

20/01744/FUL

Applicant Mr & Mrs CL & J Brooks

Location Grange Farm Town End Lane Flintham Nottinghamshire NG23 5LU

Proposal Conversion and associated changes to existing agricultural building to single dwellinghouse including formation of domestic curtilage

Ward Thoroton

THE SITE AND SURROUNDINGS

1. The application site comprises a steel portal frame building and a farm access drive which joins Town End Lane to the north. The building is constructed of blockwork at the lower level with corrugated metal cladding above and a corrugated fibre cement roof. It contains an enclosed store with concrete block walls and a roller shutter door to the south elevation. The south and west elevations are predominantly open and a cattle pen with feeder barrier and gates is located in the lean-to which makes up the northern portion of the building. It is currently used for agricultural purposes including housing cattle, and according to aerial maps has been on site for a period of at least 20 years.
2. The building is located within the farm yard to the west of the farm house. There are 3 large agricultural sheds located to the south, south/west of the site and a small group of smaller buildings located to the south east of the building. To the north of the site, to the east of the access drive are two further residential properties. Other than these buildings within the immediate farmstead, the site is surrounded by the open countryside. The site is situated approximately 1km to the south east of Flintham and 1km to the south west of Sibthorpe.

DETAILS OF THE PROPOSAL

3. The application seeks full planning permission for the conversion and associated changes to the existing agricultural building to a single dwellinghouse including the formation of a domestic curtilage. The dwelling would have three double bedrooms on the first floor with associated living accommodation on the ground floor including open plan kitchen and dining space, living room and study. Access to the proposed dwelling would be provided via the existing driveway which links Grange Farm to Town End Lane.
4. The proposed alterations include:
 - Replacing the roof with a curved steel framed roof;
 - the removal of the lean-to which forms the northern range of the building;
 - replacement single storey extension including a shallow mono pitched roof, with a glazed link connecting it to the original barn;
 - the building would be clad in timber laid to mimic the shadow gaps and stacking pattern of the hay roles infilled with hay insulation;
 - create new window and door openings;
 - installation of solar panels to the south facing roof slope;

- a private courtyard garden would be provided in the northwest corner of the site bounded by the proposed dwelling, a new internal retaining wall and external low fencing; and
- Two undercover parking spaces and secure cycle parking would be provided in the southwest corner of the site.

SITE HISTORY

5. Prior approval under Class Q of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) - ref. 20/00521/PAQ was granted for the conversion of 4 fifths of the existing rectangular, steel-framed building into one dwellinghouse. The plans indicated that the building would be split to create a three-bedroom dwelling in the eastern part of the building. The middle two fifths of the building would be split into a garden in the southern section and two covered private parking spaces in the northern section, immediately adjacent to the proposed dwelling. The garden and parking area in total would be no greater than the existing ground floor area of the building. It was not proposed to extend/ increase the footprint of the existing building.
6. The total floorspace to be created (including the floorspace created by the construction of the mezzanine floors) was 218sqm. This permission remains extant, it is due to expire on 29th April 2023.

REPRESENTATIONS

Ward Councillor(s)

7. The Ward Councillor (Cllr Bailey) has no objections and makes the following comments; *"I agree that little of the original building remains, but I feel that the essence of the original barn remains with the arched roof, steel frame/uprights. The barn is some distance from the road, screened by trees, so it is likely to have little impact on the wider landscape. I have no objection to this planning application."*

Town/Parish Council

8. The Parish Council does not object.

Statutory and Other Consultees

9. Nottinghamshire County Council as Highway Authority raise no objections.
10. The RBC Environmental Health Officer does not object subject to the inclusion of a land contamination report prior to the commencement of development and a condition tying the occupancy of the building to the existing business.
11. The RBC Environmental Sustainability Officer raised no objections to the proposal. He notes the Bat Survey submitted was in date and appears to have been completed in accordance with good practice guidelines. It concludes no bat activity was observed associated with the building on the survey; no assessment has been made of commuting and foraging bats; the site has low potential for nesting and foraging wild birds; the site consists of buildings; no assessment has been made of surrounding land. He notes the development

provides opportunities for ecological enhancement. The favourable conservation status of Protected Species is unlikely to be impacted by this development. He recommends the inclusion of conditions/informatives aimed at protecting habitats and species and resulting in an overall net gain for biodiversity.

Local Residents and the General Public

12. No comments were received in response to the consultation carried out.

PLANNING POLICY

13. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).
14. Other material considerations include the National Planning Policy Framework (NPPF) (2019), the National Planning Practice Guidance (NPPG) and Supplementary Planning Documents (SPD's) including the Rushcliffe Residential Design Guide SPD (2009).

Relevant National Planning Policies and Guidance

15. At the heart of the NPPF is a presumption in favour of sustainable development. For decision makers this means: "approving development proposals that accord with an up-to-date development plan without delay". There are three overarching objectives to sustainable development: economic, social and environmental.
16. Chapter 12 'Achieving well designed places' states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change, with a high standard of amenity for existing and future users.
17. Under Chapter 5 'Delivering a sufficient supply of homes' paragraph 79 states with regard to rural housing, inter alia: "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;"
18. With regard to habitats and biodiversity the NPPF states under chapter 15 'Conserving and enhancing the natural environment' at para. 174 b): "promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

Relevant Local Planning Policies and Guidance

19. Rushcliffe Local Plan Part 1: Core Strategy (CS) Policy 1 'Presumption in favour of sustainable development', a positive and proactive approach to planning decision making should be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
20. CS Policy 3 'Spatial Strategy' defines the strategic sites which will deliver the majority of new homes in the Borough. The text at 3.3.17 states that elsewhere in the Borough development will meet local needs only through small scale infill development or on exception sites.
21. CS Policy 10 'Design and enhancing local identity' states that all new development should reinforce valued local characteristics and have regard to local context, and that development will be assessed in terms of its impact on the amenity of occupiers or nearby residents.
22. The Rushcliffe Local Plan Part 2: Land and Planning Policies (LPP2) Policy 1 'Development Requirements' sets out the criteria to be met, where relevant, for all new development including:
 - i. there is no significant adverse effect upon the amenity, particularly residential amenity of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated;
 - ii. a suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety and the provision of parking is in accordance with advice provided by the Highways Authority;
 - iii. sufficient space is provided within the site to accommodate the proposal together with ancillary amenity and circulation space;
 - iv. the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy;
 - v. there is no significant adverse effects on important wildlife interests and where possible, the application demonstrates net gains in biodiversity;
 - vi. there is no significant adverse effects on landscape character;
 - vii. the amenity of occupiers or users of the proposed development would not be detrimentally affected by existing nearby uses.
23. LPP2 Policy 12 Housing Standards sets out a number of technical housing standards which where possible should be applied.
24. LPP2 Policy 22 'Development within the Countryside' allows for development within the countryside including "the re-use and adaptation of buildings for appropriate uses, including housing;". This will only be permitted where:
 - a) the appearance and character of the landscape, including its historic character and features such as habitats, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is conserved and enhanced;

- b) except for replacement dwellings, conversions and changes of use, it does not constitute isolated residential development which is separated from the physical edge of the settlement;
 - c) it does not create or extend ribbon development;
 - d) built development is well integrated with existing buildings, where appropriate; and
 - e) the development will not seriously undermine the vitality and viability of existing district and local centres, and centres of neighbourhood importance.
25. LPP2 Policy 38 Non Designated Biodiversity Assets and the Wider Ecological Network provides that where appropriate all developments will be expected to achieve net gains in biodiversity. It also states "Developments that significantly affect a priority habitat or species should avoid, mitigate or as a last resort compensate any loss or effects."
26. LPP2 Policy 40, Pollution and Land Contamination, identifies measures which should be taken in relation to development of land potentially affected by pollution.
27. The 2009 Rushcliffe Residential Design Guide provides guidance on conversion schemes for redundant buildings, with a focus on the conversion of agricultural buildings. It states on page 44; "It is generally accepted that barns and other agricultural buildings may be converted to residential use under certain circumstances particularly, where:
- The building is capable of being converted without need for major rebuilding or extension."
28. It goes on to emphasise that it is important "that these buildings retain their agricultural qualities. They should not be converted into standard dwellings." Also that: "It is vital that any perspective buyer is aware that "Barn style living" will not be the same as living in a new house" and "Any perspective developer should be aware that planning permission may not be forthcoming for any unnecessary extensions."

