

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	29 th January 2020
Application Number	19/07988/FUL
Site Address	Barn at Sydney Farm, Bath Road, Colerne
Proposal	Conversion of Barn to Dwelling and Associated Works
Applicant	Mr Payne
Town/Parish Council	CALNE
Electoral Division	Box and Colerne
Grid Ref	
Type of application	Full Planning
Case Officer	Victoria Davis

Reason for the application being considered by Committee

1. Purpose of Report

Cllr Brian Mathew has requested the proposal be put before committee to consider the proposal in the context of another proposal for a barn in the area.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development
- Appropriateness of development in Green Belt and harm to the openness
- Impact on rural landscape and AONB
- Residential Amenity
- Highways Safety
- Ecology

Colerne Parish Council support the proposed development.

No representations or objections have been received.

3. Site Description

The site falls within open countryside to the west of Colerne is accessed from Bath Road to the north. The area is categorised by its largely open rural character although the barn is part of small pocket of development comprising of four dwellings and another agricultural building. The predominant use of the surrounding land is agricultural. The site currently comprises of a precast concrete framed agricultural building and partly gravelled yard area.

Critically, the application site is located within the Cotswolds Area of Outstanding Natural Beauty and the Western Wiltshire Green Belt.

4. The Proposal

This application seeks permission for the conversion of existing, currently unused, agricultural building to provide a dwelling and associated car parking and landscaping.

The proposed dwelling would include four bedrooms (three with en-suite), a family bathroom, an open plan kitchen/dining/living room, study, utility room and shower room. The planning statement suggest the proposal would utilise the existing precast concrete framed barn. The plans indicate a standing seam roof in a zinc colour, and external walls finished in a combination of metal and timber cladding. Aluminium fenestration is proposed.

The site would be accessed via the existing access track off Bath Road and three car parking spaces are proposed to the north east of the dwelling within an existing yard area.

5. Local Planning Policy

Wiltshire Core Strategy 2015 (WCS)

Core Policy 1	Settlement Strategy
Core Policy 2	Delivery Strategy
Core Policy 11	Corsham Community Area
Core Policy 48	Supporting Rural Life
Core Policy 51	Landscape
Core Policy 57	Ensuring High Quality Design and Place Shaping
Core Policy 60	Sustainable Transport
Core Policy 61	Transport and Development
Core Policy 64	Demand Management

North Wiltshire Local Plan 2011 (NWLP)

Saved Policy H4

6. National Planning Policy

National Planning Policy Framework 2019 (NPPF)

Section 5	Delivering a sufficient supply of homes
Section 9	Promoting sustainable transport
Section 11	Making effective use of land
Section 12	Achieving well-designed places
Section 13	Protecting Green belt land

7. Summary of consultation responses

Colerne Parish Council: Support

Highway Officer: No objection

Ecologist: No objection

8. Publicity

The application was advertised by site notice and neighbour letter. No representations have been received.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development

Core Policies 1, 2 and 11 of the Wiltshire Core Strategy (WCS) set out a hierarchical approach which aims to deliver housing in areas with adequate access to services, facilities and employment opportunities to reduce the need to travel by private car.

Colerne is classified as a Large Village within the settlement strategy. However, the application site is approximately 0.5km outside of the settlement boundary. As such, planning policy defines the site as being open countryside where there is a presumption against new residential development.

Saved Policy H4 of the North Wiltshire Local Plan 2011 states that new dwellings in the countryside outside of any defined framework boundary will only be permitted provided that they are in connection with the essential needs of agriculture or forestry or other rural based enterprise. The policy is also supportive of replacement dwellings subject to a number of criteria including that the residential use has not been abandoned and where the replacement dwelling of a similar size and scale to the existing dwelling. The proposal does not comply with this policy.

Core Policies 60 and 61 of the WCS require new development to be located at accessible locations and be designed to reduce the need to travel particularly by private car. These policies should be read in parallel with Core Policies 1 and 2 which seek to promote new development at the most sustainable locations. The application site is located in open countryside, outside of any identified settlement, and is, therefore, not considered to be in a sustainable location.

Paragraph 4.25 to the WCS identifies a number of “exception policies” within the Strategy which seek to respond to local circumstances and national policies. These relate to employment land, military establishments, tourism, affordable housing, specialist accommodation and development to support rural life.

