CONDITION(S) (if applicable)

1. The application site lies within the countryside in an unsustainable location and the applicant has failed to demonstrate that the buildings could attract a suitable business or community use. As such the application is considered contrary to Taunton Deane Local Plan Policies S7 and H7 and Taunton Deane Core Strategy Policy DM2.

Notes for compliance

PROPOSAL

Planning permission is sought for the conversion of a redundant agricultural barn and attached cow stall and store into a dwellinghouse. The application is accompanied by a Flood Risk Assessment, a Design and Access Statement, a Protected Species Survey Report and a Structural assessment.

The proposal involves; repairs, internal works and insertion of windows and door to the west elevation of the two storey barn; reinforcement and repairs to walls, replacement of roof and formation of new window and door openings to the cow stall and store; alterations to the access and formation of parking and turning areas.

SITE DESCRIPTION AND HISTORY

The site is located along the western bank of the River Tone. It lies with Flood zone 3 with the site being classified as Flood Zone 3b (functional floodplain) and the buildings being with Flood Zone 3a (high flood risk). The site is outside of the designated settlement of Burrowbridge.

The site comprises a derelict two storey barn with attached cow stall and store and some open faced, corrugated roof barns. There is an existing access off Stanmore Road.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BURROWBRIDGE PARISH COUNCIL - strongly support this application as they see no reason to refuse it especially as it was originally a house. Also it will be an asset to the village providing extra housing.

SCC - TRANSPORT DEVELOPMENT GROUP - Initial response:

The Highway Authority was consulted for pre-application advice on the 9th November 2010 to which my colleague responded on the 30th November 2010. It is noted from my colleague's comments that visibility splays of 2.4m x 90m have been recommended and that these would need to be provided as part of any planning application. In this instance my view differs to that of my colleagues, based on Manual for Streets (MfS) documentation and given that the property is located within a 30mph speed limit, it is advised that a visibility condition of splays based on co-ordinates of 2.4m x 43m (to the nearside carriageway edge in each direction), with no obstruction greater than 900mm, should be applied to this development. Additionally any vegetation to either side of the access should be maintained at all times by the applicant, to prevent any obstruction of visibility.

However, I am not aware of any visibility splay drawings submitted with the application. Therefore, please could you clarify whether these drawings will be provided so that the Highway Authority can make a comprehensive response.

ENVIRONMENT AGENCY - No objection subject to;

- Conditions regarding finished floor levels to be set no lower than 6.5m above AOD, submission and approval of a scheme to incorporate flood proofing measures;
- Informatives regarding no interruption to surface water drainage system of the surrounding land, consultation with the Somerset Drainage Board Consortium, The Water Resources Act 1991 and Land Drainage Bylaws, Floodline Warnings Direct Service, Sustainable Construction, Pollution Prevention During Construction and Waste Management.

BIODIVERSITY OFFICER - Recommend condition and informative for Protected Species.

Representations

Cllr Stone - I want to support the application at Sunny farm for a new dwelling. I feel that this application should be viewed positively for the following reasons ;-

First the building was obviously was once a house, not a barn which appears to have been its most recent use. Development of this site would have little impact on neighbours as it is a large site with only one house nearby. The site is presently a bit of a mess and planning consent would inevitably result in an improved appearance of this part of the village. Other infill sites such as this have been developed in Burrowbridge in the past with no detriment to the village as a whole.

Most of this narrow strip between the road and river is already developed and so this would be in character with existing development.

The wothy boiler on the adjacent plot is an important feature and ways of retaining this should, if possible, be explored as part of the application.

I understand that the initial view of the planning officers may be to refuse the application and it will need local support to ensure that it goes to committee which is likely to improve the chance of it being approved.

I understand that the Parish Council fully Support the application and this should be an important factor in a rural location such as this. I also understand there have been a number of other letters of support and this should ensure that the application will come before the planning committee.

Four letters of representation have been received supporting the application ;

- the building in its current state is an eyesore and falling further into disrepair;
- it would be a shame if it was not possible to retain the original building;
- the site is in a residential area;
- it would have little or no impact on the environment;
- it will continue to keep the village viable;
- it will bring people into the village who were originally born here and help sustain existing services.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
STR6 - Development Outside Towns, Rural Centres and Villages,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
S7 - TDBCLP - Outside Settlement,
EC6 - TDBCLP - Conversion of Rural Buildings,
H7 - TDBCLP - Conversion of Rural Buildings,
EN12 - TDBCLP - Landscape Character Areas,
EN28 - TDBCLP - Development and Flood Risk,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,

LOCAL FINANCE CONSIDERATIONS

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)	£1359
Somerset County Council (Upper Tier Authority)	£340

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£8154
Somerset County Council (Upper Tier Authority)	£2039

DETERMINING ISSUES AND CONSIDERATIONS

Prior to the application being submitted the agent applied for pre-application advice on the site for conversion of the building to a dwelling. The advice given was that the site lies outside of the defined settlement limits and the proposal would be subject to Policy H7 of Taunton Deane Local Plan. As such one of the main concerns would be whether the building could attract a suitable business re-use. It was stated that a successful application for residential use would have to clearly demonstrate why a business use is not being pursued, usually including marketing the building for business use for at least 1 year. No marketing or business use statement was submitted with the application.

The use of the barn and the attached cow stall has been abandoned. The lies outside of the defined settlements limits of Burrowbridge and as such must be thought of as a building in the open countryside and is therefore in an unsustainable location. Despite the proximity to the nearby settlement the application must be considered in line with local and National Policy.

Taunton Deane Local Plan Policy H7 states that, along with other criteria, conversion of buildings to residential use will not be supported unless the building is unlikely to attract a suitable business use. Policy EC6 promotes the conversion of rural buildings to business, industrial, warehousing, tourism, recreation, community, commercial or other employment generating uses provided certain criteria are met.

In addition to the policies of the Local Plan, and following the advice set out in paragraph 216 of the National Planning Policy Framework (NPPF), greater weight is now being attributed to the emerging Taunton Deane Borough Council Core Strategy 2011 – 2028 by virtue of its advanced stage. Following the Examination in February, there are no major modifications proposed to policy DM2 and as such, significant weight can be attributed to policy DM2. Section 7 of DM2 covers the conversion of existing buildings and states ;

"A sequential approach must be followed in the following priority:

- 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."

The sequential approach enables existing buildings to be used in the manner which is most supportive to the viability and vitality of the rural area. Any of the uses in

criteria i to vi would benefit the local community at a greater level than a dwelling. In the event that other business uses were not suitable then the buildings should be used to provide community housing which would be of benefit to the local community. The sequential approach has not been undertaken in respect to this application nor does it demonstrate why any of the other uses may not be implemented.

The NPPF is explicit in its support for sustainable development. Section 3, para 28, states; "Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should ... support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

The Core Strategy is inline with this advice and the sequential approach seeks to support the rural economy. In any event, the relevant policies of the Local Plan, which still carry full weight for 12 months until 26 March 2013, have a clear presumption in favour of conversion of rural buildings to other business uses.

In summary the Council is clear in its policies that it supports the re-use of rural buildings of permanent and substantial construction, but that other uses must be considered before private residential. As it stands the application does not demonstrate why the barn cannot be used for other business or community uses and is therefore recommended for refusal.

The receipt of the New Homes Bonus is noted, however, your officer's consider that this matter carries very limited weight in this case.

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 Tel: 01823 356313