

CASE OFFICER'S REPORT

Application Reference: 18/04803/FUL
Date of Inspection: 08 June 2018
Date site notice posted: 08 June 2018
Date of press notice:

POLICIES

NPPF (2012): paragraphs 2, 11, 14, 17, 196 and Sections 6, 7 and 11
Wiltshire Core Strategy (Jan 2015) 1, 2, 13, 48, 50, 51, 57, 60, 61

ISSUES

Principle of Development
Highways
Ecology
Residential amenity

REPRESENTATIONS

Keovil Parish Council

Expresses concerns:

- Major concerns regarding road safety. Visibility when exiting the site is extremely poor to the west. Even if the hedge were to be cut back, the curvature of the road prevents adequate visibility.
- The materials used should all be reclaimed materials and not new or a mixture of both.
- Lack of an ecological survey.

Highways

The Officer requested additional plans and revisions, having noted that the submitted Site Plan indicated an achievable visibility splay of 2.4m by 43m; this is a sight line for a 30mph speed limit in accordance with guidance illustrated in Manual for Streets. Main Street would not be considered a 'Street' for the purposes of Manual for Streets guidance, therefore the visibility splays shall be in accordance with Design Manual for Roads and Bridges. The proposal was subject to a preliminary enquiry where it was suggested a visibility splay of 2m by 215m was required due to the location of the access along Main Street being subject to a 60mph speed limit. However, given the nature of the road the officer would not anticipate the 85th percentile of traffic speeds being 60mph; unless evidence can be provided to suggest otherwise, the officer would consider vehicles travelling at 40mph. In accordance with Design Manual for Roads and Bridges a visibility splay of 2m by 120m is required.

Revised plans were submitted and the officer has advised that she is unable to support the proposals on the basis of the revisions, which indicate that the required sight lines cannot be achieved.

One letter of support has been received from a neighbour.

ASSESSMENT

The application relates to existing redundant farm building at Elmleaze Farm, Keevil to form one dwelling. Relevant planning history includes 17/12489/PNCOU (Notification for Prior Approval Under Class Q - Proposed Change of Use of Agricultural Building to Dwelling and Associated Operational Development), which was refused for the following reasons:

1. The proposal, by reason of the extent of the new works required to form the dwellinghouse, does not amount to a change of use of the existing building but rather is, in all practical terms, the erection of a new dwellinghouse afresh. It follows that the basic principle of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 - which is to allow as 'permitted development' the change of use of agricultural buildings to dwellinghouses and building operations reasonably necessary to achieve conversion – does not apply.

2. The proposal would result in the external dimensions of the building extending beyond the external dimensions of the existing building contrary to Q.1(g). It follows that Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 does not apply.

3. The proposal details the provision of a new access, yet such works are beyond the scope of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. No other permitted development rights for these works apply and so they require planning permissions in their own right. The two existing accesses and the proposed access that may serve the development have restricted visibility. The proposal would be likely to intensify the use of the site over and above the lawful use. As such the proposal would cause a harmful transport and highway impact contrary to Q.2(1)(a) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the National Planning Policy Framework paragraph 32.

It is clear therefore that the conversion of the barn does not fall under Schedule 2, Part 3, Class Q of the GPDO. The current proposal is in the form of a full planning application for the conversion and change of use to residential use.

The planning statement indicates that the conversion would provide for one dwelling.

Principle of development

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. This statutory requirement is reflected in paras 2, 11 & 196 of the NPPF. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the West Wiltshire District Plan, 1st Alteration, 2004. A number of the WWDP policies continue to be saved to sit alongside the policies of the Core Strategy.

The site is located outside of any defined settlement boundary and therefore in planning terms it is located in the open countryside. WCS Core Policy 2 states that outside the defined limits of

development, residential development will not be permitted other than in circumstances identified in paragraph 4.25 (additional employment land, military establishments, tourism development, rural exception sites, specialist accommodation provision and supporting rural life). This policy reflects the provisions and guidance of Para 55 of the NPPF.