Core Policy 48 is one of the exception policies identified in para 4.25 of the WCS. Core Policy 48 is permissive of principle of the conversion and reuse of buildings. The final acceptability of a proposal for a conversion must, however, be assessed against number of criteria.

Core Policy 48 – Conversion and re-use of rural buildings

Considering the ‘conversion criteria’ in turn:

- i) *The building is structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building*

The barn is a concrete portal frame building with sections of half height block walls. The elevations otherwise comprise of fibre cement cladding and corrugated metal sheet. The roof covering is stated to be cement fibre sheeting.

A report on the structural condition of the barn is supplied with the application. The introduction to this report explains that there has been no inspection of elements of the structure which are covered, unexposed or inaccessible and makes particular reference to the foundations not being seen or inspected. The report makes the following observations based on a visual inspection of the building;

- From visual inspection, the existing structure is capable of retention and conversion to a habitable building.
- Intermediate supports for the new first floor could be built off the present foundations to the concrete block walls
- Limestone ground is likely to have good bearing capacity.
- No trial holes have been dug and the actual foundations have not been seen. However, the nature of the ground suggests they would be capable of sustaining modest loads or they could be easily adapted and strengthened.
- The main roof support structure is substantial and appears capable of supporting reasonable additional loads. Some bracing can be easily introduced.
- Existing concrete floor will need to be upgraded to meet Building Regulations but work should not undercut or destabilise any foundations.

The building appears structurally sound for its current use however structural soundness for the *existing* use is irrelevant to the policy and it should be demonstrated that the building is sound for the *proposed* conversion to the new use.

On this critical matter, the submitted structural report is inconclusive and is merely based on a visual inspection of the building. Furthermore, it suggests various elements of structural intervention in the form of strengthening and bracing may be required. The report suggests the structure is capable of being retained and converted but specifically states that the foundations have not been seen. Neither does the submission provide information to demonstrate how the conversion would be achieved and there is no evidence that structural calculations have been carried out in consideration of the building works that would be involved.

In broad terms, it is clear from the submission that very little fabric of the existing building would be retained and that, in order to function as a dwelling, the building would require four

new external walls, a new roof and an upgraded floor slab (walls, roof and floor slab being the fundamental elements of a building). According to the survey report, the existing structure and foundations could be used, however, they may require strengthening and bracing to support additional loads associated with the conversion. When considering all of the above, it can only be concluded that the extent of works required to render the building capable of functioning as a dwelling goes beyond what could be reasonably considered as a conversion. Accordingly, the proposed development amounts to a new build dwelling which is beyond the scope of CP48. The development is considered to be in conflict with criterion (i) - Core Policy 48.

Paragraph 79 of the NPPF notes that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances which includes, amongst other criteria, 'the development would re-use redundant or disused buildings and enhance its immediate setting'. It is considered that due to the significant amount of work proposed to make this building habitable as a residential property, the proposed development would be regarded as a re-build rather than a re-use resulting in an unsustainable development within the rural area.

The planning statement makes reference to a converted barn development nearby at Ranch House Farm (16/02385/FUL refers) noting that the barns are of similar design and construction. However, in reality, the barns are not comparable, and any such comparison is meaningless and does not assist in determination of this application. On reviewing the proposal at Ranch Farm it is evident that there were parts of the building of much more substantial construction, a factor that appears to have been fundamental to the acceptability of that proposal.

Regardless of the above, the application must be determined on its own merits and any attempts to leverage other decisions elsewhere, on different sites, cannot be regarded as a significant material planning consideration. In this case, and based on the content of the application, the proposal is considered to be contrary to the requirements of Core Policy 48 as it does not amount to a conversion or reuse of an existing building that is adequately substantial for the intended residential use.

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.

The proposed dwelling would be visible in the landscape, particularly western edge. However as there is already an existing structure in this location and the proposed dwelling appears to be formed largely within the envelope of the existing barn it is not considered that the overall visual impact would be harmful. The proposed external materials are of a high quality and the overall design approach is contemporary and reflective of the industrial nature of the existing barn. The proposed dwelling would be set against a backdrop of four existing dwellings and would be partially screened from the south east by an existing stable building. The proposed landscaping scheme is sensitive to the rural setting, the details of which could be controlled by conditions.

