

APPLICATION NUMBER:	LW/07/1127	ITEM NUMBER:	11
APPLICANTS NAME(S):	Mr & Mrs J Pegler	PARISH / WARD:	Chailey / Chailey & Wivelsfield
PROPOSAL:	Modification of Planning Obligation for Discharge of Planning Obligations for applications LW/03/0372 , LW/03/0498, LW/93/0587 & LW/93/0588LBC		
SITE ADDRESS:	Teagues Farm, Haywards Heath Road, North Chailey, East Sussex, RH17 7NG		
GRID REF:	TQ 3721		

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1. SITE DESCRIPTION / PROPOSAL

1.1 Planning and listed building consent were granted in 1997 and then renewed in 2003 for the conversion of a Grade II listed barn to living accommodation, restricted by S106 Agreement to be used ancillary to the main house, Teagues Farm. This consent has not been implemented. The barn forms an L shaped complex with a stable block which was converted to a granny flat in 1995.

1.2 This application seeks to discharge the legal agreement to enable the barn and stables to be converted to a separate dwelling.

2. RELEVANT POLICIES

LDLP: – H02 – Listed Buildings

LDLP: – E09 – Re-use of Rural Buildings

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – RES07 – Residential Conversions in the Countryside

3. PLANNING HISTORY

LW/04/1662 - Erection of replacement hen house and construction of an access track - **Approved**

LW/03/0372 - Renewal of unimplemented planning permission LW/97/1414 for the conversion of existing barn to living accommodation - **Approved**

LW/03/0498 - Renewal of Listed Building Consent LW/97/1415 for conversion of barn to living accommodation - **Approved**

LW/97/1415 - Listed Building application for the conversion of existing barn to living accommodation. - **Approved**

LW/97/1414 - Conversion of existing barn to living accommodation - **Approved**

LW/93/0588 - Listed Building Consent for the conversion of stables to a granny flat. - **Approved**

LW/93/0587 - Conversion of stables to granny flat. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Environmental Health – No comments

Chailey Parish Council – It was noted that the S106 agreements were in force when this property was acquired. Members considered that the case for lifting the conditions is not proven. The discharge is objected to since the creation of independent dwelling units outside the planning boundary would be detrimental to the character of the area. Members also noted that any additional vehicular traffic generated may have road safety implications given

the access to the site is in close proximity to a sharp bend on the A272. It was noted that the farm itself has a separate access route.

ESCC Highways – No objection. The barn benefits from planning consent for its conversion into a residential use and is tied to the main house by the planning obligation. This was renewed in 2003 when the site access also served the poultry farm and Teagues Bungalow. Traffic generated by the farm and bungalow amounted to residential traffic of 7-11 movements per day plus the business traffic. At the time of renewal, the Highway Authority recommended that the conversion into residential accommodation remained ancillary to the main house due to the sub-standard visibility at the access and the number of vehicular movements using the access.

Since 2003, the poultry farm and bungalow have an alternative access which has resulted in a reduction in the movements at this access. It is likely that were the barn to remain ancillary it would still generate some independent vehicular movements and its questioned whether the trip numbers would be materially different than if the barn was not ancillary. Based on the above, it is considered that this proposal would not adversely affect the highway and if appealed would be difficult to sustain from a highway point of view.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 None

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of this application are policy and highway safety.

6.2 Policy RES7 of the Lewes District Local Plan states that permission will not be granted for the residential conversion of rural buildings unless it is capable of conversion without substantial alterations and the applicant has made documented and concerted attempts over a 12 month period to put the building into commercial uses. The barn at Teagues Farm has planning consent to be converted to residential use, albeit ancillary to the main house. The principle of the re-use of the barn, and the associated works to achieve such a conversion, has already been accepted. The main consideration therefore is whether the applicant can demonstrate that the building is not viable for a commercial use.

6.3 The applicant has submitted detailed information to demonstrate the likely costs of the conversion by comparing the site to a development further along the A272 at Piltdown in Wealden District which was recently converted to residential use. The applicant considers that the two sites are similar in terms of their relationship with the main road, being located immediately adjacent to the busy and noisy A272, and would consequently not appeal to the holiday accommodation market, which is likely to seek a quieter location. The applicant has submitted information to show that the cost of the conversion

would amount to in excess of £300,000 and would prove to be prohibitive in terms of the return from a holiday unit.

6.4 While a business use may be an appropriate use of the barn, the access and other highway considerations prohibit consideration of such a use. The access has severely restricted visibility to the north, being located on a blind bend on the busy and fast moving A272. The access was formerly shared with Teagues Poultry Farm until a new access to serve the farm was constructed in 2003. Since that time, the level of traffic using the access has been significantly reduced. The Highway Authority have therefore accepted that, while the proposed use of the barn as a separate dwelling would result in some 7-11 daily traffic movements from the access, this is less than would have been the case if farm traffic continued to use the access. It is likely that the use of the barn as ancillary accommodation would also generate some level of independent traffic movements.

6.5 The Highway Authority has concluded that the use of the barn as a separate dwelling would be preferable to its use for business purposes or as multiple holiday units, in traffic terms. With this objection to a more intensive use of the access, the use of the barn as a separate dwelling would appear to be the most appropriate in highway terms.

6.6 The impact on the listed building would not be any different to the extant consent for its use as ancillary accommodation and there are no objections to the proposal from a listed building point of view. It is considered that, in view of the undesirable proximity of the barn to the A272 and the substandard access, together with the prohibitive costs of a conversion, the use of the barn for commercial purposes or as holiday accommodation is not acceptable. It is therefore considered that the case for discharging the S106 Agreement has been satisfactorily proven and permission can be granted.

7. RECOMMENDATION

That permission is granted

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	28 August 2007	1:2500
Location Plan	28 August 2007	1:1250
Block Plans	28 August 2007	1:500
Location Plan	28 August 2007	1:2500
General	28 August 2007	

Summary of reasons for decision and any relevant development plan policies/proposal:

It is considered that the proposal meets the aims and objectives of Local Plan Policy and respects the character of the location, complying with Policy RES6 of the Lewes District Local Plan.