Further, Keevil is designated as a “*Small Village*” within the WCS (CP1) defined as having “...a low level of services and facilities, and few employment opportunities”. CP1 states that “*Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.*”

CP2 in turn states that “*At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development.*”

The proposal is to convert an agricultural building that would extend residential use and associated paraphernalia into the open countryside. The proposal therefore cannot be considered to comprise “*infill*” as envisaged by CP2. The development is furthermore not presented in terms of any proposing to address an identified need in Keevil.

CP 48 deals with the conversion of rural buildings and states that “...*proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies the following criteria:*

- i. The building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building; and*
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and*
- iii. The building can be served by adequate access and infrastructure; and*
- iv. The site has reasonable access to local services or*
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding*

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.

(Writer's emphasis)

No supporting evidence has been provided to demonstrate that employment, tourism, cultural and community uses have been explored by way of marketing the property. No “special circumstances” have been presented in the design and access statement.

In relation to proposals that involve the conversion and re-use of rural buildings, CP 48 gives precedence to employment, tourism, cultural and community uses and, in respect of the conversion rural buildings to residential use, is clear that residential development may only be

appropriate if there is clear evidence that employment, tourism, cultural and community uses are not practical propositions.

In addition rural conversions must they satisfy the following criteria:

- I. The building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building; and*
- II. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas*
- III. The building can be served by adequate access and infrastructure*
- IV. The site has reasonable access to local services*
- V. The conversion or re-use of a heritage asset would lead to its viable long term safe guarding.*

In respect of criterion i), the supporting document argues that the building is sound and suited to conversion, but no structural survey has been provided to demonstrate the building is capable of conversion without major rebuilding. In the absence of such a report the LPA is unable to determine the suitability of the structure for conversion. Further, the proposed extensions and alterations would fundamentally alter the character of the building by introducing extensions/conversions that would radically alter the roof-line of the building, create new openings that bear no relationship to the existing and demolish a lean-to to be replaced by an extension of wholly domestic appearance.

With regard to criterion ii, the site is not located in a specifically designated area, falling just outside the Conservation Area. Despite its rural location, the application relates to the existing agricultural buildings on the site (plus extensions) and as such the proposal will not constitute a prominent feature within the wider landscape. As noted above however, it would be anticipated that the property would take on a domestic character with associated paraphernalia.

Regarding criteria iii & iv), whilst an existing access is in place and adequate parking provision could be made on site. The sight lines required by the highway officer also cannot be achieved.

Although no information has been provided in respect of criterion v. based upon the information available, it is considered that the buildings to which the application relates are not heritage assets.

Therefore, the proposal is contrary to criteria i, iii and iv of WCS CP 48, as well as that Policy's requirement that non-residential uses are prioritised before conversion to a dwelling can be supported.

Conclusion

In view of the above refusal is recommended for the following reasons:

- 1 The site is located in open countryside outside of any limits of development as defined in the Wiltshire Core Strategy. The proposal documentation furthermore does not demonstrate that there clear evidence that the employment, tourism, cultural or community uses are not practical propositions and no other special circumstances have been presented. As such, the proposal conflicts with Core Policies 1, 2, and 48 of the Wiltshire Core Strategy 2015 which seeks to properly plan for sustainable development throughout Wiltshire, and to central government policy contained in the National Planning Policy Framework.

- 2 The proposed extensions and alterations would fundamentally alter the character of the building by introducing extensions and conversions that would significantly alter the roof-line of the building, create new openings that bear no relationship to the existing and demolish a lean-to to be replaced by an extension of wholly domestic appearance. The proposal is therefore contrary to criterion i) to Core Policy 48 of the Wiltshire Core Strategy.

- 2 Inadequate sight lines are available at the access of the site to ensure safe ingress and egress. The proposal is therefore contrary to criterion iii) to Core Policy 48 of the Wiltshire Core Strategy which requires that the building must be served by adequate access.