

**Reference:** 14/00908/FUL  
**Date submitted:** 10 December 2014  
**Applicant:** John Holliday  
**Location:** Station Farm, Pasture Lane, Hose  
**Proposal:** Conversion of barns to residential use.



**Introduction:-**

The application comprises the conversion of the barns into residential use and the erection of an extension to create a three bedroom dwelling. A replacement outbuilding is also proposed. The barns are of brick and tile, are single storey and are located on Pasture Lane on land within a remote area in the countryside. The application site comprises disused agricultural buildings that have recently been repaired and re-built by the previous owner.

**It is considered the main issues relating to the proposal are:-**

- **The principle of development;**
- **The visual impact on the site and surroundings;**
- **The impact on the residential amenities of occupiers of neighbouring properties;**
- **Highway Safety;**
- **Ecology.**

The application is to be considered by Committee due to the proposal relating to a dwelling in open countryside contrary to the provisions of the Local Plan..

**Relevant History:-**

There is no relevant history.

**Development Plan Policies:**

**Melton Local Plan (saved policies):**

**Policy OS2**

Policy OS2 states planning permission will not be granted for development outside the town and village envelopes except for:-

- development essential to the operational requirements of agriculture and forestry;
- limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside;
- development essential to the operational requirements of a public service authority, statutory undertaker or a licensed telecommunications code system operator;
- change of use of rural buildings;
- affordable housing in accordance with Policy H8

Where such development would lead to the coalescence of existing settlements, planning permission will not be granted.

**Policy BE1**

Policy BE1 states planning permission will not be granted for new development unless:-

- the buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;
- the buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight/daylight;
- adequate space and between dwellings is provided;
- adequate public open space and landscaping is provided where appropriate;
- the buildings and their environs are designed to minimise the risk of crime;
- wherever possible buildings are designed and sited to maximise solar gain and utilise energy saving features;
- adequate vehicular access and parking is provided.

**Policy C7** - states development will not be granted outside the village envelopes to reuse and adapt a rural building for residential use unless it is to be used as an agricultural or forestry workers dwelling or for affordable housing both of which are subject to certain criteria. These include the building being of permanent and sound construction, the building is in keeping with its surroundings, any conversion work respects local building styles, traffic generation would be acceptable on the local highway network, the site can provide adequate car parking and fences and other structures would not harm the visual amenity of the countryside.

**Policy C15** – states permission will not be granted for development that would have an adverse effect on the habitat of protected species unless no other suitable site is available and the development is designed to protect the species.

**National Planning Policy Framework** – Introduces the ‘Presumption in favour of Sustainable Development’ and states that development proposals should be approved if they accord with the Development Plan, or, if it is out of date or does not address the proposal, approve proposals unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- specific policies in this Framework indicate development should be restricted.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively support sustainable economic development to deliver homes and business that local areas need;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- deliver sufficient community and cultural facilities and services to meet local needs;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focusing development in locations which are or can be made sustainable.

On Specific issues relevant to this application it advises:

**Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people;
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

**Delivering a Wide Choice of High Quality Homes**

- Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside or where the development would re-use redundant buildings and lead to an enhancement of the immediate setting.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>Clawson, Hose &amp; Harby Parish Council</b> – objects as the building is outside the village envelope, would not object if for a holiday let or affordable dwelling.</p>	<p>The building occupies a relatively isolated location within the countryside beyond the confines of any village. Policy C7 seeks to resist the conversion of disused buildings for residential development unless it is to provide accommodation for rural workers or affordable housing. However, the NPPF supports the conversion to residential use where the proposal would lead to an enhancement of the immediate setting.</p> <p><b>It is not therefore considered that the Local Plan policy C7 complies with the NPPF and as such more weight should be given to the NPPF.</b> It should also be noted that under the current extended permitted development rights the conversion of farm buildings can be carried out without the need for full planning permission subject to certain criteria being met.</p> <p>The building is of substantial construction and capable of conversion without significant rebuilding. The building is an attractive brick and tile structure and the retention and suitable re-use is supported as it would maintain the building and enhance the character and appearance of the site and surroundings.</p> <p>Furthermore, the new Class MB of the General Permitted Development) Order 2014 came into force on 6th April 2014. This allows for the change of use</p>