The development is located an adequate distance away from nearby residential uses to ensure it would not detrimentally impact upon their amenity through a of loss of privacy, loss of light, noise and disturbance or overbearing impact. This is discussed in more detail below.

iii. The building can be served by adequate access and infrastructure.

Access to the site is proposed via an existing agricultural access off the main road. No objections have been received from Council's Highways Officer with regard to access or highway safety in general. In addition, parking standards are in accordance with adopted minimum standards.

The application form indicates that surface water will be dealt with by a soakaway and foul water by sewage treatment plant. The dwelling location and curtilage appears adequate to service these systems. Technical details relating to sizing and position of these systems would be considered through the building regulations process. There are no significant additional hardstanding areas that would pose any additional on or off-site flood risk.

iv. The site has reasonable access to local services.

The site is located a short distance away from the Large Village of Colerne, which runs regular bus services to Bath. The site is also well connected via the main highway network to other settlements which public transport options to wider destinations. The site is therefore considered to have reasonable access to a wide range of local services should the proposal relate to the conversion or reuse of an existing building.

v. The conversion or re-use of a heritage asset would lead to its long term safeguarding.

It is not considered that the agricultural building is a heritage asset.

Core Policy 48 indicates that residential development should only be considered after potential employment, tourism, cultural and community uses have been explored. Given the location of the application site, realistically, it is not considered that employment or cultural uses would be more appropriate or sustainable options. In respect of the tourism use, whilst this is not necessarily considered incompatible with the site, given the lack of surrounding infrastructure and nearby attractions, a tourism use would not be insisted upon.

Appropriateness of development in Green Belt and harm to the openness

The application site is located within the Western Wiltshire Green Belt. Paragraph 145 to the NPPF confirms that when considering planning applications, Local Planning Authorities should give substantial weight to any harm caused to the Green Belt.

The NPPF indicates that essential characteristics of Green Belt land are their openness and permanence and that Local Planning Authorities should regard the construction of new buildings within the Green Belt as inappropriate. Paragraph 143 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 146 of the NPPF outlines certain forms of development which are not regarded as inappropriate within the Green Belt and includes *'the re-use of buildings provided that the buildings are of permanent and substantial construction.'* Replacement buildings are only not inappropriate where the replacement building is in the same use and not materially larger than the one it replaces.

As is discussed in the sections above, it is not considered that the building is of permanent and substantial construction. Nor is the proposal for a replacement building in the same use. The development itself amounts to the erection of a new building in the Green Belt which is inappropriate development. In accordance with Paragraph 145 to the NPPF, this causes harm to the Green Belt which should be given substantial weight. Harmful development should not be approved except in very special circumstances. No special circumstances have been advanced in support of this application.

Notwithstanding the above, the effect on openness as a result of the proposed physical changes in built form and related development across the site has also be considered. It is clear that that proposed development would result in a new building taking the form and proportions of the existing barn. It also proposes the creation of a sizable residential curtilage with associated car parking, boundary treatments and other domestic paraphernalia. This does, however, appear to be well contained to an already clearly defined yard area associated with the existing barn. The plans indicate post and rail fencing and native hedgerow to demarcate the boundary at its most exposed western edge. Subject to appropriate landscaping conditions it is likely that any further harm to the Green Belt, as an effect on the openness, would be limited.

In summary, whilst the harm to the openness as a result of the physical changes across the site may be limited, the proposal does not relate to a replacement building in the same use or the reuse of a building of permanent and substantial construction. The proposal amounts to the erection of the new building which, in accordance with para 145 of the NPPF, is inappropriate development. In accordance with paragraph 143 of the NPPF inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. None are advanced in support of the proposal.

Area of Outstanding NatB

As is set out above, the proposal involved the creation of a dwelling which adopts the exiting built form proportions of the existing agricultural building. The choice of materials, specifically steel and timber cladding and aluminium fenestration is a contemporary approach which appropriately reflects the agricultural and industrial character of the existing barn. The larger areas of glazing to the southern elevation are provided at ground floor level with the upper floor openings being limited to conservation style rooflights.

