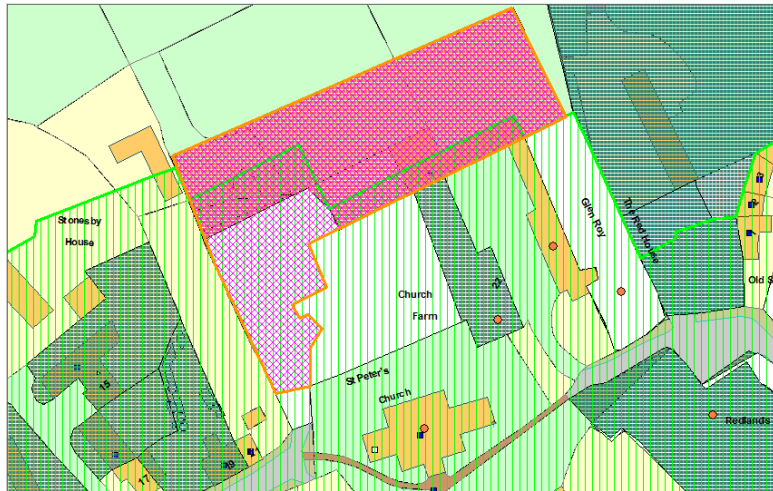


**COMMITTEE DATE: 21<sup>st</sup> April 2016**

**Reference:** 16/00113/FUL  
**Date submitted:** 1<sup>st</sup> March 2016  
**Applicant:** Mr And Mrs LMA Griffiths  
**Location:** Church Farm, 22 Back Lane, Stonesby LE14 4PT  
**Proposal:** Alterations and conversion of existing outbuildings to create a new dwelling house.



**Introduction:-**

The application comprises the redevelopment and conversion of a redundant outbuilding into a 4 bedroom dwelling. An open barn would be demolished for use as driveway access, along with part of the existing outbuilding, to be replaced with buildings that match the existing footprint, with the exception of a new detached garden room. The fields to the rear of the outbuildings, currently in use as a paddock, would be partially converted for residential garden use associated with the new dwelling.

The outbuilding proposed to be redeveloped is a curtilage listed, dilapidated stone and pantile structure which faces 22 Church Farm, a Grade II listed building. The elements of the outbuilding to be demolished are modern additions in brick and corrugated steel. The outbuildings and existing barn are also located in close proximity to the Grade II\* Church of St Peter and the site is located within the designated Conservation Area

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

- **The principle of the creation of a dwelling in an unsustainable village;**
- **Visual impact on the building and locality, including on the setting of the listed building and the conservation area;**
- **The impact on the residential amenities of occupiers of neighbouring properties;**
- **Ecology;**
- **Highway safety.**

The application is to be heard by the Committee as the proposal presents a conflict of policy objectives.

**Relevant History:-**

**13/00267/OUT - Demolition of existing agricultural building and erection of two detached dwelling houses**

**Refused:**

In the opinion of the Local Planning Authority the proposal would, if approved, result in the erection of two dwellings in an unsustainable location. It is considered that there is insufficient reason to depart from the guidance given in the NPPF on sustainable development in this location and would therefore be contrary to the "core planning principles contained within Para 17 of the NPPF.

16/00129/LBC - Demolition of existing agricultural building and erection of two detached dwelling houses

**Development Plan Policies:****Melton Local Plan (saved policies):****Policy OS1**

Policy OS 1 states planning permission will only be granted for development within the town and village envelopes shown on the proposals map where:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality;
- the proposed use would not cause loss of amenity by virtue of noise, smell, dust or other pollution;
- the development would not have a significantly adverse effect on any area defined in policy be12 or other open areas, the historic built environment or buildings and structures of local importance or important landscape or nature conservation features including trees;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- requisite infrastructure, including such facilities as public services, is available or can be provided;
- satisfactory access and parking provision can be made available;
- the design, layout and lighting of the development minimises the risk of crime.

**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 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.

### **Policy BE12**

Policy BE12 states permission will not be granted for development within a protected open space except there a proposal is in conjunction with an existing use and the development would not adversely affect the intrinsic character of the area.

**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.

### **Conserving and enhancing the historic environment**

- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should

require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.
- Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.
- In determining planning applications, local planning authorities should take account of:
  - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

**Planning (Listed Buildings and Conservation Areas) Act 1990**

As the adjacent farmhouse is a listed building and the outbuilding is within the Conservation Area the Committee is reminded of the duties to give special attention to the desirability of preserving or enhancing the building and its setting and preserving and enhancing the conservation area, sections 66 and 72.

**Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Sproxton Parish Council</b> – no comment received	Noted.
<b>LCC Ecology</b> – The Ecological Appraisal submitted in support of the application (Apex Ecology, February 2016) found evidence of bats within the barns to be converted. Further information is required in order to inform a suitable mitigation plan for the proposed development. Therefore LCC would like to place a Holding Objection on this application, pending the results of further ecological survey.	It has been agreed that any planning approval will not be granted until the completion of the required bat survey documentation, as requested and subject to the approval of LCC Ecology.
<b>Highways</b> – The Local Highway Authority refers the Local Planning	The new dwelling will be located in place of a collection of unused outbuildings, therefore sufficient space for additional parking and access is

Authority to current standing advice provided by the Local Highway Authority dated September 2011. Consider access, parking and turning for the existing and proposed dwellings	required. This has been provided for in the landscaping of the site, as the demolition of the barn will not be redeveloped on and provides adequate space to gain access to the site. Parking is further provided for on land that will be transferred into the site boundary from the current site at 22 Church Farm. .
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### Representations

A site notice was posted, the application advertised and neighbouring properties consulted.

**No comments 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><b>Policy OS 1</b> states planning permission will only be granted for development within the town and village envelopes shown on the proposals map where:-</p> <ul style="list-style-type: none"> <li>the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;</li> <li>requisite infrastructure, including such facilities as public services, is available or can be provided</li> </ul> <p><b>Policy BE1</b> 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><b>Policy OS2</b> states planning permission will not be granted for development outside the town and village envelopes except for:-</p> <ul style="list-style-type: none"> <li>development essential to the operational requirements of agriculture and forestry;</li> <li>limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside;</li> <li>change of use of rural buildings;</li> </ul>	<p>The site borders the village envelope of Stonesby with the redeveloped outbuildings located within the boundary and the proposed rear gardens beyond, on land classed as countryside. Policy OS2 seeks to restrict development in the countryside. However, the part of the site to be used for the land to the north of the building is only partially to be used as garden while the majority will be restricted to paddock. Although this would lead to an encroachment of residential use into the countryside the site is not easily open to view from the public realm. Furthermore, the site is well related to the village and neighbouring properties. A condition to remove permitted development rights for outbuildings can be imposed and boundary treatments can also be the subject of a condition to ensure an appropriate provision on the countryside.</p> <p>The collection of outbuildings at present partially detract from the setting of the Grade II listed Church Farm and the Grade II* St Peters Church, in as such as there are a number of modern adaptations and extensions to the original 19th Century block. The proposal is to remove the modern, unsightly accretions and redevelop within the existing footprint using sympathetic conservation-appropriate materials that would enhance the setting of two listed buildings.</p> <p>Furthermore the removal of the asbestos roofed barn to the east of the outbuildings provides a significant enhancement of setting opening up sweeping southward views to the Grade II* Listed St Peter's Church.</p> <p>The proposal would create a dwelling in an unsustainable location. However, the proposal would ensure the maintenance and enhancement of the attractive outbuilding which would benefit the setting of the listed building and significantly enhance the character and appearance of the conservation area and village of Stonesby.</p>

