

28 February 2024



Development Management
North Somerset Council
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Dear Sir/Madam,

Full Planning Application
Damson Barn, Norton Farm, Lower Norton Lane, Kewstoke, Weston-super-Mare, BS22 9YR

On behalf of the applicant, Mead Realisations Limited, please find enclosed a full planning application for:

“Retrospective application for the creation of a single dwelling”.

The application is hereby submitted with the following supporting information:

- Application Form
- Plans prepared by Acute Building Design Ltd
 - o Location and Site Plan (dwg no. 5188-s-db-01)
 - o Existing (and proposed) floor plans & elevations – Damson Barn (dwg no. 5188-pl-db-01 A)
- CIL Form 1: Additional Information

The Site

The site comprises an existing, two storey building which is occupied as a residential dwelling. There is a conservatory to the rear of the dwelling. To the south of the unit is a private garden, enclosed by a mixture of traditional stone walling, hedges and fencing. To the north is parking and a landscaped area. The site sits within the wider Norton Farm complex which includes three other barns (Apple, Bramley and Cider). Cider Barn lies closest to Damson Barn, to the south east. Access is achieved to the site off Lower Norton Lane.

Planning History

A search of North Somerset Council’s website reveals the following planning history for the site:

Application Reference	Description	Decision
22/P/2099/FUL	Removal of Condition 5 (Use as holiday lets only) on approval 99/1883 (Conversion of redundant farm buildings to 4No. 'B1' light industrial units and 3No. holiday lets) to allow use as 3no.residential dwellings.	Withdrawn (07/02/2023)
06/P/2966/F	Removal of condition 5 of Planning Permission No. 99/1883	Appeal Dismissed (25/01/2007)



	to allow for 3No. barns to be used as permanent dwellinghouses.	
99/1883	Conversion of existing redundant farm buildings to 4no. class B1 light industrial units, 3no. holiday lets.	Approved (22/12/1999)

Damson Barn was included as part of the application ref. 99/1883. However, as part of this application was proposed to be converted to a garage associated with Cider Barn.

Planning Policy Context

Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this context, the Development Plan comprises the following documents:

- North Somerset Council Core Strategy (January 2017)
- Sites and Policies Plan Part 1: Development Management Policies (July 2016)
- Sites and Policies Plan Part 2: Site Allocations Plan (April 2018)

Material considerations include the National Planning Policy Framework (NPPF) (2023).

The most pertinent policies, relevant to this application are set out below, for the full policy text the relevant document should be referred to.

North Somerset Council Core Strategy (January 2017)

- CS11 – Parking
- CS12 – Achieving high quality design and place-making
- CS14 – Distribution of new housing
- CS33 – Infill villages, smaller settlements and countryside

Sites and Policies Plan Part 1: Development Management Policies (July 2016)

- DM28 – Parking standards
- DM32 – High quality design and place-making
- DM45 – The conversion or re-use of rural buildings to residential use

Sites and Policies Plan Part 2: Site Allocations Plan (April 2018)

- SA2 – Settlement boundaries

Planning Assessment

Principle of Development

The site is located outside of a settlement boundary and is therefore located within the open countryside in planning policy terms, where development is strictly controlled. Policy CS33 relates to development in the countryside and seeks to protect the character of the rural area and prevent unsustainable development. Within this policy it is advised that new residential development will be restricted to replacement dwellings, residential subdivision, residential conversion of buildings, where alternative economic use is inappropriate, or dwellings for essential rural workers. As the proposal is for the conversion of an existing building albeit retrospective, it is considered that the principle of development is supported by this policy.



Equally applicable to the principle of development is Policy DM45. This supports the conversion or re-use of rural buildings for residential use subject to the proposals meeting the necessary criteria. An assessment of the proposal against each of the criteria is set out below.

Policy DM45 Criteria	Assessment
They are of permanent and substantial construction and capable of conversion without major or complete reconstruction.	The building has already been converted to a dwelling and has been occupied as a residential dwelling since its conversion. Evidentially, the building was, and is, capable of conversion.
Any extension as part of the conversion or subsequently should not be disproportionate to the original building and respect the scale and character of the building and its setting.	Barn D has been extended with the addition of a conservatory. The conservatory, a later addition to the dwelling, is proportionate in scale to the host building. Furthermore, the material finish is consistent with the finish of the windows and doors in both Barns C and D.
The proposal would result in an enhancement of the immediate setting, and the impact of external facilities (such as curtilage treatment, parking) is minimal and landscaping respects the local rural character.	<p>The proposals, which are retrospective, maintain the design, form and materiality of the original farm building. The proposals are settled, include mature landscaping and materials that are reflective of the local character.</p> <p>The plans submitted demonstrate that there is sufficient parking (1 car parking space) which is in accordance with North Somerset Council Parking Standards SPD for this dwelling.</p>
Any architectural and historic significance of the building and its setting is conserved.	The building is not listed but can be deemed of architectural merit. The original form of the building has been maintained and the original layout of the former farmstead remains clearly legible.
It would not have a significant adverse effect on the living conditions of adjoining occupiers or adversely affect the operation of working farms.	The dwelling complies with Nationally Described Space Standards and includes private amenity space, with no overlooking issues arising from the schemes. Given that the conversion of this barn took place some time ago, it does not impact the operation of a working farm.
The building is not in an isolated location remote from a settlement with a range of services and facilities or where access to those services and facilities would be poor.	<p>The building is not in an isolated location, whilst it is outside of a settlement boundary, it is located close to Weston-super-Mare which is the primary settlement for new residential development within North Somerset.</p> <p>It is noted that the planning officer's report in respect of application ref. 23/P/0735/FUL for the removal of the holiday restriction condition on Barns A and B stated the following: <i>"the barns are located outside of the settlement boundary; however, the site is located only 600m from Weston-super-Mare which has a range of services and facilities."</i></p>

It is therefore considered that the proposals comply in full with Policy DM45.

The conversion of the building to a residential dwelling took place over 4 years ago. Section 171B(2) of the Town and Country Planning Act 1990 states that no enforcement action can be taken against a breach of planning control consisting of a change of use of any building to use as a single dwellinghouse after the end of the period of 4 years from the date when the breach first occurred. Therefore, as Damson Barn has been occupied continuously as a dwelling for over 4 years, it is immune from enforcement action. This application is therefore seeking to regularise the use of the building as a residential dwelling.

It is worth noting that North Somerset Council can currently only demonstrate a 3.5 year housing land supply. In accordance with Paragraph 11 of the NPPF the presumption in favour of sustainable development should apply.

Parking

In accordance with Policy DM28 and the North Somerset Parking Standards SPD the proposals include 1 car parking space. Secure, dedicated cycle parking is also provided for occupiers.

Neighbouring Amenity

The proposal is for retrospective planning permission for the conversion of the building which took place several years ago. The proposal will therefore not result in a significant adverse impact on neighbouring residents, given that the building has been and is currently occupied as a residential dwelling. No works are required to the building given that this is a retrospective application.

Conclusion

The proposals seek to regularise the use of the existing building as a dwelling. The building has already been converted to a residential dwelling and has been occupied for this use. The proposals are in accordance with planning policy and in particular, Policy DM45 of the Sites and Policies Plan Part 1: Development Management Policies.

The relevant planning application fee of £578 + £64 planning portal service charge has been paid via the planning portal.

I trust that the application is in order and I look forward to confirmation of receipt and validation. If you have any queries regarding the enclosed or require further information, please do not hesitate to contact me on [REDACTED]

Yours sincerely

A solid black rectangular box used to redact the signature of Alison Murrell.

Alison Murrell MRTPI
Planner