

49/09/0054

MR J LAWREY

ALTERATIONS TO APPROVED SCHEME FOR CONVERSION OF BARN TO DWELLING (49/09/0059) AND ERECTION OF AGRICULTURAL BUILDING AT FOOTLANDS FARM, FORD, WIVELISCOMBE. (AS AMENDED BY DRAWING NO. 03D RECEIVED ON 7 DECEMBER 2009, AND DRAWING NO. 01A RECEIVED ON 17/11/09).

308893.128733

Full Planning Permission

PROPOSAL

The proposal comprises the conversion of an attractive stone barn to form a 3-bedroomed dwelling (The Granary), and the erection of a weather-boarded agricultural implement shed. The application has been amended by: the retention of the old front door instead of its replacement with a new glazed door; the omission of a new window above the front door; the omission of a rooflight to the front elevation; the redesign of the flue to the rear elevation; the inclusion of a rooflight to the rear elevation; and the provision of turning circle and 4 no. car parking spaces.

The application is presented to Committee because the agent is related to a member of staff.

SITE DESCRIPTION AND HISTORY

The building is within the curtilage of Lower Grants farmhouse, a Grade 2 listed building. Accordingly, the application is accompanied by listed building application 49/09/0055LB, which is also included within this Committee agenda. Both applications are on the agenda because the agent is a related to a Council employee.

Application 49/09/0056, relating to roof alterations to an adjacent agricultural building in order to provide accommodation for bats in association with the conversion of The Granary, was reported to Planning Committee on 16th December 2009.

Planning permission was granted for conversion of this barn in December 2008 and June 2008, references 49/08/0059 and 49/08/020 respectively. The conversion granted under reference 49/09/0059 comprised a different design, a double garage, and did not include an agricultural building.

Planning permission has also been granted for conversion of the adjacent barn to a dwelling (Rileys Byre), in December 2008, reference 49/2008/0060.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - Further to my letter dated 13 November and the subsequent amended plan received on 17 November 2009. As previously advised it is essential that two vehicles can not only park, but turn within the site when the parking areas are occupied. In addition access/turning for agricultural/farm machinery that will be stored in the new building will need to be

taken into consideration.

A revised layout has been submitted, showing the gate to the adjoining field that is located to the south opening into the field; a parking area for four vehicles; parking for two agricultural vehicles within the new building and a turning area. Parking and turning for four vehicles within the site would be restricted and I'm not sure why four have been shown as two are considered sufficient for a three bedroom unit. Notwithstanding this, if two vehicles parked facing the wall where there field gate is positioned, and the remaining yard area is kept available for turning I am satisfied that it would be possible to accommodate two vehicles and a sufficient turning area, which the agricultural vehicles could also utilise. On the basis of this arrangement being provided within the site, I would not wish to raise a highway objection and in the event of permission being granted I would recommend that conditions are imposed.

WIVELISCOMBE PARISH COUNCIL - Support subject to barn planning conditions.

CONSERVATION OFFICERS - This agricultural building is quite domestic in scale. It probably dates to the 18th century and is listed by virtue of being within the curtilage of the Grade 11 listed Lower Grant's Farmhouse. The barn's chief interest lies in its relationship with the farmhouse and its surviving historic features. The barn is substantially intact. The main past alterations are: the replacement roof structure; the south east opening infilled with cement block work; and the west elevation wall mostly corrugated metal sheeting. None of these are of historic interest.

Of the historic features, the timber door and door surround on the north elevation, is of particular note. This has a number of incised marks consistent with what are known as ritual, or apotropaic, marks. The door also has good contemporary hinges and contributes greatly to the character and appearance of this building. It must be retained in situ.

The impact of the proposals would be most felt on the west and south elevations, which are the least prominent and in the case of the south elevation not visible from the road. On balance, I consider that much of the special character of this building can be retained provided the proposals are properly executed. I would therefore support the approval of this application with planning conditions.