Whilst the change to a residential use would bring with it a change in the character to a domestic garden with the associated paraphernalia, this is considered to be adequately contained within the existing yard area with no unnecessary encroachment into the open countryside. The proposed boundary treatments – post and rail fencing in combination with native hedgerow is a sensitive way to demarcate the new plot whilst forming a secure boundary. Based on the proposed pans, and subject to appropriate landscaping conditions specifically relating to boundary and surface treatments, it is unlikely that the outward appearance of the site would be altered to any significant degree. Accordingly, wider landscape views would be unharmed. When taking into account all of the above, it is considered that the natural beauty of the surrounding landscape, and particularly the Cotswold AONB, would be preserved.

Residential Amenity

The closest neighbour to the site is Watersnaps, which is located approximately 15m to the north east of the proposed dwelling. The first-floor bedroom windows would have views towards this property however they are not directly opposing the elevations of the neighbouring property and so are at an oblique angle. With a separation distance of approximately 17m between the elevations it is not considered that the development would create an unacceptable arrangement in terms of ensuring adequate levels of privacy are maintained. As the dwelling would be formed largely within the existing envelope of the barn with no significant extension beyond the original proportions, there are not concerns in relation to overbearing development, overshadowing or loss of light. The proposed parking and turning area is immediately to the front of this neighbour, however, the vehicle movements associated with the proposed residential use for one dwelling are unlikely to cause any additional disturbance than could be expected from a continuing agricultural use of the yard and building. The other residential properties are sufficiently distanced from the application site so that acceptable levels of separation and privacy can be maintained.

Highways safety & access

The application seeks permission to convert an existing barn to a dwelling with associated works at Sydney Farm. Bath Road is an unclassified section of public highway subject to a speed limit of 60mph in the vicinity of the site.

The Highways Officer identifies that the proposal would lead to a separate dwelling outside of identified development boundaries, the proposal would attract an adverse highway recommendation on sustainability grounds as has been discussed above.

In terms of direct highways impact the officer explains that the existing point of access, including visibility and space for turning on site is sufficient. It is also confirmed that the proposed parking provision meets the councils parking standards. Subject to a condition requiring the first 5m of the access to be consolidated and for any gates to be set back 5m and at least 5m wide, no objection is raised.

Public Right of Way COLE10 (bridleway) runs parallel with the southern boundary of the site. According to the site layout plan provided, access along this bridleway would be unaffected by the proposal.

Ecology

The Council's Ecologist has reviewed the submitted ecology assessment, prepared by Malford Ecology. They are satisfied that there appears to be no impact on ecology as a result of the application and there is no reason to diverge for their conclusions.

10. Conclusion

The application fails to demonstrate that the proposal for a dwelling meets the conversion criteria of Core Policy 48 in that the submitted evidence does not demonstrate that the

building is of a sufficient structural standard capable of conversion or reuse for the proposed residential purpose. The extent of works required to render the building capable of functioning as a dwelling goes beyond what could be reasonably considered as a conversion.

The proposed development amounts to a new build dwelling in open countryside which is contrary to Core Policies 1, 2 11, 48 and 61 of the Wiltshire Core Strategy. The development is also a new building in the Green Belt which is inappropriate development, contrary to Section 13 of the NPPF.

As such, the development is would be contrary to the development plan and, with there being no circumstances to warrant otherwise, the application is recommended for refusal.

RECOMMENDATION

That Planning Permission is REFUSED for the following reasons;

1. The application fails to demonstrate that the proposal for a dwelling on the site meets the 'conversion criteria' of Core Policy 48 of the Wiltshire Core Strategy. The extent of works required to render the building capable of functioning as a dwelling goes beyond what could be reasonably considered as a conversion. As such the proposal amounts to a to a new dwelling in an unsustainable location in the open countryside, outside of any limits of development as defined by the Wiltshire Core Strategy. Accordingly, the proposal is considered to be contrary to the provisions and requirements of CP1, CP2 and CP48 of the Wiltshire Core Strategy and saved policy H4 of the North Wiltshire Local Plan 2011 as well as relevant sections of the NPPF including paragraph 79.
2. The proposed new dwelling is inappropriate development within the Green Belt which is, by definition, harmful. The application fails to demonstrate that there are any material considerations or very special circumstances that exist to outweigh this harm and overcome the presumption against such development. The proposal is contrary to Section 13, paragraphs 143, 144, 145 & 146 of the National Planning Policy Framework.