

<b>Date of Meeting</b>	17 <sup>th</sup> December 2015
<b>Application Number</b>	15/10185/FUL
<b>Site Address</b>	The Field House, Barbers Lane, Swallowcliffe, SP3 5PQ
<b>Proposal</b>	Change of Use of existing agricultural merchants barn and land to mixed residential and business use and conversion of part of barn to new dwelling.
<b>Applicant</b>	Mr & Mrs D Bright
<b>Town/Parish Council</b>	SWALLOWCLIFFE
<b>Electoral Division</b>	FOVANT AND CHALKE VALLEY – CLLR JOSE GREEN
<b>Grid Ref</b>	396506 126507
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Matthew Legge

### Reason for the application being considered by Committee

Cllr Jose Green has called in this application “*In view of the scale and necessity for a small dwelling on site for the agricultural business to be retained*”

#### 1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager (South) that planning permission be **Refused**.

#### 2. Report Summary

It is considered that this application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise known as Bright Seeds. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses other than that of the existing agricultural use.

#### 3. Site Description

The application site consists of the barn which has an expired approval of a 50/50 mix of agricultural and B1(a) office, adjoining land and highways access. The barn is therefore still in a full agricultural use. The Applicant also owns the associated land which comprises a private dwelling (The Field House) and garden land. The barn and associated land are used in conjunction with the applicant’s business as Seed Merchants (Bright Seeds).

The application site is located outside of any settlement boundary and is within the AONB.

#### 4. Planning History

S/2010/1044 Part conversion of an existing steel framed agricultural building into B1 offices. AC

S/2005/1313 Retrospective application for agricultural barn. AC

#### 5. The Proposal

This application proposes to convert around 70% of the existing barn building for a three bedroom dwelling house (169m<sup>2</sup>) and associated garden land. The occupation of the barn will be by the applicant and retained part of the agricultural barn and the remaining agricultural land will continue to be used for continued use by the applicant for seed research and development.

#### 6. Local Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20<sup>th</sup> January 2015:

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP27 (Spatial Strategy for the Tisbury Community Area)

CP41 (Sustainable construction and low carbon energy)

CP48 (Supporting Rural Life)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring high Quality Design and Place Shaping)

CP60 (Sustainable Transport)

CP61 (Transport and Development)

Saved policies of the Salisbury District Local Plan:

H28 (Housing in the countryside – agricultural and forestry workers temporary housing)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

National Planning Policy Guidance (NPPG)

#### 7. Publicity

**Parish Council** – *“Swallowcliffe Parish Council support this application which would allow continuation of the applicants wildlife seed interests and their outreach activities for the village and wider environmental community.*

*The property is already well screened from the adjacent road and the proposed dwelling would be integrated into the existing barn structure with little change in overall appearance.*

*We believe approving the change of use will be in our communities best interest.”*

**WC Highways** – *“No highway objection on the basis that this proposal is acceptable on agricultural grounds otherwise I recommend refusal on the grounds that the proposed development is outside any defined housing policy boundary and is contrary to local and national sustainable transport policy guidance.”*

## 8. Planning Considerations

### ***Principle of development***

This application has provided very little information as to the nature or financial success of the Applicant's rural business. As such the Council has no information as to the operations of the rural business on the application site or any information as to how the barn building (in question) did and still does serve a functional purpose for the rural business.

This application has commented that "*The applicant's main business has relocated to Burcombe thereby reducing the use and need for the barn. In 2010 Consent was granted to change the use of 50% of the barn from agricultural to B1 business use.*" Thus the Council is aware that the Applicant's main business has already relocated and that this mixed B1(a) and agricultural barn unit is of reduced use and need to the operation of the rural business. There is no supporting information to convince the Council that this barn building serves an essential element of the rural business. Without any other information to the contrary Officers have to conclude that the barn building is of surplus need to the function of the rural business and that the rural business is as viable with or without the barn building.

Officers recognise the support from the Parish Council and consider that there is an undercurrent of support from the Parish Council to ensure the continued employment use of the site which is assumed to enable the Applicant's to stay within the village. However Officers point out that if this application were to be approved then there is no mechanism for the Council to ensure that the Applicant's will stay in the village or any mechanism to ensure that the Applicant's will continue to maintain their outreach support to the community.

The application site is located in the AONB and as such the recent Government changes (Part Q) to the GPDO to allow for the conversion of the farm building to residential uses is not a possibility for this application site and as such no such fallback position is being considered as part of this planning application. As the B1(a) use has not been implemented, Part O of the GPDO cannot be considered as a fall back position to the application.

