

Application Number: 12/00858/FUL
Other

Change of use from agricultural barn to dwelling

**AT Barn In The Shoulder of Mutton Field, Gun Lane, Sherington
FOR Mr Bernard Soul**

Target: 21st June 2012

Ward: Sherington

Parish: Sherington Parish Council

Report Author/Case Officer: Richard Sakyi

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site is located to the North of the village along Gun Lane, a partly residential road that intersects the High Street. The existing building occupies a plot with outlooks to open fields and is elevated from the road by approximately 300 - 500mm. To the South of the site some 28 metres away lays an existing dwelling (Coney Grey). The existing barn on the site is derelict and appears not to have been used for several years. The site is outside the settlement limits of the village of Sherington as identified in the Proposals Map of the Milton Keynes Local Plan 2001 – 2011.

Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

Permission is sought for change of use/conversion from agricultural barn to a one dwelling. The barn appears to be a late 19th century simple agricultural building that has some component timbers that have been reused. It is timber framed, with a half-hipped roof. It has 3 open bays, and is open to the roof structure. The barn is very small and measures 4.5m wide x 8.47m long constructed mainly of timber with tin roof. The proposed conversion would create a living, kitchen/dining on the ground floor and bedroom and bathroom on the first floor.

- 1.3 The applicant has indicated that the barn requires restoration but has been inspected by an independent Consulting Structural Engineer who has confirmed its condition and suitability for conversion. The site has been marketed for sale and rent specifically for commercial applications but due to the locality it has received no genuine interest.

Details of the proposal as described above can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework paragraph 55 and 135

2.2 Local Policy

Core Strategy

CS12 – Developing Successful Neighbourhoods

CS13 – Ensuring High Quality, Well designed Places

Adopted Milton Keynes Local Plan 2001-2011

Milton Keynes, Local Plan

D1 - Impact of Development Proposals on Locality

D2 - Design of Buildings

S10 - Open Countryside

HE1 - Protection of Archaeological Sites

E5 - Re-use of rural buildings

Supplementary Planning Guidance

None

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

- 3.1 Impact on the character and appearance of the existing building and area, highway safety and parking.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

- 4.1 It is recommended that planning permission be granted subject to the conditions set out at the end of this report.

5.0 CONSIDERATIONS

(An explanation of the main issues that have lead to the officer Recommendation)

5.1 Impact on the building and the character and appearance of the area

While policy S10 of the Local Plan generally has a strong presumption against development in the open countryside, Policy E5 of the Adopted Local Plan does allow for the conversion of redundant buildings for small scale commercial activities. In this particular case, the building has some historic and architectural interest and its retention is desirable, not only for its own sake, but also in terms of providing a variety and a small accommodation of this type in the area. It is further considered that the re-use of the building for residential purposes rather than commercial use would be the most acceptable use in the circumstances of this site taking into consideration the sensitive nature of the site and the transport access. Conversions of this sort have been permitted by the council in similar circumstances elsewhere.

5.2 The proposed alterations would result in the insertion of number of openings on the building to facilitate the residential use. To ensure harmony with appearance and to retain the character of the existing building all new windows and doors would have to be of design and materials complementing those of the existing and kept to a minimum. The conversion would enhance the appearance of the building and the re-roofing of the building in clay plain tiles would also enhance its visual appearance. Although the building is largely hidden by trees and vegetation it would be ideal that these are retained to minimise public view of the building, but were they to be removed would open up views in and out of the site altering the character of the area. Therefore, any permission should include a condition regarding landscaping and boundary treatment of the site.

5.3 **Policy Considerations (Non-designated Heritage Asset)**

The barn appears to be a late 18th- early 19th century simple agricultural building, that has some component timbers that have been reused. It is timber framed, with a half-hipped roof, 3 open bays, and is open to the roof structure. It is of historic interest, and is considered to be a non-designated heritage asset, in accordance with the NPPF.

5.4 Paragraph 55 of the NPPF encourages the promotion of sustainable development in rural areas and requires housing to be located where it will enhance or maintain the vitality of rural communities. It advises local planning authorities to 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 such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or

5.5 Paragraph 135 of the NPPF states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.6 The conservation officer has raised an objection in respect of the proposed fenestrations of the barn and has indicated that the proposed alterations required achieving residential conversion all points to the fact that this use is not appropriate for this building. Further discussions have taken place with the applicant to address the proposed elevational treatments to ensure these are sympathetic to the simple agricultural character of the building. The applicant has agreed to revise the scheme as advised. An update of this will be reported at the meeting.

Furthermore, the proposed lining of the interior of the barn would result in the loss of the currently visible and extensive timber framing that contributes to the character of the building, so covering it in the way proposed thus fails to preserve this character. The applicant has acknowledged this and indicated that due to the size of the barn it will be virtually impossible to have all the accommodation required on the ground floor and within the existing footprint of the building.

5.7 With regard to the above, it is reasonable for the Council as a Local Planning Authority to take a balance view in respect of the current situation of the barn and the likely outcome if it is not brought back into use as indicated at paragraph 55 of the NPPF. It is also acceptable to take a balance view in respect of commercial use for the building taking into account the location and whether this is sustainable. It is considered that any harm from the proposed use is significantly outweighed by the benefit of bringing the building (non-designated heritage asset) into use. The harm identified in respect of this proposal is elaborated at paragraph A3.7 below. Although there are issues with the proposed fenestrations this can be conditioned as in the report.

5.8 The highway officer has indicated that the commercial use of the building is not acceptable due to the location of the site and the fact there is no footway access from the village to the site. The supporting information from Aitchison Rafferty also shows that the commercial use of the property is not attractive and that there has been no interest at all resulting from the marketing for a period of more than eight months.

5.9 **Traffic and parking**

A new access is proposed to serve the development off Gun Lane to the south of the site. This will require the removal of some vegetation and hedge/shrubbery along the highway frontage of the site. Two car parking spaces and turning area within the site would be provided to enable vehicles to exit the site in a forward gear. The highway officer is satisfied with the submitted visibility splays at the access, the parking provision and has raised no highway issues in respect of the proposed development.

5.10 **Other matters**

The Parish Council has indicated that there is no objection to the development however would like the imposition of a condition to have all permitted development rights (PD rights) removed if permission is granted.

Circular 11/95: Use of conditions in planning permission stress that conditions should only be imposed where they are necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. Attention is particularly drawn to paragraphs 15-17 which advise that in considering whether a condition is necessary authorities should ask themselves whether planning permission would have to be refused if the requirements of that condition were not imposed.

In this instance, it is considered that this request is reasonable and a

condition in this respect would comply with this aspect. It is felt that it is necessary in this circumstance although the proposal would not impact on the openness of the area nor will it impact on residential amenities of neighbouring properties however any alterations would impact on the non-designated heritage asset which is the main reason for recommending granting permission for this proposal.

5.11 **Conclusion**

The current proposal offers an environmental gain by enhancing and making an appropriate use of this potentially attractive and small vacant traditional farm building at the site, and providing small unit of residential accommodation. The proposed development would represent the optimal viable use of a heritage asset and secure the future of this building and lead to an enhancement to the immediate setting in accord with paragraph 55 of the NPPF. The use would not adversely affect either the appearance of this building or the residential amenities of the occupiers of nearby property. It is further considered that in highway safety terms the traffic generation associated with a residential use would be acceptable and less detrimental than a possible re-use of the buildings for commercial purposes. In addition no local objections have been received. The proposal is therefore considered acceptable.

6.0 **CONDITIONS**

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. Details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, shall be submitted to and approved by the Local Planning Authority before any work commences. The development shall be carried out in accordance with the approved levels. (G03)

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access, the appearance of the development and the amenities of neighbouring properties.

3. No overhead lines, wires or cables, whether for the purpose of telephones, electricity, wired television or any other purpose shall be erected on, over or across any part of the application site. (G04)

Reason: To protect the amenities of the locality.

4. Details of the proposed boundary treatment of the site (including the type and height of any walls or fences) shall be first submitted to and approved by the Local Planning Authority and the boundaries of the site shall be enclosed in accordance with the approved details before the . The approved fence, hedge or wall shall subsequently be retained to the satisfaction of the Local Planning Authority. (G05)

Reason: To protect the amenities of the locality and safeguard the privacy of neighbour.

5. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and drains. All planting in accordance with the scheme shall be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority. (L01)

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

6. The scheme for parking and turning indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: to enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

7. No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved plan and constructed in accordance with Milton Keynes Council's guide note 'Residential Vehicle Crossing Details'.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

8. Prior to any works commencing on the site, the applicant will employ a competent archaeologist, surveyor or architect to record the building to a scheme agreed in writing with the Council's Archaeological Officer. The record will comprise a report with plans, elevations and sections of the building at a scale of 1:50 drawn to the standards set by English Heritage (2006). This will be accompanied by a written description of the building and its development, together with a photographic record of the interior and exterior. All photographs will be dated and annotated. Two copies of building recording report will be deposited with Milton Keynes Sites and Monuments Record prior to building works or demolition commencing, and within three months of the recording survey being completed. An additional copy of the report will be forwarded to the National Monuments Record.

Reason: To ensure that affected heritage assets are adequately recorded pursuant to paragraph 141 of the National Planning Policy Framework
Advisory: A Brief for this work can be provided to the applicant by the Archaeological Officer.

9. No work shall commence on the barn until the chicks of the blackbird nesting in the roof have fledged and flown from the nest. If work has not commenced by March 2013, a further visual inspection shall be undertaken for nesting birds and the results submitted to the Local Planning Authority for approval in writing prior to commencement.