DIVERSIONS ORDER OFFICER -No observations.

SENIOR ENFORCEMENT OFFICER -N/A.

NATURE CONSERVATION & RESERVES OFFICERS - In principle, subject to the views of Natural England and the applicant's consultant, have no objections to the provision of a new bat roost over the existing tractor store instead of the proposed garage as approved in the previous application.

However the mitigation proposed with this application does not have the same level of detail as it does in the previous application. For example it is not clear from the drawings how the bats will access the roost. Will a loft hatch be provided to provide access for bat workers? There are no additional bat boxes proposed. Is the new roost adjacent to bat flight routes? There is no provision for the enhancement of the site for breeding birds, in particular sparrows. An ecologist should have an input in the design of the new bat roost, I suggest the following condition:

The development hereby permitted shall not be commenced until details of a strategy to protect bats has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the submitted drawings and advice provided in Acorn Ecology Ltd's submitted mitigation report, dated 31 January 2008 and include:

1. Details of protective measures to include method statements to avoid impacts on bats and breeding birds during all stages of development;
2. Details of the timing of works to avoid periods of work when the bats and breeding birds could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for bats and breeding birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roost and bird boxes and related accesses has been fully implemented.

Reason: The law protects bats and breeding birds and their habitats from damage.

SCC - RIGHTS OF WAY - I can confirm that there are no public rights of way recorded in the area.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Recommends contamination condition.

Representations

None received.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
H7 - TDBCLP - Conversion of Rural Buildings,
PPG15 - Planning and the Historic Environment,
S&ENPP9 - S&ENP - The Built Historic Environment,

DETERMINING ISSUES AND CONSIDERATIONS

The principle for conversion has already been established, and this amended scheme, which includes both revised design details and an agricultural building, are now considered agreeable to both Conservation Officer and CHA, such that both the integrity of the building as an agricultural barn, and road safety, would be safeguarded. In addition, both the setting of the Farmhouse, and visual amenity, would not be adversely affected.

The proposal is consequently considered acceptable.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The building is in keeping with its surroundings, limited alteration is proposed, it is unlikely to attract a suitable business re-use, is sited near a public road, and neither road safety nor visual and residential amenity, nor the setting of Lower Grants Farmhouse would be adversely affected. Accordingly, the proposal does not conflict with Taunton Deane Local Plan Policies S1, S2, and H7, nor with PPG15, nor with Somerset and Exmoor National Park Joint Structure Plan Review Policy 9.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), no development of the types described in Schedule 2, Part 1 Classes A, B, C, D, E, F, G, and H and in Part 2 Class A of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To safeguard the character and appearance of the building, and visual amenity, and the setting of the adjacent listed building, in accordance with Taunton Deane Local Plan Policies S1, S2, H7 and EN17, and with PPG15, and with Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

3. Prior to the commencement of development the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall: (a) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site. (b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment, (c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation

strategy.

Reason: To ensure that land contamination can be dealt with adequately prior to the use hereby approved by the Local Planning Authority, in accordance with Taunton Deane Local Plan Policy S1.

4. Where necessary, the building shall be repaired with salvaged materials of similar age, colour and texture to the original, unless the written consent of the Local Planning Authority is obtained to any variation.

Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies 81(D) and S2(A).

5. Before any part of the permitted development is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

6. Before any works are commenced details of the finish to the timber work shall be submitted and approved in writing by the Local Planning Authority.

Reason: To reinforce the local character and distinctiveness of the area in accordance with the Taunton Deane Local Plan Policies S1 (D) and S2 (A).

7. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local plan Policy S2.

8. Details of all guttering, downpipes and disposal of rainwater shall be submitted to and approved in writing by the Local Planning Authority before

development commences.

Reason; To reinforce the local character and distinctiveness of the area in accordance with the Taunton Deane Local Plan Policies S1(D) and 82(A).

9. Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development, shall be submitted to and approved in writing by the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

10. All repairs shall be progressed on the basis of minimal intervention with all repairs being effected in appropriate traditional materials and with workmanship commensurate with the buildings age/character.

Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).

11. The windows hereby permitted shall be recessed in the wall to match existing recesses.

Reason: To reinforce the local character and distinctiveness of the Taunton Deane Local Plan Policies S1 (D) and S2(A).

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and reenacting that Order), the use of garage hereby permitted shall not used other than for the parking of domestic vehicles and not further ancillary residential accommodation or any other purpose whatsoever.

Reason: To safeguard road safety in Accordance with Taunton Deane Local Plan Policy S1.

13. The altered access, parking, and turning area shall be properly consolidated and surfaced, (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard road safety in accordance with Taunton Deane Local Plan Policy S1.

14. The area allocated for turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the turning of vehicles in connection with the development hereby permitted.

Reason: To safeguard road safety in accordance with Taunton Deane Local Plan Policy S1.

15. Any entrance gates erected shall be hung to open inwards.

Reason: To safeguard road safety in accordance with Taunton Deane Local Plan Policy S1.

16. No development, excluding site works, shall begin until a panel of the proposed stonework measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

17. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

18. No development shall take place until a sample of the ridge tile has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

19. No development shall take place until a sample of the slate to be used has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

20. No development shall take place until a sample of the weatherboard infill has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

21. The windows and doors hereby permitted shall be timber and thereafter maintained as such, in accordance with details to include sections, mouldings, profiles, working arrangements and finished treatment that shall

first have been agreed in writing by the Local Planning Authority prior to their installation.

Reason: In the interests of the character and appearance of the building, in accordance with policies S1 and S2 of the Taunton Deane Local Plan.

22. The proposed rooflights shall be flush fitting "conservation type".
Reason: To safeguard the character of the building and visual amenity in accordance with Taunton Deane Local plan policies S1 and S2.

23. The door to the northern elevation shall be retained in situ and details of its treatment shall be submitted to and approved in writing by the Local planning Authority before development commences.
Reason: To safeguard the character of the building and visual amenity in accordance with Taunton Deane Local Plan policies S1 and S2.

24. Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to and approved by the Local Planning Authority before development commences and thereafter installed and maintained in accordance with the approved details unless any variation thereto is first approved in writing by the Local Planning Authority.

Reason: In the interests of satisfactory design and visual amenity in accordance with Taunton Deane Local Plan Policy S2(A).

25. The development hereby permitted shall not be commenced until details of a strategy to protect bats has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the submitted drawings and advice provided in Acorn Ecology Ltd's submitted mitigation report, dated 31 January 2008 and include:

1. Details of protective measures to include method statements to avoid impacts on bats and breeding birds during all stages of development;
2. Details of the timing of works to avoid periods of work when the bats and breeding birds could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for bats and breeding birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roost and bird boxes and related accesses has been fully implemented.

Reason: The law protects bats and breeding birds and their habitats from damage.

Notes for compliance

1. The condition relating to wildlife requires the submission of information to protect the species, The Local Planning Authority will expect to see a detailed method statement clearly stating how the bats and breeding birds will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for the bats and breeding birds that are affected by this development proposal. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

2. Bats are known to use the building(s) as identified in submitted reports. The species concerned are European Protected Species within the meaning of the Conservation (Natural Habitats &c) Regulations 1994 (as amended 2007). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with Regulation 44 (3) (b) of the above regulations. NE requires that the Local Planning Authority must be satisfied that derogation from the Habitats Directive is justified prior to issuing such a licence.
Bat boxes and Sparrow nest boxes are available from Alana Ecology Tel 01588 630173 www.alanaecology.com

3. Having regard to the powers of the Highway Authority under the Highways Act 1980, the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Somerset County Council, Taunton Deane Area Office, Burton Place, Taunton, tel 0845 3459155. Application for such a Permit should be made at least four weeks before access works are intended to commence.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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