	<p>of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule of The Use Classes Order; and covers any building operations reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of that Schedule.</p> <p>The proposal has been received as a formal planning application as it includes an extension that would not be allowed under the new permitted development rights. The development without this extension would meet the requirements under Class MB, and the conversion would be approved without the need for planning permission. As such the conversion could take place under the permitted development rights and a planning application then submitted for the proposed extension.</p> <p><b>On balance therefore it is considered the principle of the conversion can be supported. The general thrust of the NPPF and permitted development rights support the principle of conversion of agricultural buildings to residential use, the building is worthy of retention and given the limited size of the building and the relatively isolated location a non-residential re-use is unlikely.</b></p>
<p><b>Highway Authority</b> - Consider sustainability issues, ensure appropriate access and parking facilities are provided.</p>	<p>The site occupies a relatively isolated location within the countryside and future occupiers would rely on the private motor vehicle to access services. However, this would be the case if the building was converted to other potentially suitable uses such as offices/light industrial. It is not considered therefore that the proposal could be resisted on the grounds of sustainability.</p> <p>The current road serves the dwellings opposite and those further down the lane in addition to the outbuilding. The outbuilding has an access which is adequate in terms of visibility and the site is capable of providing suitable parking to serve the proposed dwelling. Furthermore, given the limited size of the proposed dwelling the likely traffic generation would be relatively limited and would not have an unacceptable impact on the safe use of the local highway network.</p>
<p><b>Footpaths Officer</b> - no objection subject to informatives.</p>	<p>Noted.</p>
<p><b>Ramblers Association</b> – no objection.</p>	<p>Noted.</p>
<p><b>Ecology Officer</b> - the ecology report provides adequate mitigation for the bat roost subject to the mitigation recommended.</p>	<p>The Ecology Survey found evidence of two species of bat (Brown Long Eared and Common Pipistrelle) with one of each species seen during the internal inspection and these were also recorded during the emergence survey. A small number of droppings from each species were recorded indicating the building was used by a small number of two species of bat.</p>

	The Ecology Officer is content the report provides adequate mitigation for this bat roost and the provision of a bat loft and the other mitigation measures can be subject to a condition.
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## Representations

A site notice was posted and no responses were received.

## Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p><b>Application of Development Plan and other planning policy</b></p> <p><u>Policy OS2</u> states permission in the open countryside will be limited to certain types of development including development essential for the operational requirements of agriculture.</p> <p><u>Policy BE1</u> allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> <li>• The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;</li> <li>• The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight;</li> <li>• Adequate space around and between dwellings is provided.</li> </ul> <p><u>Policy C7</u> - states development will not be granted outside the village envelopes to reuse and adapt a rural building for residential use unless it is to be used as an agricultural or forestry workers dwelling or for affordable housing both of which are subject to certain criteria. These include the building being of permanent and sound construction, the building is in keeping with its surroundings, any conversion work respects local building styles, traffic generation would be acceptable on the local highway network, the site can provide adequate car parking and fences and other structures would not harm the visual amenity of the countryside.</p>	<p>The principle of development has been addressed above.</p> <p>New dwellings in the open countryside are usually resisted unless there is special justification, as referred to in paragraph 55 of the NPPF, however there is an allowance for the conversion of redundant or disused buildings where it would lead to an enhancement of the immediate setting.</p> <p>In this case, paragraph 55 of the NPPF would apply. Although the site is not particularly visible from the road it is considered that the conversion would benefit the appearance of the countryside through the sympathetic conversion of a traditional agricultural building that is worthy of retention.</p> <p>It is also noted that the changes to the GPDO at class MB as discussed above, allow for the existing buildings to be converted without the need for formal planning permission. The only reason this proposal cannot be dealt with under Class MB is due to the addition of an extension .</p> <p><b>Therefore, it is considered that whilst the proposal does not meet the objectives of policy OS2 of the Melton Local Plan, it does meet the objectives of paragraph 55 of the NPPF, and the use is permitted under the provisions of class MB of the GPDO.</b></p> <p>The proposed conversion would utilise existing openings and the resultant dwelling would be sympathetic to the robust agricultural origins of the building. Although extensions to barns are not always acceptable the proposed extension would be small and would follow the form of the existing barns. The proposed outbuilding would be on the site of a dilapidated outbuilding and would be a freestanding, part open fronted garage and store. This would complement the main barn and maintain the rural character and appearance of the building.</p> <p>The barn would be separated from the adjacent dwelling by the highway and would be set off the boundary. As such the relationship between the</p>

