

Application Number:	2018/0559	Application Type:	Full
Proposal:	Change of use of Agricultural Building to single dwelling, associated access, parking and landscaping	Location:	Hollin Lane Farm, Hollin Lane, Constable Lee, Rossendale, Lancashire BB4 8TE
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	26 th February 2019
Applicant:	Rossendale Borough Council	Determination Expiry Date:	Monday 4 th March 2019
Agent:			

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
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 the application subject to the conditions set out in this report.

APPLICATION DETAILS

2. SITE

The application relates to an agricultural barn of stone construction at Hollin Lane Farm, which is accessed via Hollin Lane.

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It is understood that the site forms part of an agricultural unit of around 60 acres, and that the building is used for the storage of agricultural supplies and for housing animals. The site is surrounded by open fields to the north, south and east.

The site is located on land designated as countryside, and public footpath 193 runs alongside the northern edge of the site.

3. RELEVANT PLANNING HISTORY

2018/0064 – Conversion and extension of part of barn to form 2 no. three-bedroom dwellings including associated access and landscaping works.

Approved with conditions

2018/0063 – Prior notification for the change of use of part of an agricultural building to form 1 no. three-bedroom dwelling, with associated operational development.

Approved approval required and granted

4. PROPOSAL

The applicant seeks planning permission to convert the agricultural barn into 1 no. four bedroom dwelling.

The proposed scheme includes the creation of a passing place on Hollin Lane and a new access road to the rear of Hollin Lane Farm, leading to the proposed dwelling. The works would also include the creation of three parking spaces and a substantial turning area constructed from a permeable material. Adjacent to the parking area and projecting from the front elevation would be an outdoor space flagged in stone. Low height trees and shrubs of native species are proposed to run along the new access road.

In order to facilitate the conversion of the building into one dwelling, the scheme includes the insertion of roof lights, changing the fenestration of the building (including the creation of new window openings) and the rebuilding of the existing lean-to structure on the western side elevation in natural stone which would serve an integral garage to the dwelling.

Existing openings would be reinserted and would form prominent features such as a curbed opening on the rear elevation, a two-storey window on the front elevation and Juliet balcony on the eastern gable elevation.

Both the windows and doors would be hardwood timber and painted in Chartwell Green.

5. POLICY CONTEXT

RELEVANT PLANNING POLICIES

National

National Planning Policy Framework (2018)

Section 5	Delivering a sufficient supply of homes
Section 6	Building a strong, competitive economy
Section 12	Achieving well-designed places
Section 15	Conserving and enhancing the natural environment

Development Plan

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RBC Core Strategy DPD (2011)

AVP 4	Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
Policy 1	General Development Locations and Principles
Policy 9	Accessibility
Policy 18	Biodiversity, Geodiversity and Landscape Conservation
Policy 21	Supporting the Rural Economy and its Communities
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

Other Material Planning Considerations

National Planning Practice Guidance

RBC Alterations and Extensions to Residential Properties SPD

RBC Conversion and Re-use of Buildings in the Countryside SPD

6. CONSULTATION RESPONSES

LCC Highways	No objection subject to condition
RBC Environmental Health	No objection / comment
Greater Manchester Ecology Unit	No objection subject to conditions

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 06.12.2018 and 23 neighbour letters were sent out on 30.11.2019.

Five responses were received from those consulted raising the following matters:

- Danger to highway safety
- Concerns over pedestrian safety
- Increase in traffic volume
- Hollin Lane is a narrow and single track and is insufficient for further development
- Access lane (Hollin Lane) is a habitat corridor
- Impact on wildlife as a result of the development
- Creation of new access road is incompatible with rural setting
- Air and noise pollution

8. REPORT

The main considerations of the application are:

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

Principle

The site is located on land within the countryside. The proposal involves the conversion of an existing agricultural building to form one new dwelling.

Paragraph 78 of the Framework states the following:

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“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

Para 79 of the Framework states:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

c) the development would re-use redundant or disused buildings and enhance its immediate setting”

The applicant has stated the agricultural building is currently in use and serves the main farm, Hollin Lane Farm. Nonetheless, in this case, the agricultural building no longer appears to be used to its potential for commercial farming purposes. From the initial site visit, the building appeared to be underused and it should also be noted that under the previous planning application – 2018/0064 – the applicant stated the agricultural building was no longer in use.

Furthermore, planning permission was recently granted to convert and extend part of the barn to form two dwellings whilst prior notification to change the use of part of the agricultural building to one dwelling was also approved. Overall, the application site has extant planning permission to convert the agricultural building into three dwellings.

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.”

Notwithstanding the demolition and re-build of the attached lean-to structure, the proposed scheme would not require significant rebuilding or extensive alteration. The applicant has confirmed that the building is structurally sound and, in this case, there is no reason to doubt that this is the case.

Section 4.7 of the Council’s Alterations and Extensions SPD advises that extensions to dwellings within the countryside should not normally exceed a third (30%) of the volume of the original dwelling. The proposed scheme would not result in any extension to the building.

The proposed scheme is considered acceptable in principle.

Visual Amenity / Countryside Impact

Paragraph 127 of the Framework aims to ensure that developments:

a) Will function well and add to the overall quality of the area

- b) *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*
- c) *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*

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”.

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”.

The proposed external alterations to the building would be sympathetic to the agricultural character of the building and the site’s immediate context.

It is considered that the proposed scheme incorporates alterations to the building’s fenestration which are compatible to traditional agricultural buildings and the often irregular layout of window openings. The reinstatement of original features, such as the curbed opening, and the creation of a two-storey feature window, are of strong design and the construction of all windows and doors in timber, finished with paint in Chartwell Green, is suitable.

The reconstruction of the existing lean-to structure in natural stone is acceptable. Although not a traditional feature, the creation of an integral garage from the lean-to extension is a suitable use for the defunct space and is therefore deemed acceptable.

The proposed access track would be formed from a porous material such as stone, which would be appropriate in the site’s countryside setting. The planting of native low height trees and shrubs would be acceptable and the stoned flagged outdoor space would also be acceptable.

In light of the above, it is considered that the development is compliant with Policies 1, 23 and 24 of the Core Strategy and the Council’s Conversion and Re-Use of Existing Buildings in the Countryside SPD with regards to visual amenity.

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 dwellings.

The scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

All of the responses received from neighbouring properties commented on the impact of the development on the local highway and the potential danger to highway and pedestrian safety.

It should be noted that there is extant planning permission to convert the agricultural building into three dwellings and therefore the proposed scheme would result in a significant reduction in potential traffic volume.

The proposed scheme would also create a passing place on Hollin Lane and it should be noted the Local Highway Authority raised no objection to the proposal.

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

9. SUMMARY REASON FOR APPROVAL

The proposed development is considered acceptable in principle within the countryside and would not unduly detract from visual amenity, neighbour amenity or highway safety subject to the use of planning conditions. It is therefore considered that the development is in accordance with the National Planning Policy Framework and Policies AVP4, 1, 9, 18, 21, 23 and 24 of the adopted Core Strategy DPD.

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:

- Planning application forms signed and dated 19/11/2018
- The submitted plans:
 - Location Plan 1 received 19 November 2018
 - Location Plan 2 received 19 November 2018
 - Proposed Plans, Elevations and Site Plan drawing number 2018/112-02A received 19 November 2018
 - Landscaping Plan drawing number 2018/112-03A received 19 November 2018

Reason: To define the permission and in the interests of the proper development of the site.

3. No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.

Reason: In the interests of visual amenity of the area in general and the existing building in particular, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.

4. No development shall take place until a formal scheme of maintenance arrangements has been agreed between the developer and the owner of the access road (Hollin Lane), and has been submitted to and approved writing by the Local Planning Authority.

The access road shall thereafter be maintained in accordance with the agreed details.

Reason: In order to ensure the maintenance of the access road the for the lifetime of the development.

5. The dwellings hereby approved shall not be occupied until all access / parking areas hereby permitted have been surfaced in a porous bound material. The parking and turning areas shall be retained in perpetuity and kept available for the parking and turning of vehicles.

Reason: To prevent loose debris from being deposited on the highway and to ensure sufficient parking is retained for the size of dwelling approved.

6. All planting, seeding or turfing forming part of the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of either of the dwellings or the completion of the development, whichever is the earlier. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of the appearance of the locality

7. No development shall take place until a scheme for the construction of a passing place, to be located within the adopted highway along Hollin Lane (including details of their specific location, size, construction and drainage), have been submitted to and approved in writing by the Local Planning Authority. Thereafter the passing place shall be implemented in accordance with the approved details and made available for use by vehicular traffic prior to the commencement of the development hereby approved.

Reason: In the interests of highway safety and to ensure that vehicles can safely access the site before the conversion of the building commences.

8. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording and analysis, and the results submitted (in the form of a report compiled by a suitably qualified person / organisation) to and approved in writing by the Local Planning Authority.

The programme of recording and analysis shall be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological / historical importance associated with the building.

9. No development shall take place until two evening emergence / dawn re-entry bat surveys have been carried out by a suitably qualified ecologist or bat worker, and the results in the form of a report have been submitted to and approved in writing by the Local Planning Authority. The surveys shall be undertaken between May-September, with at least one survey undertaken in June or July. The submitted report shall include full details of any required mitigation measures. The development shall thereafter be implemented in strict accordance with any approved mitigation measures.

Reason: In the interests of protecting any bats roosting in the building.

10. No building works shall commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced and qualified ecologist has been carried out immediately prior to work commencing, and written confirmation from the ecologist has been provided to the Local Planning Authority that no active bird nests are present.

Reason: In the interests of protecting any birds nesting in the building.

11. 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. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.