APPRAISAL

New Housing within the open countryside

29. Although the site is located outside of the main built up area of the neighbouring settlements of Flintham and Sibthorpe, permission is sought for the re-use of an existing buildings. The building appears to be of suitable construction for conversion to residential accommodation, as demonstrated by the grant of prior approval, ref. 20/00521/PAQ. However, in this case the residential conversion would not be achieved without the need for significant interventions. A plan submitted by the Agent indicates the steel frame structure would be the only element of the building to be retained.
30. The application falls to be determined first and foremost against the policies within the Local Plan Part 2. The site is clearly within the countryside and, therefore, of particular relevance to this application is Policy 22 'Development within the countryside'. The provisions of this policy strictly control

development in the countryside and sets out the types of development which may be permitted, which includes 'the re-use and adaptation of buildings for appropriate uses, including housing' or 'where justified, associated workers dwellings'.

31. In this instance very little of the original building would be retained, limited for most part to the steel frame/uprights, and it is therefore not considered that the proposal involves the 'reuse' or 'conversion' of an existing building, instead the resultant development would be tantamount to a new building/new build dwelling.
32. The building is located within the farm complex of Grange Farm which includes the farm house to the southeast and a further two agricultural workers dwellings located to the north. Although the occupancy of the building could be restricted to an agricultural worker, evidence has not been provided to justify the need for an additional agricultural workers dwelling in this location. Therefore, on balance it is considered that the principle of the development would not be acceptable.

Character and Appearance

33. The farm house is traditional in its design, finished white painted render and a red pantile roof. The traditional agricultural buildings which formed a courtyard to the west of the farm house, south of the application site, have been demolished for a number of years and replaced with large blockwork and corrugated metal buildings. The buildings within the farm unit have a modern, functional agricultural character.
34. The principal of converting the building to a dwelling has already been established under prior approval part Q ref. 20/00521/PAQ. The design of the proposed residential conversion is outlined in the Design and Access Statement (DAS) which states; "The removal of the lean-to reduces the overall massing; and allows for an open garden area with direct daylight, unlike the prior approval scheme." It "has been partially replaced with a new structure that takes its shape from that of the original lean-to; utilising a shallow, mono pitched roof. This has been designed with a transparent glass link, to form a juxtaposition between the original barn and the replacement lean-to." It goes on to state "This not only forms a direct link with the previous use as a hay barn, but also utilises natural building materials."
35. Overall the interventions proposed to the main structure of the building are fairly extensive. Other than the main metal frame structure, none of the existing internal structures would be retained. The steel frame would support the timber panels used as an external finish and the roof would be replaced with the inclusion of solar panels. The replacement curved roof and timber cladding would give the building an appearance similar to the hay barn which previously stood on the site.
36. Glazed openings would be introduced into the north elevation of the rebuild where there are currently none in the internal block work structure. The proposed openings in the building's other elevations has been kept to a minimum and those in the southern elevation are mostly screened by timber louvres. Overall, taking into account its modern industrial/agricultural appearance it is considered that the number and size of openings proposed

would be sympathetic to the scale of the building and would not appear overly excessive.

37. The west facing elevations of the proposed extension would include high levels of glazing and would be connected to the original building via a glazed link. The contrast created between the existing building and the new extensions would allow them to be read as clearly modern additions. In addition, it would be of a lesser scale than the lean-to building it would replace and it is not considered it would harm the agricultural character and design of the original building.
38. The interventions to the building to allow for its residential conversion would far exceed those allowed under the part Q conversion. Although the proposal is considered to be sufficiently well integrated into the existing building, it is not considered that the extent of works constitute re-use or conversion, instead this is tantamount to a new building.
39. Although outside of the neighbouring settlements, it would be viewed in the context of the neighbouring residential agricultural workers dwellings as well as the existing agricultural units. Due to the location of the buildings, set back from the road within the site the proposed extensions and alterations, including those to the roof, would not be unduly visible from outside of the site. The design of the conversion would retain the functional agricultural appearance of the building and would not unduly harm the open character of the surrounding countryside or the agricultural character of its immediate surroundings.

Residential Amenity

40. The building is located within, albeit towards the edge, of a working farm unit. It is noted that the Environmental Health Officer has raised no objection to the proposal in relation to amenity of future occupiers, subject to the inclusion of a condition for an agricultural tie. This is indicative of the fact that unrestricted occupancy of the resultant dwelling would not be acceptable, on the basis of the impact the agricultural activities would have on the amenities of future occupants, unless they are involved in some way in the operation of the farm. If a favorable recommendation was forthcoming, the applicant has agreed to the inclusion of such a condition as the dwelling would be for themselves, a farm worker. The inclusion of an agricultural tie should prevent the amenity of occupiers being detrimentally affected by the existing, adjacent agricultural use however, without evidence that there is a defined need for such a dwelling, such a condition may be difficult to enforce or defend if a subsequent application to vary/remove the condition was submitted. Similarly, this could make it difficult to resist the removal of the agricultural tie on one of the other dwellings within the holding.
41. Concentrating the openings in the north elevation of the original building and the west elevation of the extension would protect the privacy of future occupiers and maximise their outlook which is welcomed. To further protect the privacy of future occupiers the openings in the southern elevation would be fitted with timber louvres, as they immediately adjoin the adjacent farm yard. These louvres would still allow daylight through.
42. The creation of an open outdoor amenity space would be an improvement on the covered garden approved under the part Q scheme. The size of the

amenity would be less than the 110 square metres recommended within the Residential Design Guide however, it is considered this is offset by the easy access future occupiers would have to the open countryside.

43. For the reasons outlined above it is not considered that there could be sufficient guarantee that proposal would provide a suitable form of living accommodation and amenity for future occupiers, given the location of the building within a working farm.

Access

44. The site would utilise an existing, gated vehicle access which serves the neighbouring agricultural workers dwellings and the farm unit. It is noted that the Local Highway Authority raise no objections to the proposal on the grounds of highway safety, therefore this issue is not a concern.

Ecology

45. The application was accompanied by a Bat Survey (dated August 2020) which determined no bat activity was observed associated with the building on the survey, i.e. the building the subject of this application. The survey also identified the site had a low potential for nesting and foraging wild birds. It is noted that the Environmental Sustainability Officer does not object to the proposal, stating the survey is in date and appears to have been carried out in accordance with good practice. Therefore, protected species are unlikely to be impacted by this development.
46. The development does, however, provide opportunities for ecological enhancement and the ES Officer has recommended a number of measures, including the installation of permanent artificial bat boxes/bricks and wild bird nests (including Swallow/swift and sparrow cups/boxes) within the buildings; the use of Hedgehog features (corridors, access and shelter) and insect houses where appropriate to help provide an overall net gain in biodiversity, as per the requirements of the National Planning Policy Framework (2019).

Environmental Sustainability

47. Measures to ensure improved levels of energy efficiency and environmental sustainability have been included in the proposed design including its layout, the choice of materials and renewable energy products. The inclusion of photovoltaic panels on the south facing roof slope, and an Air Source Heat Pump (ASHP) used to heat the property is welcomed, as is the inclusion of an electric car charging point. However, these benefits are not considered to outweigh the policy objection to what would be tantamount to a new build dwelling in the countryside.

Contaminated Land

48. Given the use of the land agricultural for agricultural purposes, there is potential for contaminated land within the site. Environment Health have requested a contaminated land report, as the proposed use is residential a pre-commencement condition could address this requirement.

Conclusion

49. Development within the countryside is very tightly controlled by Policy 22 of the Rushcliffe Local Plan Part 2: Land and Planning Policies. Although it does provide for new housing resulting from the 'reuse' or 'conversion' of existing buildings, in this instance very little of the original building would be retained, other than the steel frame/uprights. It is considered that the proposal does not involve the 'reuse' or 'conversion' of an existing building, instead the resultant development would be tantamount to a new building/new build dwelling and is therefore contrary to Policy 22 of the LAPP.
50. There is a fundamental policy objection to the proposal and it is considered that this cannot be overcome. The applicant has been made aware of the situation in writing and in order to avoid the applicant incurring further abortive costs. Pre-application advice was not sought prior to the submission of the application. It was necessary to seek further clarification on the extent of the works proposed during the application process. Due to the need to refer the application to the Planning Committee there has been a delay in issuing a decision however, the Agent has been kept informed and has agreed to an extension of time to allow for this.

RECOMMENDATION

It is RECOMMENDED that planning permission be refused for the following reason(s):

1. Other than the steel frame/uprights little of the original building would be retained. As a result of the extensive extensions and alterations proposed to the original building the proposal does not involve the 'reuse' or 'conversion' of an existing building, instead the resultant development would be tantamount to a new building/new build dwelling within the open countryside and is therefore contrary to Policy 22 (Development within the Countryside) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.