

Application Number:	2017/0246	Application Type:	Full
Proposal:	Conversion of barn into 1 no. three-bedroomed dwelling, including construction of an extension to provide a double garage, with associated access and landscaping works	Location:	Barn adjacent to House o' th' Hill Farm, Hall Fold, Whitworth, OL12 8XL
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	15/08/2017
Applicant(s):	Mr Oliver Pickering	Determination Expiry Date:	05/09/2017
Agent:	Mr Daniel Llado (TDM Architectural Ltd)		

Contact Officer:	James Dalglish	Telephone:	01706 238643
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In	✓
Name of Member:	Cllr Alan Neal
Reason for Call-In:	Concern over development in the Green Belt
3 or more objections received	
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Approve full planning permission subject to the conditions listed in Section 10.

APPLICATION DETAILS

2. SITE

The application site is a two storey dwelling, with an attached barn, located in an elevated rural position to the west of Whitworth. The house is currently occupied, but the barn is vacant and disused (though in a good state of repair).

The buildings are constructed of natural stone, and have a natural slate roof. The doors and windows of the dwelling are brown UPVC units. The barn itself has a large arched doorway opening on its front elevation, with a standard doorway to its left hand side. The rear elevation of the barn has a single window at first floor level and two window openings at ground floor level. The building's gable end has no window or door openings.

To the south side of the building there is an area of hard standing, where it is understood a detached garage recently stood, which has now been demolished. Boundary treatments around the site are a combination of natural dry stone walls, timber post and rail fencing, and hedging. Further to the south of the barn there are a collection of single storey buildings of block work and metal construction which appear to be disused. A static caravan is sited to the east of the property part way along the access road.

The site is located within a cluster of residential and agricultural buildings bordered to the west by open countryside. Vehicular access to the site is via a private lane (surfaced in tarmac) leading from Westgate.

Public footpath 117 runs along the access road to the property, adjoining bridleway 115 further to the west, which runs behind the site.

The site is in an area of countryside designated as Green Belt.

3. RELEVANT PLANNING HISTORY

2016/0476 - Conversion of attached barn into 1 no. dwelling and construction of attached garage to side elevation. Demolition of existing garage. (Withdrawn)

4. PROPOSAL

The applicant seeks planning permission for the conversion of the barn attached to the existing dwelling to form a single standalone three-bedroomed dwelling.

The scheme also includes the proposed construction of an attached pitched roofed double garage extension on the side (south) elevation of the barn, with a footprint of approximately 6.6m x 6.3m and a ridge height of 3.7m. The garage extension would be constructed in natural stone, and would have a natural stone flagged roof to match existing.

New door and window openings would be created in the barn, resulting in a total of four window openings on the rear elevation and two on the front elevation. The existing arched barn door opening would be retained and glazed, and the entrance door to the dwelling would be

incorporated into the glazing. Four roof light windows are proposed to be inserted into the building's roof (two on the front elevation and two on the rear).

All new window and door units would be of brown UPVC construction, to match those found on the existing adjacent dwelling.

Access to the site would be as existing.

5. POLICY CONTEXT

National

National Planning Policy Framework (2012)

Section 1	Building a Strong, Competitive Economy
Section 4	Promoting Sustainable Transport
Section 6	Delivering a Wide Choice of High Quality Homes
Section 7	Requiring Good Design
Section 9	Protecting Green Belt Land
Section 11	Conserving and Enhancing the Natural Environment
Section 12	Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 1	Whitworth, Facit and Shawforth
Policy 1	General Development Locations and Principles
Policy 9	Accessibility
Policy 16	Preserving and Enhancing Rossendale's Built Environment
Policy 18	Biodiversity and Landscape Conservation
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

Other Material Planning Considerations

National Planning Practice Guidance
Alterations and Extensions to Residential Properties SPD
Conversion and Reuse of Buildings in the Countryside SPD

6. CONSULTATION RESPONSES

LCC Highways

No objection.

LCC Public Rights of Way

No comments have been received.

Ecology

No objection subject to conditions.

United Utilities

No comments have been received.

Whitworth Town Council

Objection (reasons: address information inaccurate on application form, strain on existing community facilities and development is within a Green Belt area)

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 26/06/2017 and ten neighbour letters were sent out on 23/06/2017.

One letter of objection has been received, raising the following concerns:

- Development is on Green Belt land.
- Potential risk of disruption to water supplies of other properties.

8. REPORT

The main considerations in this case are as follows:

1) Principle; 2) Visual Amenity and Countryside Impact; 3) Neighbour Amenity; 4) Access, Parking and Highway Safety; 5) Ecology

Principle

The site is located on land within the countryside designated as Green Belt. The proposal involves the conversion of an existing barn building to form a single dwelling.

Paragraph 55 of the Framework states the following:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.”*

In this case, the scheme would result in the re-use of a disused building and it is considered that it would result in an improvement to the immediate setting given that the building itself would be fully renovated and that the area to the south of the building would be grassed (currently it is covered by hard standing and appears rather stark, detracting from the rural character of the site). The proposed scheme would result in the softening the appearance of the property as a whole increasing its compatibility with the site’s wider countryside setting.

Paragraph 90 of the Framework states that:

“Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- The re-use of buildings provided that the buildings are of permanent and substantial construction.”*

Section 5.1 of the Council’s Conversion and Reuse of Buildings in the Countryside SPD states:

“The building should be capable of conversion without the need for demolition and/or rebuilding of more than 30% of the surface wall area of the building. This may include the total rebuilding of not more than one of the external walls.”

The barn building is of permanent and substantial construction, appears to be in a good state of repair, and there is no reason to doubt that it is structurally capable of conversion without any significant rebuilding in this case.

Paragraph 89 of the Framework states that:

“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”*

The proposed garage extension would represent approximately a 32.8% increase in volume over the original building, and although slightly greater than the 30% figure contained in section 4.7 of the Council’s Alterations and Extensions SPD it is not considered that such an increase would be disproportionate in this case. As such, it is not considered that the proposed scheme represents inappropriate development within the Green Belt.

It is noted that an objection has been received from Whitworth Town Council, on the grounds that the development is within the Green Belt and would place strain on existing community facilities. As described above, it is not considered that the development is inappropriate development within the Green Belt having regard to paragraph 89 of the Framework. It is not also considered that there is any available evidence to demonstrate that the proposed conversion of the barn to a single new dwelling would place any undue strain on existing community facilities in this case. Concerns raised by the Town Council over the accuracy of the site address on the application forms have now been resolved.

The proposed scheme is considered acceptable in principle.

Visual Amenity and Countryside Impact

It is considered that the proposed scheme is sympathetic to the traditional agricultural character of the barn building. Following discussions between the case officer and the applicant’s agent, amended plans have been received to show more traditional and ad hoc fenestration which better reflects the style that would be expected on such a building.

The scheme includes the construction of a garage extension on the side (south) elevation of the barn. The proposed garage would appear subordinate to the main building due to its scale and proportions, and would be set back from the main building line by around 1.5m. Whilst not a traditional feature, it is considered that the proposed garage is of high quality design and would not appear incongruous or out of keeping by virtue of its simple design and use of matching facing materials to the barn.

Paragraph 17 of the Framework includes 12 core planning principles including [planning should]:

- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and*
- *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.*

Paragraph 58 of the Framework aims to ensure that developments:

- *Will function well and add to the overall quality of the area;*
- *Respond to local character and history, and reflect the identity of local surroundings and materials;*
- *Are visually attractive as a result of good architecture and appropriate landscaping.*

Policy 23 of the Core Strategy seeks to ensure that all new developments “*are of the highest standard of design that respects and responds to local context, distinctiveness and character*”. It is considered that the proposed scheme responds to the context of the original building and incorporates features which are compatible and sympathetic to that context.

Policy 23 of the Core Strategy seeks to ensure any new development is “*compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing*”. It is considered that the proposed scheme is compatible with its surroundings and the scale, massing, form, materials and detailing of the original building, and that it would not detract to an unacceptable degree from any of the above.

As such, the scheme is considered acceptable in terms of visual amenity and countryside impact.

Neighbour Amenity

The proposed scheme would not result in any undue harm to daylight or outlook to any neighbouring properties, and it is considered that an appropriate amount of private garden / amenity space is proposed for the enjoyment of the occupants of the new dwelling.

Concerns have been raised by the occupants of nearby residential properties concerning the impact of a new dwelling on private water supplies serving neighbouring properties. However, the applicant’s agent has confirmed that they intend to connect the development to the mains water supply (rather than a spring or borehole supply). In any case, the rights of the applicant to connect to water supplies are considered to be a private civil matter which would be need to be addressed separately outside of the planning process.

Given the proximity of the site to nearby residential properties it is considered appropriate to include a condition restricting hours of construction to avoid noise nuisance being caused to occupants of such properties.

Subject to the above, the scheme is considered acceptable in terms of residential amenity.

Access, Parking and Highway Safety

The existing level of off-street parking is considered acceptable for the proposed dwelling, and there is no objection from the Local Highway Authority. The access to the property will be as existing.

The scheme is considered acceptable in terms of access, parking and highway safety.

Ecology

Policy 18 of the Core Strategy states:

“The Council will expect any development proposals to:

- Take opportunities to create features of biodiversity value including within new developments, where practicable.”*

The Council’s ecology consultant has no objection to the proposed scheme subject to the inclusion of conditions restricting any conversion works from taking place during the bird breeding season, and requiring that if works have not commenced before April 2018, then a further bat survey should be undertaken.

In addition, it is considered appropriate to include a condition requiring the implementation of mitigation measures in line with the recommendations contained within section 5.4 (concerning swallow nesting opportunities) of the submitted ecological survey as part of the development.

Subject to the above, the scheme is considered acceptable in terms of ecology.

9. RECOMMENDATION

Approve full planning permission subject to the conditions listed in Section 10.

10. CONDITIONS

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

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Submitted application form date stamped 22nd June 2017 by the Local Planning Authority.
- Site Location Plan (Drawing Number PL04) date stamped 22nd June 2017 by the Local Planning Authority.
- Proposed Plans and Site Plan (Drawing Number PL02 Revision A) date stamped 11th July 2017 by the Local Planning Authority.
- Proposed Plans and Elevations (Drawing Number PL01 Revision A) date stamped 11th July 2017 by the Local Planning Authority.

- Proposed Landscaping Plan (Drawing Number PL05) date stamped 22nd June 2017 by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and submitted details.

3. Notwithstanding what is shown on the approved plans, the garage extension hereby approved shall be constructed of materials (natural stone elevations and a natural stone roof) matching those used in the construction of the barn building.

Reason: In the interests of visual amenity.

4. All personnel involved in works to the building shall be advised about bats by an appropriately qualified person, so that all works are undertaken with a clear understanding about legal requirements, precautions to be adopted and what to do if a bat is found.

Reason: To safeguard any bats roosting on the site.

5. If works have not commenced by 1st April 2018, no works shall be carried out until a further bat survey has been carried out and the results in the form of a report have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard any bats roosting on the site.

6. The development shall be implemented in accordance with the mitigation measures set out in section 5 the report by Martin Prescott Environmental Services dated 11th May 2017, to provide alternative opportunities for swallows to nest near to the site.

Reason: To mitigate any potential loss of swallow nesting opportunities.

7. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of neighbours

INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at: http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted
The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. Whilst the building has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. Bats are mobile in their habits and can be found in the most unlikely places, if bats are found at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker.

3. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).