

32/2003/004

MR A F TUCKER

**CONVERSION OF AGRICULTURAL BUILDING INTO DWELLING AND
CONVERSION OF BARN INTO CAR PORT AND STORE, BROADLEIGH,
WHITEBALL, WELLINGTON AS AMENDED BY LETTER DATED 3RD DECEMBER,
2003 WITH ACCOMPANYING PLAN NO. 1068(A)/1A AND AS AMPLIFIED BY
LETTER DATED 22ND DECEMBER, 2003**

09900/18667

FULL PERMISSION

PROPOSAL

Conversion of traditional agricultural building into one detached two storey dwelling and conversion of second barn into carport and store. A further pair of buildings will be retained as ancillary domestic outbuildings. The buildings are currently in agricultural use. Structural engineer's report indicates that the building is in fair condition for its age and provided the recommended structural alterations, repairs and strengthening works are carried out, the structural stability of the building will be preserved. A number of existing modern farm buildings will be demolished as part of the overall development proposal. The rear wall of the large building to the north east of the proposed barn conversion will be retained to a height of 1.8 m to maintain privacy with the adjacent property. It is intended that surface water will be drained to soakaways within the area of the site and foul drainage will be accommodated by way of a new septic tank or package treatment plant with soakaway system. There was a refusal of planning permission for the conversion of the building to a dwelling in 1977 on the grounds that the site is in an area where only dwellings required for agriculture will be permitted.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the agricultural activities are to cease, thus reducing the overall vehicle movements at the access serving the proposed development. The visibility at the access is substandard and the applicant does not have control over the adjacent land. However any improvements to the visibility that could be achieved by agreement with the neighbouring landowners would be appreciated. In view of these factors no objection.

ENVIRONMENTAL HEALTH OFFICER due to the possibility of contamination from the previous agricultural use recommends a contaminated land remediation report. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365 (September 1991) and percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage. The Environment Agency's consent to discharge to an underground strata is also required.

PARISH COUNCIL unable to support the application unreservedly and instead fully endorses the objections from the occupants of two of the neighbouring properties. The parish council is also concerned about possible future plans for the site and would not

like to see any further development on it. Also it is felt that the access route would not accommodate any additional traffic.

FIVE LETTERS OF OBJECTION circumstances at time of 1977 refusal still apply, including that very little of the existing structure would be left and that a new building would result instead of a conversion; barn overlooks property and proposal will result in new windows with light intrusion at night, alteration to character of objector's property, loss of privacy, tranquillity and security; wish to live in a rural environment; will not enhance the character of the countryside or satisfy a proven local need and will be of no benefit to the local rural community and on-going conservation of the countryside; proposal will diminish the quality of life and destroy the sense of stability for our and future generations of families who choose to live in the area; precedent for further dwellings or holiday lets on the site; applicant intends to sell off the property if he gets planning permission; inadequate services; the traffic in the narrow, single carriageway, private track would increase as would noise and headlight intrusion at night, the narrow track meets the main lane (which is used by other farmers and their agricultural vehicles) with blind vision in both directions; adjacent dwelling has a right to draw water from a well on the site, together with right of access to and right of drainage across the property; one of the outbuildings has been rebuilt and enlarged in recent years; loss of value; blockwork building for car port should be rebuilt in stone; plans inaccurate; consideration of plans should avoid any conflict of interest; should be no further dwellings; wall on boundary should remain; any soakaways should be diverted away from adjacent properties.

Further comments on amended plans:- welcome improved plans which make the proposal clearer, confirmation of no intention include additional dwellings or holiday lets and that the concrete block is to be made visually more attractive and in keeping with private housing rather than agricultural use; remain concerned that the proposed change of use retains more buildings than would be expected, in particular the large store nearest the barn conversion, which is in a poor state and is a candidate for further changes of use in the future which would be totally unacceptable; plans still inaccurate; proposed site for foul drainage raises concern about the contamination of adjacent dwelling by sewage and health and safety implications; foul and storm drainage entering the ground may contaminate the well; proposal to drain storm water to soakaways on site also raises the risk of contamination and flooding of adjacent dwelling, particularly in view of change in weather patterns in recent years resulting in flash flooding in many areas due to abnormal rainfall and the fact that the application site is at a higher level than adjacent property; there is a delicate balance of drainage system in the area, with the system being blocked some years ago; retaining wall to a height of 1.8 m provides no privacy for adjacent property with only a barbed wire fence; traffic levels under residential use would be considerably greater than under the present agricultural use - stock is held in these buildings only during winter months after which time they are moved into the fields, hence farm traffic is once a day during the winter between daylight hours, as compared with domestic use which would mean moving vehicles at all times of the day and night, all year round.

POLICY CONTEXT

County Structure Plan Policy STR1 on sustainable development is relevant. Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policies WD/SP/3 and WD/SP/4 of the West Deane Local Plan are relevant. These policies indicate that change of use of buildings outside defined settlement limits will be allowed provided certain criteria are met. It is considered that these criteria are met with the current proposal.

Policy S1 of the Taunton Deane Local Plan Revised Deposit includes 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

Letter of amplification from applicant's agent indicates that the site is currently in use as part of the applicant's farming activity and there are a number of fairly large agricultural buildings on site, of both modern and traditional construction; these buildings are suitable for a number of different agricultural uses including accommodation of livestock and farm storage; the agricultural use of the site has the potential to generate a substantial amount of agricultural traffic including tractors and trailers, livestock transporters, feed lorries, muck spreaders, agricultural engineers, the vet, various representatives and professionals and individual employees driving to and from work. The agent contends that the proposal would substantially reduce the likely number of vehicle movements that could be generated and would also change the nature of the use from large bulky and slow moving agricultural vehicles to much lighter residential traffic; it is likely that the potential number of agricultural vehicle movements would be several times that of residential vehicle movements and this represents a substantial highway gain. The County Highway Authority does not object to the proposal. The applicant's agent contends that the means of drainage should not cause any problem for neighbouring properties. The Drainage Officer does not raise any objection to the proposal. Due to the position of the barn in relation to the adjacent residential properties, I do not consider that there will be any undue loss of privacy or overlooking of the adjacent properties. Different planning policies were in existence at the time of the 1977 refusal. The Structural Engineer's report indicates that the building is structurally sound and suitable for conversion to a dwelling.

RECOMMENDATION

Planning permission be GRANTED subject to conditions re percolation tests, materials, rainwater goods, landscaping, boundary treatment, parking, turning, meter boxes, schedule of works, timber doors and windows, contaminated land remediation report and removal of GPDO rights for extensions, ancillary buildings, doors/windows and walls/fences. Notes re conversions letter, future extensions unlikely, compliance,

disabled access, energy / water conservation, contaminated land, CDM Regulations, bats and owls note, soakaways and contact Environment Agency.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to comply with Taunton Deane Local Plan Revised Deposit Policies S1 (General Criteria) and H9 (Conversion of Rural Buildings)

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: