

27/2005/023

MR M JAMES

**CONVERSION OF BARNs TO 3 DWELLINGS, ERECTION OF DETACHED GARAGE, CONVERSION OF MODERN FARM BUILDINGS TO GARAGES, STABLES AND INDOOR RIDING SCHOOL AND FORMATION OF OUTDOOR MANEGE AT ALLERFORD FARM NORTON FITZWARREN AS AMPLIFIED BY AGENTS E-MAIL DATED 3RD FEBRUARY, 2006**

17962/25032

FULL

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**PROPOSAL**

The proposal provides for the change of use and conversion of traditional stone barns to 3 dwellings, erection of 3 detached garage buildings (two to serve the proposed dwellings and one to serve the existing house), conversion of modern farm buildings to garages, stables and indoor riding school and formation of an outdoor manege (40 m x 30 m). The proposed dwellings will comprise 2 single storey dwellings and 1 dwelling on three floors. The proposal provides for a whole site redevelopment of what are now redundant farm buildings. Amenity land provided for the proposed dwellings is to remain within the limits of the existing site, so there will be no requirement to use additional agricultural land. A Structural Appraisal of the barns submitted with the application concludes that the buildings are in satisfactory structural order at the present time and are suitable for conversion to residential use. A Wildlife Survey was also submitted with the application. The applicant's agents indicate that due consideration has been given to a commercial re-use of the buildings. They are of the opinion that as the barns are located in a rural area which is accessed via unclassified lanes and by virtue of the buildings relationship with the existing house, they are unlikely to be suitable for a business re-use. They are also of the opinion that the costs involved in converting the buildings to an alternative commercial/industrial use in this case, when compared to likely rental values, would not prove viable. This is further justified by the fact that there are existing buildings owned by the applicant which are currently being marketed under a commercial use with little interest. A Flood Risk Assessment was also submitted with the application.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY AUTHORITY in terms of traffic generation the proposed development may generate a similar level of traffic to that of the agricultural use of the barn, but the nature of the trip patterns connected with a residential use are likely to be very different with a higher level of longer distance trips. The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted policies:

April 2000). Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the re-use and/or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car. The approach roads leading to Allerford Farm are narrow and poorly aligned and the junction with the main road, B3227 is sub-standard and I would not want to see an increase in vehicular movements on top of what is already in existence in this location. Therefore it is imperative that the equestrian uses being proposed are ones that will be ancillary to the residential uses being applied for and under no circumstances be for any business or commercial use. The Highway Authority would not want to see any commercial in this location be it as now or in the future. In the event of planning permission being granted recommend that conditions be imposed re visibility splays, hard surfacing of access, entrance gates hung to open inwards, gradient, garages to remain available for the parking of domestic vehicles, the use of the stables, indoor school and outdoor manege limited to private domestic needs of occupiers and not used for any business or commercial use and no discharge of surface water onto highway. Note re contacting the Highway Authority for a Section 184 Permit under the Highways Act. ENVIRONMENT AGENCY no objection subject to conditions finished floor levels and surface water drainage and advice that one of proposed garages may flood, consent to discharge, clean roof and surface water to be kept separate from foul drainage, manure/dung heap siting, MAFF Code of Practice and no discharge of foul or contaminated drainage to groundwater or surface waters. ENGLISH NATURE the survey information indicates that evidence of bats was found in barn 4 and will be affected by these proposals. It is unclear to the surveyors how the bats are using the barn and we support their recommendation that further bat surveys are needed when bats are active which is likely (weather permitting) to be from late April until late October. Without this information English Nature cannot be satisfied that these proposals will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range (as defined in Regulation 44 of the Habitat Regulations). A serotine bat roost is suspected to be in the house.

NATURE CONSERVATION OFFICER main concern is that the survey for bats is incomplete. No emergence survey was carried out. Bat use was inconclusive and further survey work must be undertaken to see how the bats may be using the building. Swallows nesting some of the buildings and work must not be done in the summer months if swallows are nesting. Work to some of the buildings can go ahead, although all operatives should be alerted to the possible presence of bats and nesting birds. Suggests conditions. DRAINAGE OFFICER understand that the Environment Agency have concerns regarding the probability of flooding at the road junction adjacent to the proposed site. No approval should be given until such time as it has been approved by the Environment Agency.

PARISH COUNCIL objects because it does not meet with the criteria laid down for the conversion of rural buildings in Taunton Deane Local Development Framework. Also feel that the roads serving this area are inadequate for the increased traffic this development would generate.

TWO LETTERS OF OBJECTION have been received raising the following issues:- increase in traffic along a lane which is already dangerous; road floods to an impassable depth on the proposed entrance to the development on a regular basis;

prospect of even more equestrian traffic using narrow and dangerous lane fills with dread; already too much development in the immediate locality; previous permissions for development - only a matter of time before the owners are seeking planning permission for a house (they have already installed a mobile home); the countryside is slipping away by planning permission creep.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 on sustainable development is relevant.

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. Policy H7 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**

The barns are traditional stone barns and their conversion as proposed is in compliance with the adopted Development Plan policies. The equestrian uses are to be tied to the domestic use of one of the dwellings. The traffic generated by the proposed development has to be compared with the loss of the agricultural traffic generated from a large farming enterprise (tankers, tractors, farm machinery, etc).

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, percolation tests, materials, landscaping, boundary treatment, access, visibility splays, hard surfacing of access, entrance gates hung to open inwards, gradient, garages to remain available for the parking of domestic vehicles, no discharge of surface water onto highway, parking, meter boxes, schedule of works, timber windows and doors, use of stables indoor riding school and outdoor manege to be strictly ancillary to existing or proposed dwellings and not to be used for commercial purposes, demolition of buildings, underground services, removal of GPDO rights for extensions, ancillary buildings, walls/fences and doors/windows, finished floor levels, surface water drainage, bat survey and provision for swallows. Notes re conversions letter, future extensions unlikely, disabled access, water/energy conservation, no surface water discharge onto highway, agricultural code of practice, CDM regulations, manure heaps, advice re bats and nesting birds, possibility of one of garages flooding in extreme circumstances, Consent to Discharge, drainage for stable/riding facility on a separate system, foul/contaminated drainage, ensure no pollution from proposed riding areas and contact Highway Authority.

REASON(S) FOR RECOMMENDATION:- The Local Planning Authority consider that the proposal complies with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356461 MR J HAMER**

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