

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	23 November 2011		
Application Number	N/11/01348/FUL and N/11/01349/LBC		
Site Address	Cherry Orchard Barn, (Lyppiatt Barn), Cherry Orchard Lane, Luckington, Wiltshire SN14 6NZ		
Proposal	Proposed Barn Conversion to Include Extensions and Alterations		
Applicant	The Trustees of The Somerset Trust		
Town/Parish Council	Luckington		
Electoral Division	Sherston	Unitary Member	Councillor John Thomson
Grid Ref	382729 184118		
Type of application	Full		
Case Officer	Christine Moorfield	01249 706 686	Christine.moorfield@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been called to committee by Councillor John Thomson. The issues to be considered are the design, bulk, height and general appearance of the proposal.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

The original submitted scheme was for alterations to planning permission and listed building consent that was granted in 2005. The alterations were considered by your officers and under the council's scheme of delegation a recommendation of approval was made subject to the signing of a 106 agreement requiring a public open space contribution, in accordance with policy CF3 of the North Wiltshire Local Plan 2011.

Whilst the 106 agreement was being drafted the applicant asked that the council accept amended plans which indicated the roof of part of the barn being raised in order to improve the door heights within the scheme and also to address the issue of possible flooding due to low floor levels.

The applicant was advised that dismantling the roof and reconstructing it would be significant alterations and would be classed as demolition, and as such the council would be required to consult with the numerous amenity bodies which had not been consulted previously.

The applicant was also advised by officers that this amendment to the original scheme would be unlikely to be considered acceptable. However the applicant has requested that this element of the scheme be included within the application.

2. Main Issues

- Principle of the conversion of the barn to residential
- Impact on the Listed building
- Impact on amenity
- Access and parking

- Wildlife
- Public open space

3. Site Description

The barn which is grade II listed and is within the AONB. The site is relatively isolated in a rural location.

4. Relevant Planning History

Previous consent for conversion of this barn was approved 04.00081COU and 04.00080LBC. However, the previous application included a stable block which was approved as part of the previous scheme. A 106 agreement required this block to remain as part of the same site/same ownership i.e. ancillary use not a separate dwelling. This application does not include an out building barn within the site boundary.

5. Proposal

This is a traditional stone barn. The proposal is for the conversion of the barn to a residential unit. The scheme includes alterations to the interior layout of the barn as approved in 2005. These alterations have a minor impact on the external appearance of the barn as previously approved. The application now also includes the raising of the roof of the long low element of the barn by 370mm.

The scheme also includes the provision of photo voltaic panels adjacent to the barn and a small green house structure next to the garage which is refurbished. The old post and corrugated dutch barn is to be removed.

6. Consultations

Luckington Parish Council- No objection to the original scheme.

Environment Agency – Informatives and notes to agent should be attached to any permission (letter 10.5.2011)

Council Ecologist – Bats - Full report should include precautionary measures which should be adhered to.

Owl report- Following discussions with the council's ecologist no concerns in respect of owls.

Highways- No objection- subject to condition re provision of turning head and consolidated access.

Public Open Space - a contribution of £5,800 is required towards provision of Public Open Space

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

No letters of objection or support have been received.

Further consultation was carried out, following the inclusion of the “roof raising” element. Consultees have until the 22/11/2011 to comment.

Comments received as a result of this consultation will be reported to Committee in the additional information.

8. Planning Considerations

Principle of the conversion of the barn to residential

The principle of this conversion was established in 2004 when permission was granted for the conversion of this barn into a residential unit. The scheme now being considered does not include the stable block which was previously part of the application.

The original scheme submitted proposed some internal alterations to the interior of the building. These alterations had a limited effect on the external appearance of the building.

Since the approval in 2004 the local plan has changed but the principle of such a conversion is still considered acceptable subject to the criteria stipulated in policy HE4 and BD6.