	existing and proposed dwelling would be acceptable. There are no other nearby dwellings that would be unduly affected.
<p><b>Housing need</b> The latest data relating to housing need shows a deficiency in supply of houses of the size and nature of this proposal.</p>	<p>Within the Rural North area a shortfall of single storey three bedroom dwellings was identified. Although the proposal relates to a barn conversion rather than a new build bungalow it would provide three bedrooms with all accommodation on the ground floor. It is therefore considered the proposed accommodation would meet with the housing needs of this part of the Borough.</p>

### Conclusion

The proposal relates to the conversion of a barn to residential use and the erection of an extension and outbuilding. Although Policy C7 does not support conversion of redundant farm buildings to market residential uses the NPPF is more supportive and the current **permitted development rights allow conversion to residential** use provided certain criteria can be satisfactorily addressed. As such significant weight can be placed on the NPPF and the provisions of permitted development which support the principle of conversion into a dwelling in the countryside. The proposed conversion, extension and outbuilding would be sympathetic to the visual appearance of the building and surroundings and would be satisfactory in terms of residential amenity, highway safety and ecology. The proposal is therefore recommended for approval subject to conditions.

### **RECOMMENDATION:- Approve subject to conditions:**

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be built in strict accordance with the following plans: Holliday/2014-1 Rev No.2014-0 and 14.249.101 received by the Local Planning Authority 10<sup>th</sup> November 2014 and 20<sup>th</sup> November 2014 respectively.
3. No development shall take place until samples of the materials to be used on all external elevations and roofs of the development have been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
4. Within one month of the commencement of works on site, a plan showing a detailed soft and hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include details of:
  - (a) any existing trees, shrubs, hedges, water bodies to be retained and measure of protection in the course of development;
  - (b) new tree and shrub planting, including plant type, size, quantities and locations;
  - (c) other surface treatments;
  - (d) fencing and boundary treatments;
  - (e) any changes in levels or contours;
  - (f) the position of service and/or drainage runs (which may affect roots).
5. The approved landscaping scheme shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are

removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation

6. No development shall commence until full details of all new windows, rooflights, doors and other glazed or timber panels have been submitted to and approved in writing by the Local Planning Authority. Such details shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The approved details shall be carried out and retained as such thereafter.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting the Order with or without modification) no extensions, alterations or additions to the walls or roof, additional doors or windows, outbuildings or fences, gates or walls shall be erected/carried out without the prior permission of the Local Planning Authority.
8. No external lighting shall be alterations installed or erected on the site unless details have been submitted to and agreed in writing by the Local Planning Authority. Once approved, such lighting shall only be erected and used in accordance with those details.
9. The development shall be undertaken in full compliance with the recommendations set out in the bat survey report dated August 2014 undertaken by Scarborough Nixon Associates Ltd and details of the bat boxes/bat loft shall be submitted to and approved in writing by the Local Planning Authority with details including the type of box and the location prior to the first occupation of the dwelling. The approved details shall be provided prior to the first occupation of the dwelling and shall thereafter be so retained.

Reasons:

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the Local Planning Authority to review the consent if a further application is made.
2. For the avoidance of doubt.
3. To ensure that the Local Planning Authority can exercise proper control over the materials used and the appearance of the building when completed, in the interest of visual amenity.
4. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.
5. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.
6. To ensure a satisfactory appearance of the development which does not detract from the fabric and character of these rural buildings or the countryside setting.
7. To safeguard the appearance of the development and the privacy and living conditions of nearby residents.
8. To safeguard the character of the area and in the interest of preventing light pollution.
9. To ensure that no species protected by law under the Wildlife and Countryside Act 1981 are harmed by the development.

Officer to contact: **Mr Joe Mitson**

**Date: 27.02.2015**