### ***Re-use of rural buildings***

Core Policy 48 of the Wiltshire Core Strategy is a principle policy used to assess this application. CP48 (Supporting Rural Life) includes the following policy criteria for the reuse of rural buildings:

#### ***Conversion and re-use of rural buildings***

*Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies the following criteria:*

- i. The building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building; and*
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and*
- iii. The building can be served by adequate access and infrastructure; and*
- iv. The site has reasonable access to local services or*
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding*

*Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.*

This application has not included any justification against the reuse of the building in line with the above criteria. There has been no marketing of the rural building for uses akin to the existing

agricultural uses or any marketing of any other of the cascading uses such as tourism, cultural or community before the end use of residential is proposed. There is no structural survey of the building to convince Officers that the building is capable of conversion without major rebuilding. The building is of modern construction and is not considered to be a heritage asset worthy of retention and the site is located away from local services.

It is considered that this application has not demonstrated any evidence to convince Officers that the above criteria i-v (*as taken from Core Policy 48*) is fully met and as such there is no justification yet for the reuse of the rural building for any other uses other than for an agricultural use.

### **Assessment of Need**

Notwithstanding the above assessment over the appropriate re-use of the building, Core Policy 48 also includes an element of consideration over the creation of rural workers dwelling as proposed within this application:

#### ***Dwellings required to meet the employment needs of rural areas***

*Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.*

The proposed residential use of the barn has not been supported by any functional and financial evidence. The Applicants live next to the application site in a dwelling known as The Field House and as such the barn building already has a connected residential unit. The creation of the barn building was granted in 2005 and the rural business was understood to be solely managed and operated from this unit. The 2005 application does not contain any S106 tie of the barn to the dwelling or any condition to tie the barn to the occupancy of The Field House. Thus Officers conclude that the original creation of the barn building was considered (at that time) to be a standalone enterprise without the functional need for an associated dwelling house.

Officers have no reason to suggest that the rural business now requires a residential dwelling to support its viability. Indeed as mentioned above, it appears that the business has largely relocated away from the application site and there is no need for the existing barn in the operations of the rural business. No argument has been presented with this application to argue for the functional need of the dwelling to support the rural business. This application has provided a personal statement which outlines the Applicant's reasoning for the application. The Applicant's have commented "*We are both nearing retirement and need to downsize but are passionate to continue with our work for the environment. We are proposing to develop our barn which is inside the 2.5 acre trial site for living accommodation. This would enable us to sell our Main Field House, finance the adaptation of the barn and wipe off the mortgage.*"

Officers understand that the Parish Council have supported this application with the aim to ensure that "*this application which would allow continuation of the applicants wildlife seed interests and their outreach activities for the village and wider environmental community.*" Whilst Officers accept (*by the virtue of the PC comments*) that the Applicants are a welcomed part of the community it is considered that such personal circumstances are not material planning considerations that would in any way override planning policy. The ability of ensure personal financial security through the sale of an asset is not a consideration that could be supported by local planning policy. Any approval of this application could as such set a dangerous precedent for similar such applications throughout the district.

### ***Other matters***

The Wiltshire Council Highways Officer has raised an objection to the application on the basis that the residential development would be outside of any defined settlement boundary and is contrary to local and national sustainable transport policy guidance.

The design of the dwelling is not considered to represent any demonstrable harm to the character of the AONB and the appearance of the converted barn is not judged to be too dissimilar to the design and scale of the existing agricultural barn building.

## **9. Conclusion**

This application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses or any alternative agricultural use.

The proposal, located remote from a range of services is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys.

## **RECOMMENDATION**

REFUSE

1. Core Policy 1 of the Wiltshire Core Strategy set out the 'Settlement Strategy' for the County, and identifies four tiers of settlement – Principle Settlements, Market Towns, Local Service Centres and Large and Small Villages. The application site is located outside of any settlement boundary and is identified as countryside. This application proposes to create a dwelling house within an agricultural barn which is associated with a rural business known as Bright Seeds. This application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses other than that of the existing agricultural use. The proposal is contrary to the Wiltshire Core Strategy, Core Strategy 48 and saved policy H28 as contained in Appendix D of the Wiltshire Core Strategy (Jan 2015).

2. The proposal, located remote from a range of services is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. The proposal is contrary to the Wiltshire Core Strategy, Core Policy 60 and Core Policy 61.