Impact on the Listed building

The submitted scheme was considered by the Conservation Officer. Subsequent amendments to the original scheme were negotiated with the applicant. The following matters of detail were agreed:

Doors and Windows-

- All doors and windows must be set back by at least 300mm.
- The windows to bedrooms 1 and 2 are larger than those approved, therefore the windows were reduced.
- Concerns were expressed in relation to the glazing doors and panels and it was considered that a more consistent approach would be more appropriate. However the agent stated that the pattern as shown has been carefully designed in order to achieve the necessary u values and the Swedish Standards have been applied and this was accepted.
- Vents 1 and 2 at second floor level were initially considered unnecessary but the agent confirmed the vents are required in order to attain ventilation standards. These are therefore considered acceptable.
- The roof vent to the wing was considered unsightly but the applicant confirmed that the roof vents are required by Building Regulations but to limit impact a matt grey finish would be applied. This is considered acceptable.
- The plans did not show where the rain water goods will be located. The rainwater goods should be cast metal. The applicant has agreed to this.
- The roof should remain as double roman not slate as shown. This has been agreed by the applicant.
- Details of proposed photovoltaic panels have now been submitted and are not considered to impact on the listed building. Indeed, on balance the 'green', benefits are seen to outweigh the minimal visual impact the panels will have. The max. height is 1600mm so even if set almost upright, the units will not be very tall and are, therefore, considered acceptable.

The small greenhouse as shown is considered acceptable and will not detract from the setting of the listed building.

The detailing is acceptable and on balance it is considered that all the works, except for the raising of the roof, are appropriate and should serve to preserve the character of this Listed Building. The proposed works are acceptable in terms of impact on listed building and therefore comply with policy HE4.

The one element of the proposed alteration that is not considered acceptable to officers is the proposed raising of the roof of the long low section of barn by 370mm. It is proposed that the wall plate and pillars will be raised in order to fill the 370mm gap. The applicant has specified that these works will all be carried out in appropriate matching materials to ensure that visually the detailing is acceptable. Unfortunately your officers cannot see the necessity for this roof raising and do not consider such an alteration can be carried out without fundamentally altering the character and integrity of this listed building. It is this one element that is considered unacceptable and therefore warrants refusal of this application.

Policy BD6 requires conversions to be contained within the building, extensive alterations, rebuilding or extensions not being acceptable.

Impact on amenity

The barn is on a relatively isolated site within this rural location. There are no nearby neighbours to be affected by the proposed conversion. The only element of the scheme which is considered to detract from the visual amenity of this AONB is the impact that the raised roof will have on the overall appearance of the barn and therefore the character and appearance of the area.

Access and parking

No objection to this proposal have been raised subject to conditions in relation to the provision and retention of a suitable access parking and turning facilities. Such matters can be conditioned if permission were to be granted.

Wildlife

With regard to bats the council's ecologist requested that a full report should include precautionary measures which should be adhered to. Views in relation to the amended scheme will be reported in the additional information.

Following discussions with the council's ecologist no concerns in respect of owls have been raised but as with bats any concerns as a result of the amendments will be reported to Committee as additional information.

9. Conclusion

The initial scheme as submitted was considered acceptable and had been agreed in principle, subject to the signing of a 106 agreement by your officers. Under the council's scheme of delegation the proposal was to be approved subject to the conditions set out below and following the signing of the 106 agreement in respect of public open space contributions.

However the raising of the roof, all be it in its entirety, is not considered to be acceptable or justifiable and is considered to be detrimental to policies HE4 and BD6 of the adopted North Wiltshire Local Plan 2011. The extent of work required would erode the character of this listed barn to an extent which is not considered acceptable and is contrary to both local and government advice and policy.

Subject to no other additional issues being received prior to the committee meeting refusal is recommended for the following reason:

Planning Permission be REFUSED for the following reason:

1. The proposed raising of the barn roof would have an unacceptable detrimental impact on the integrity and character of this barn and would detract from the visual amenity of the locality thereby being contrary to policies HE4, BD6 and NE4 of the North Wiltshire Local Plan 2011.

Informative:

1. This decision relates to documents/plans submitted with the application, listed below.

3557/09b/08a/01d/04b/03b, 3557/50k/51m/52m,
3557/10/156d/159d/151c/150a/152c/154a/153a/155a all dated 25th October 2011

3557/55 received 1/11/2011, bat survey and owl survey dated 14.04.2011, solar panels details dated 24.06.2011.

Listed Building Consent be REFUSED for the following reason:

1. The proposed raising of the barn roof would have an unacceptable detrimental impact on the integrity and character of this barn and would detract from the visual amenity of the locality thereby being contrary to the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS5 'Planning for the Historic Environment'.

Informative:

1. This decision relates to documents/plans submitted with the application, listed below.

3557/09b/08a/01d/04b/03b, 3557/50k/51m/52m,
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