	<p>On balance it is considered the benefits to the scheme, in this instance, outweigh the issue of sustainability. In conclusion it therefore it is considered the principle of the conversion can be supported.</p>
<p><b>Policy BE12</b> states permission will not be granted for development within a protected open space except there a proposal is in conjunction with an existing use and the development would not adversely affect the intrinsic character of the area.</p>	<p>The site is largely within the village boundary and the buildings are adjacent to a parcel of land designated as a Protected Open Area. The proposed building would occupy a similar footprint to the existing building with the land to the front used for parking and turning. As such the proposal would not significantly develop this open space which would therefore be preserved. A condition can be imposed to remove permitted development rights for extensions and outbuildings in order to ensure the site is controlled in the future.</p>
<p><b>Heritage Assets</b></p>	<p>As the adjacent 22 Church Farm and St Peters Church are listed buildings and the outbuilding and barn are within the conservation area the Committee is reminded of the duties to give special attention to the desirability of preserving or enhancing the building and its setting and preserving and enhancing the conservation area (s.66 and s.72 of the LB and CA Act 1990). Para 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”.</p> <p>At present the outbuildings at 22 Church Farm detract from the overall setting of the primary building, a Grade II listed building; there are a number of unsympathetic 20th Century accretions in brick and corrugated steel. The redesign of the outbuildings will remove these modern materials, to be replaced with conservation appropriate stone and pantiles to match the 19th century core, enhancing both the Grade II listed 22 Church Farm and the Grade II* listed St Peters Church.</p> <p>The most significant enhancement would be the removal of the asbestos roofed barn which currently disrupts views from and to the Grade II* listed St Peters Church; a previous application to demolish and rebuild on the barn site was refused due to its unsustainable location, however in this instance the land will remain undeveloped and can be conditioned to ensure the site on which the barn is presently located cannot be redeveloped, to protect the setting of the listed church.</p> <p>It is considered that the proposal would not have a detrimental impact on the site, street scene or on the setting of the listed building as it would retain the character of the now redundant farm building. This would benefit the character and appearance of the Conservation Area.</p> <p><b>It is considered that the proposal provides</b></p>

	<b>significant enhancement to the relevant heritage,</b> thereby outweighing the issue of development within an unsustainable village. The proposal is considered to enhance the character and appearance of the Conservation Area and protect the setting of the adjacent listed buildings and complies with the requirement under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990.
<p><b>Residential Amenity</b></p> <p>Policy BE1 allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> <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>The outbuilding is separated from neighbouring properties to the north by the open countryside with land to the south and west forming part of the existing farmyard. To the south lies the associated farmhouse, however this will no longer be associated as the proposed site will become detached from the property at 22 Church Farm.</p> <p>The converted outbuilding would have habitable windows in the northern, eastern and western elevations and as such do not encroach upon any neighbouring properties within close proximity. Any windows proposed in the southern elevation facing the farm house are proposed to be obscurely glazed. Furthermore, the site is well landscaped which further reduces the impact on neighbouring properties.</p> <p>Adequate rear gardens can be provided to serve each dwelling and the development can also be carried out whilst retaining a large number of mature trees on the site.</p> <p>It is not considered that the proposal would have a detrimental impact on the residential amenities of any adjoining property.</p>
<p><b>Highway Safety</b></p> <p>Policy BE1 allows for development providing that adequate access and parking can be provided.</p>	<p>The scale of the building would ensure that traffic generation would be limited and the proposal would not have a negative impact on highway safety. The scheme therefore complies with Policy BE1 and it is noted the Highway Authority raised no objection.</p> <p>It is not considered that the proposal would have an adverse impact on highway safety.</p>

### **Conclusion**

The proposal relates to the conversion of a group of outbuildings to residential use and the demolition of a barn to provide amenity space and parking. Although the built element of the site is located primarily within the village envelope, the proposed garden space to the rear of the property would be located in open countryside and Stonesby is presently recognised as an unsustainable village for development.

**The proposal would result in the creation of a dwelling in an unsustainable location; however the outbuilding is well related to the village and it is considered in this instance that the sustainability issue is outweighed by the significant enhancement to two heritage assets,** the Grade II\* listed St Peter's Church with the demolition of the existing asbestos barn, and the Grade II listed 22 Church Farm, with the removal of unsympathetic 20<sup>th</sup> century accretions to the curtilage listed outbuildings. The character and appearance of the Conservation Area would also be enhanced by the conversion and removal of the less sympathetic elements of the outbuildings and barn.

On balance, the harm of the unsustainable location is considered to be outweighed by the benefits of establishing a dwelling and the enhancement of heritage assets. Para 132 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation" and adds weight to the balance of the issues towards

Conservation.

The proposed conversion and extension 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:**

**(a) The receipt of an ecological survey that does not give rise to issues requiring further consideration and ;**

**(b) the following 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 accordance with the following plan: Drawing No.121 (08) 03 rev P3 and No.121 (08) 08 rev P3
3. 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;
4. 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
5. No development shall commence until full details of all new windows, doors and other glazed 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.
6. 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.
7. No development shall commence until details of the curtilage to serve the dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.
8. All materials used for the new replacement buildings must match the existing outbuilding that is retained, including both façade treatment and roof materials.



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 preserve the historic character of the building.

Officer to contact: **Mr Toby Ebbs**

**Date: 08.04.2016**