

36/2005/017

P F & A KEMP

**RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE, CONVERSION AND ALTERATION TO BUILDING TO FORM HOLIDAY ACCOMMODATION TOGETHER WITH ERECTION OF WIND TURBINE AT HIGHER HOUSE FARM, HELLAND LANE, STOKE ST GREGORY (ALTERNATIVE SCHEME TO APPROVAL 36/03/026)**

33874/25665

RETENTION OF BUILDINGS/WORKS ETC.

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**PROPOSAL**

The application follows the approval in November 2003 of a scheme to convert a barn off Helland Lane into holiday accommodation. The barn has since been purchased and the new owner has progressed with conversion of the barn without complying with the approved scheme. The proposal therefore is for the regularisation of the conversion works carried out and erection of a small wind turbine to help provide electricity to the site.

The proposal for the wind turbine to be 6.5 m high to the hub and is proposed to help provide electricity to the site as it lies too far away to provide a low voltage underground supply.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY previous comments and recommendations apply equally. Refusal previously recommended on sustainability grounds and impact on the public footpath. ENVIRONMENT AGENCY the Agency does not wish to provide comment regarding the above application. WESSEX WATER the site is not located in a Wessex Water sewered area. The developer has indicated disposal of foul drainage will be to a 'biodigester'. The developer has proposed to dispose of surface water to 'tank collection from roof used for w.c.'. It is advised the Council should be satisfied with the arrangement for the disposal of foul and surface water flows. It is recommended the developer agree a point of mains connection prior to commencement of works on site. RIGHTS OF WAY TEAM route of the path will remain unchanged but from memory I think some work needs doing to improve the access from the track to the field. Any changes to the surface of the footpath must be authorised by Somerset County Council Rights of Way Group.

LANDSCAPE OFFICER the wind turbine is likely to have a local landscape impact given the openness of the Levels and North Curry Ridge and if permitted may set a precedent for further turbines. A wider landscape impact is necessary. The rose hedgerow is not acceptable as a local hedgerow and would be contrary to EN12. I suggest hazel, hawthorn and field maple. NATURE CONSERVATION OFFICER my

concern is that because no wildlife survey has been submitted (Condition 17 of approval 36/2003/026) we have no true record of protected species activity at the site. Somerset Wildlife Trust's letter (20th October, 2003) draws attention to the fact that barn owls are in the near vicinity. I suggest that in order for potential roost sites for bats and nest sites for owls are not lost with this conversion an survey is made by a qualified person to identify locations for bat access (or bat boxes) and a site for an owl nest box. Conditions (on any permission granted) could be made to ensure that these locations are filtered out with boxes and the accesses maintained. DRAINAGE OFFICER the Environment Agency should be consulted regarding the proposal for foul drainage disposal.

STOKE ST GREGORY PARISH COUNCIL the Parish Council voted to recommend refusal for the following reasons:- the curtilage has been extended into the orchard. A building has been erected (may be temporary) and a garden created. The Council feels all works should be kept within the original curtilage, including the wind turbine. Permission was granted for a holiday cottage which will not need a large garden . Slate tiles have been used instead of reclaimed double romans, as specified on the original application. Solar panels may be visually intrusive as they will not weather. The Council is not in favour of upstairs 'fire escape' windows. Permission was given for a single storey building. The applicant said the window was stipulated by the Building Control Officer. It is not clearly why this 'fire escape' will be needed if the roof space is not part of the living accommodation. The hedge along the drive should be planted with native species. The applicant informed the Council that you had authorised her not to plant this hedge due to continued problems with rabbits. The Council feels that this can be overcome with adequate tree guards. In sum when the Council gave its support to the original plans approved in 2003, they were supporting a conversion and preservation in keeping with the original barn - a single storey building of stone with a tiled low roof. The present building appears to be departing from that concept. The new plans depart from the original permission in several respect and it would have been helpful if they had all be listed. For example the original application shows one half built on stone and the other half rendered. Now there is a brick stack in the centre of the building and a piece of lead flashing. the plan marked 1st floor was not clear and the Council had difficulty in interpreting it. It would be helpful in future if clear plans were insisted on.

NORTH CURRY PARISH COUNCIL the parish council oppose this application.

5 LETTERS OF SUPPORT from locals and walkers commenting on visual improvements to the building, a single wind turbine would be better than overhead lines, eco-friendly holiday bungalow is a good idea, ideal for disabled in wheelchairs.

## **POLICY CONTEXT**

RPG10 Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development,, STR6 - Development Outside Towns, Rural Centres and Villages, Policy 1 - Nature Conservation, Policy 5 - Landscape Character, Policy 23 Tourism Development in the Countryside.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, S7 - Development Outside Settlements, EC6 - Conversion of Rural Buildings, EN4 - Wildlife in Buildings, EN12 - Landscape Character Areas.

## **ASSESSMENT**

The main considerations with the proposal are whether the changes to the design the original scheme and the provision of a 6.5 m high wind turbine are acceptable. The scheme approved by members back in 2003 included one large opening in the north elevation, three in the south elevation and none in the gable end. The current scheme involves 4 additional openings in the west elevations (3 windows and one door) and 3 new windows in the east elevation. These alterations, particularly the new kitchen window, are not considered to be in keeping with Policies S2 and EC6 of the Local Plan.

The works carried out so far have not involved a wildlife survey by a qualified person and it is not possible to say whether protected species have been affected. The Nature Conservation Officer considers mitigation measures in some form should be provided and if Members grant permission, the approved scheme must include provision of a bank and native planting to the side of the access track. An attempt at providing a bank with a rose hedge has been made but has suffered from the impact of rabbits. A rose hedge is not considered appropriate in landscape terms here and alternatives are suggested by the Landscape Officer. Planing on an artificial bank may not be appropriate given the problem already encountered, however planing with tree guards should be possible. A landscape condition should therefore be included if permission is to be granted.

The applicants have provided a number of measures in seeking to provide an eco-friendly development. One measure involves the provision of solar panels to the roof. These have been provided on a slate roof rather than a double roman tile roof as previously approved. The solar panels blend in better on a slate roof rather than a tile one. Whilst tile predominates in the area there are examples of slate roofs in the area and it is not considered appropriate to object to this change.

The proposal includes the provision of a wind turbine to help provide electricity to the site given the distance from any mains connection. As an overhead electric supply would involve a number of telegraph poles the provision of a single turbine set into the orchard by 20 m is considered an acceptable alternative. There has been no strong objection to this, in fact there has been some support. A turbine on a 6.5 m column in the location proposed would blend into the background if finished in a green colour and this would need to be a condition of any permission.

The application currently shows the garden area extending into the orchard to the north this extension is not considered appropriate for a holiday let and would need to be amended to lessen any potential landscape impacts should be considered the scheme is acceptable.

In summary there have been a number of changes made to the approved scheme and the alterations in terms of the fenestration, lack of wildlife;mitigation measures and the extended curtilage are considered detrimental to the character of the building and Local Plan policy and consequently the application is recommended for refusal.

## **RECOMMENDATION**

Permission be REFUSED for reason of changes to the fabric of the building, lack of nature conservation provision and altered curtilage would be contrary to Taunton Deane Local Plan Policies S7, EC6 and EN4.

It is also recommended that enforcement action be taken if necessary to reinstate the building to accord with the previously approved scheme.

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

**CONTACT OFFICER: 2456 MR G CLIFFORD**

NOTES: