

16/12/0001

MR & MRS M KNIGHT

## **ERECTION OF REPLACEMENT DWELLING AT HASCOLLS FARM, LOWER DURSTON, TAUNTON**

Grid Reference: 329651.128133

Full Planning Permission

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### **RECOMMENDATION AND REASON(S)**

Recommended Decision: Refusal

- 1 The proposed development does not meet the criteria in Taunton Deane Core Strategy Policy DM2 Development in the Countryside, section 5, Replacement Dwellings nor the criteria in Taunton Deane Local Plan Policy H8 Replacement Dwellings outside Settlements as the building to be 'replaced' is approx 45sqm and the 'replacement' dwelling is substantially larger at 219sqm; the dwelling is not considered to be a replacement dwelling but will be a new dwelling in Open Countryside and is considered to be contrary to Taunton Deane Local Plan S7. Such dwelling in Open Countryside will result in the residents of the development being likely to be reliant on the private car and there will therefore be an increase on the reliance on the private motor car and thus comprises unsustainable development which is contrary to advice given in the NPPF, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S7 of the Taunton Deane Local Plan.
- 2 The design of the proposal is considered to be inappropriate and out of character with the area, by reason of its proportions, scale as a single storey building and roof scape, it would be detrimental and harm the character of the area and would not be adequately screened by the proposed landscaping, which is contrary to Taunton Deane Core Strategy Policy DM1 General Requirements (d) and Taunton Deane Local Plan Policies S1(D), S2(A) and Policy EN12.

#### Notes for compliance

1. Whilst it is possible to overcome the second reason for refusal, there is still the principle reason for refusal.

### **PROPOSAL**

The application is for the erection of a replacement dwelling at Hascolts Farm. The new dwelling would be single storey, have three bedrooms with living, dining kitchen, utility and office, it would be built from brick and tile. It would be in the location of two existing farm outbuildings.

It is also proposed to remove another outbuilding and change the use of a converted

residential outbuilding back to storage. This building about 45sqm as scaled from the plans submitted when permission was granted for it to be converted to disabled ancillary accommodation.

An existing vehicular access will be used to access the new property and the land to the rear of the farm buildings will be divided between the existing Farmhouse (having 0.5ha) and the proposed dwelling, with the latter having the larger area (1.5ha).

The agent states, the respective areas under consideration, being the existing garage (including overhang/open vehicle storage area), measures approx. 100.9sqm, the adjacent outbuilding is 70.75sqm, with an semi enclosed storage area of about 77sqm. A total of 320sqm of buildings will be removed and the proposed bungalow will be 220sqm. The design incorporates a 25 degree roof, giving a similar height to the existing garage. The agent has concluded that this will result in the proposal not being overbearing, creating a loss of light and would not adversely impact on the street scene. There is already landscaping in the area which will screen the proposal, and there will be additional planting. A boundary wall will also be built between the two properties. The new building will be built to Code 4 standard (Code for Sustainable Homes).

## **SITE DESCRIPTION AND HISTORY**

The application site is to the north of the A361, to the east of the small hamlet of Durston. The site comprises a number of buildings which have been identified on the submitted plans by numbers 1 to 6. The red line site, which is the subject of this application, includes buildings '6' and '7' (an existing garage and outbuilding). The blue land includes buildings '1' to '5', 1 being the original Farmhouse, the others being outbuildings/stores, with '3' being Nichola's House, a former outbuilding converted to ancillary accommodation for a family member. There is a vehicular means of access to both the red and blue areas from the A361.

The site is not within any settlement limits; Durston is not recognised as a settlement in Taunton Deane Local Plan nor the Taunton Deane Core Strategy, it lies in open countryside.

### Relevant Planning History

16/11/0001LE - certificate of Lawful Development for the existing use of ancillary Annexe as a separate dwelling, granted, 08/08/2011.

16/98/0008 - conversion and external alterations to outbuilding to provide disabled ancillary accommodation, approved 19/11/1998.

16/91/0001 -erection of garages and carport, approved 04/03/1991

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - It is noted that the current development is situated outside any Development Limits, however the proposal will not increase the occupancy of the site so the principle is not in question.

The development is located along Glastonbury Road also known as the A361 a County Route as stated in the Somerset and Exmoor National Park Joint

Structure Plan Review (Adopted 2000) and a designated Class 1 highway.

In detail the application seeks to demolish the existing dwelling and outbuildings with a new bungalow, a like for like replacement. Having made a site visit and studied the supporting information submitted with the application, the proposed dwelling will make use of the existing access onto the A361, which is acceptable.

Drawing No. 2256/01A shows a suitable parking and turning arrangement for the replacement dwelling. The turning area provided will allow motor vehicles to turn within the site and exit onto the highway in a forward gear. The site will also retain an acceptable level of vehicle parking inline with the newly adopted Somerset County Council – Parking Strategy (March 2012).

As a result, the Highway Authority raises no objection to this proposal subject to condition.

*DURSTON PARISH MEETING* - supports on the basis that Nicolas house being reverted back to an outbuilding and the proposed bungalow being built on the footprint of existing buildings.

*DRAINAGE ENGINEER* - comments

Details of surface water are to be provided including outfall to the receiving pond BEFORE any works commence on site.

I note that foul drainage is to go to a private sewage treatment plant; at present discharge arrangements are unknown. Full details of the necessary percolation tests or discharge arrangements including the Environments Consent to discharge to a watercourse or below ground strata are required BEFORE any works commence on site.

The requirement that the above information is required BEFORE any works commence is to ensure that adequate and functional systems can be provided and to allow alternative arrangements to be investigated should the preset proposals not work.

*LANDSCAPE LEAD* - my main concern is the domestication of existing farm buildings. The proposed landscape goes someway to soften impact but in my assessment not enough.

*WESSEX WATER* - no response received

*BIODIVERSITY* - re birds, two in-active bird nests found in outbuilding 7, and one in-active nests in building 4; no bats or signs of bats but bats could roost in building 6. Vegetation near the outbuildings had potential to support nesting birds. Demolition and clearance of vegetation should take place outside the nesting season. Suggests condition and note.

## **Representations**

Cllr Gill Slattery:

Both the current and the proposed access which already exists have good visibility to the A361, the new dwelling will use a number of existing walls in its construction, and it is logical to divide the site into 2 separately accessed dwellings. I understand that the very small home behind the farmhouse will be altered to remove its facilities for habitation, and that other outbuildings previously used for stock will also be demolished. The proposal would be a pragmatic way for the owners to stay within the community whilst providing accommodation more suitable to their age and mobility, thus supporting community life.

Cllr Phil Stone:

This application should be approved as it involves the rationalisation of the existing buildings on this site and would result in a more satisfactory arrangement of the site than presently exists. The owners of Hascolls Farm no longer need the large farmhouse and wish to move to the converted outbuildings which are substantial. The proposals involves removal of the domestic property status of a further building to the rear of the farmhouse which had been converted to a separate dwelling for a family member. This is no longer required and will become an outbuilding associated with the farm house. Further outbuildings which were used for stock will also be demolished which will further rationalise the site. The nature of the site is that the subdivision of the site into separate dwellings is logical with two existing vehicle entrances onto the main road which both have good visibility each way. This application has the support of most, if not all, of nearby residents who understand the need and the logic of the owners wishing to subdivide the site as proposed.

9 letters of support forwarded by the agent which raise the following issues:

- there will be no visual impact;
- the access is existing and causes no problem with traffic flow;
- no overall increase in number of residences;
- Hascoll's Farm will then be available for larger families;
- the number of buildings on site is reducing;
- low energy bungalow;
- applicants will continue to live in the area, and will continue to participate in parish activities;
- conversion of garage and storage block is welcomed;
- two families will not now use the existing restricted access.

## **PLANNING POLICIES**

NPPF - National Planning Policy Framework,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
DM2 - TD CORE STRATEGY - DEV,  
S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
S7 - TDBCLP - Outside Settlement,  
H8 - TDBCLP - Replacement Dwellings Outside Settlements,  
EN12 - TDBCLP - Landscape Character Areas,

## **DETERMINING ISSUES AND CONSIDERATIONS**

## Planning Policy

In terms of the main policy H8 Replacement Dwelling outside Settlement there are 4 criteria which all need to be passed:

A) the residential use has not been abandoned; The conversion is relatively recent (post 1996) and a Certificate of Lawful Development was granted in 2011. This criteria is satisfied.

B) either 1) the appearance of the existing dwelling is incompatible with a rural location or: 2) it would be uneconomic to bring the dwelling to an acceptable state of repair or standard of amenities; The existing dwelling is a conversion of an outbuilding, it is brickwork with large upvc panel and window facing the courtyard, with a clay tiled roof. It is completely compatible with the farm buildings and this setting. The outbuilding was converted and the resulting structure was an annexe for a disabled person post 1996, and thus is not in a state of disrepair of needing any substantial degree of repair or rebuilding, and there is no question of it being uneconomic to bring it up to modern standard. These either/or criteria are not met, and the agent's comment that the replacement dwelling will be in character does not overcome the need to comply with this criteria.

C) It is a one for one replacement which is not substantially larger than the existing dwelling; whilst the agent has stated that the existing one bed former annexe will be converted back into storage use, and there will be demolition of existing garage/carports and storage buildings (the former annexe being replaced by the proposed new dwelling) these actions do not meet the stated criteria. The proposed new dwelling will measure approx 18.5m by 13m with a small 5.5m by 4m inset area. The original storage building which was 6.5m by 6.7m, was converted into a one bed unit with ensuite and living room. The criteria "which is not substantially larger than the existing dwelling" is not met. Whilst it is appreciated that the applicants may wish to have all new accommodation on one floor and wish to have room for family visits, the main building is approx 219sqm. The submitted forms state the replacement dwelling would be a 4+ bed unit. This is substantially larger than the existing dwelling and former annexe (Nichola's House) which is approx 45sqm. The agent has stated that three existing outbuildings, including those on the site of the proposed dwelling will be demolished. These could be demolished at any time and their replacement by the new dwelling is not within the criteria in H8. Whilst the agent has stated that the existing dwelling will be converted back to storage, this is not within the red line application site, there are no plans to support this and such would be difficult to enforce without a legal agreement which has not been suggested by the agent.

D) the scale, design and layout of the proposal in its own right is compatible with the rural character of the area. Most applications for replacement dwellings received by the Local Planning Authority are for the replacement of 'Woolaway' bungalows or similar by 'modern' houses. A bungalow is not in character with the area; the predominance is two storey houses or cottages. The landscaping may help screen the site, but the bungalow would be out of character with the immediate locality and the area as a whole. It is not considered that the proposed various degrees of roof slopes accords to reasonable design, albeit designed to appear similar to the garages and carport. The resulting building is not considered to be an acceptable design for this rural situation, notwithstanding the previous objections in principle.

In terms of the Taunton Deane Core Strategy Policy DM2 Development in the Countryside, 5. Replacement Dwellings will be supported only if the residential use of the existing building has not been abandoned, it would be uneconomic to bring the dwelling to an acceptable state of repair, is a one for one replacement and is not substantially larger than the existing dwelling, and must be compliant with the Habitat Regulations, near a public road, be of a scale, design and layout compatible with the rural character of the area, ....not involve the creation of a residential curtilage which would harm the rural character of the area. For the reasons stated above the proposals do not accord with Policy DM2 (5).

### Other Issues

The County Highway Authority has no objections to the proposals, and as the site has two accesses, the use of the existing eastern most access for this application is not an issue.

The Landscape Officer is concerned about the domestication of existing farm buildings, and is also concerned that the amount of landscaping is insufficient to soften the visual impact. According to the submitted wildlife report, there are inactive birds' nests; and a precautionary and an enhancement scheme. This issues could be resolved if the principle part of the application was acceptable. The Drainage Officer had originally objected in respect to there being no details of the SUDS, this has now been discussed and the matter could be conditioned.

The letters of support sent in with the application all have similar statements, although some do comment that the "conversion" is acceptable. No conversion of outbuildings is proposed. Whilst these letters and the support of the ward Members is noted, the proposal is contrary to Taunton Deane Core Strategy Policy DM2 Development in the Countryside, and Policy H8 of Taunton Deane Local Plan. It is acknowledged that these supporters come from the local area and they are supporting a local couple however, the proposed dwelling is a new bungalow in the countryside and not a replacement dwelling. It is claimed that the Farmhouse will be used for larger families, this outcome cannot be guaranteed. Even if the design incorporates measures to construct the dwelling to Code 4, this does not make the proposal acceptable in itself. The reduction in numbers of outbuildings does not need permission and could be undertaken at any time. The design is considered to be out of character with the area contrary to Policies S1 and S2 of Taunton Deane Local Plan, and the amount of landscaping is limited given this prominent location.

Usually the dwelling to be replaced will be demolished as the site is the same or similar to the site of the replacement dwelling. In this case the existing dwelling is part of the range of outbuildings close to the original farmhouse, and the replacement dwelling will be some distance from this site. It will replace other buildings namely a garage/carport and store. As stated above these outbuildings can be removed at any time and their removal will not alter the character of the area, and it will not be an environmental benefit to have these buildings removed. In any event, it would be likely that the original Farmhouse occupants would seek a garage or double garage, given the size of the dwelling, thus there is likely to be little overall change in volume/area terms.

In conclusion, the proposal is not considered to meet the criteria and requirements of Taunton Deane Core Strategy Policy DM2 Development in the Countryside, and

Taunton Deane Local Plan Policies H8, there are no overwhelming reasons to depart from the Local Planning Authority's policy on replacement dwellings. In addition the design of the proposal is not considered to be in character with the area contrary to TDCS Policy DM1 and TDLP Policies S1 and S2 and there is insufficient landscaping to help screen the site Policy EN12.

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

**CONTACT OFFICER: Ms K Marlow Tel: 01823 356460**