Reason: In order to meet the requirements of the Wildlife and Countryside Act 1981.

10. Prior to any development taking place, the developer shall carry out an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site. The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before construction works commence.

(1) Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

(2) Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised.

11. During the construction and in particular prior to the removal of vegetation and any part of the roof, the whole building shall be supported in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: To ensure that works of conversion do not compromise any structural integrity of the existing building.

12. Where the reconstruction / renewal of external walls is permitted (by virtue of condition(s) attached to this consent), the materials shall precisely match those on the existing building, unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the external appearance of the building is acceptable.

13. The change of use and associated building operations hereby approved shall

be carried out in strict accordance with the structural report / methodology statement submitted with the application.

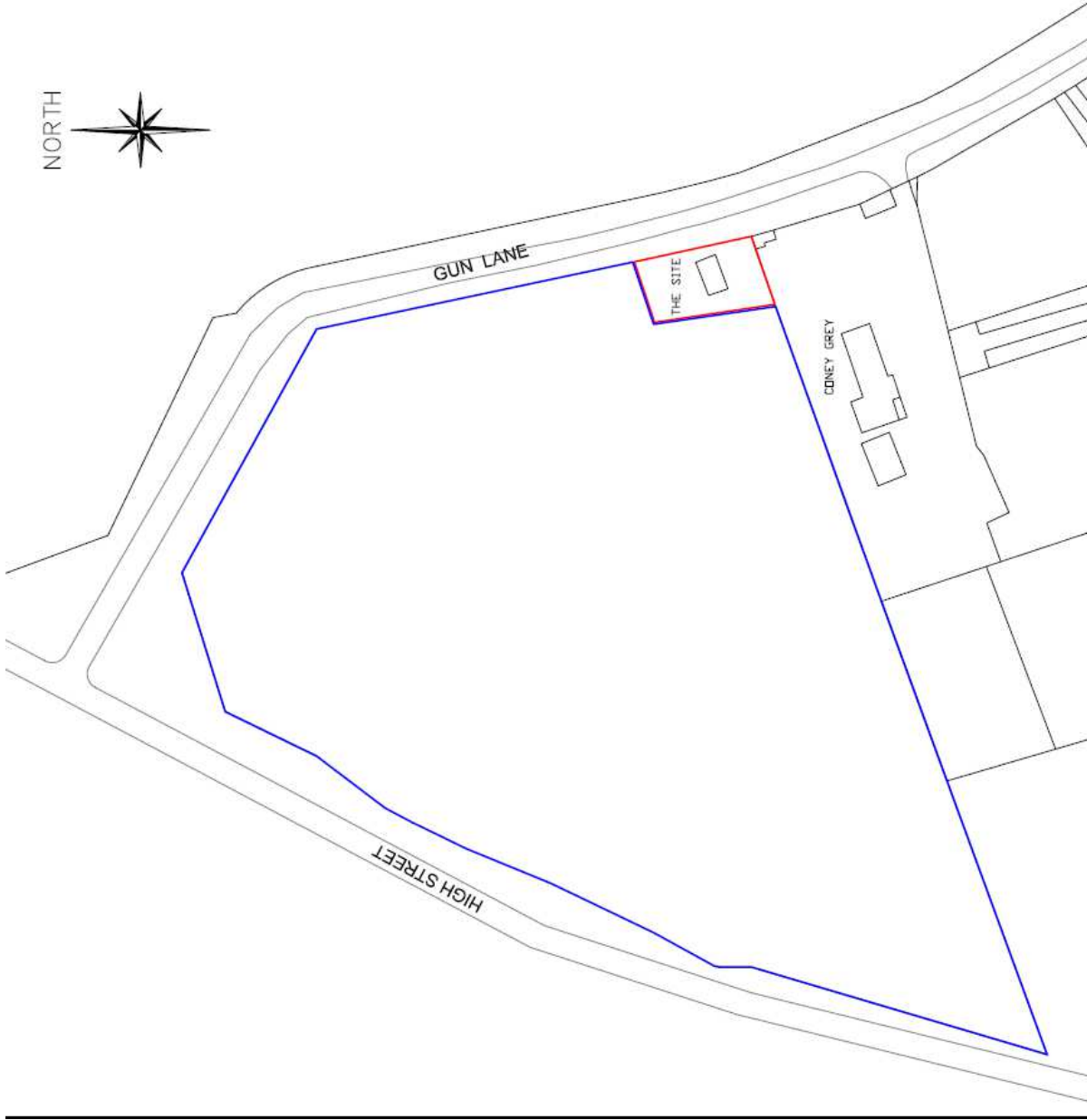
Reason: To ensure that works of conversion do not compromise the structural integrity of the existing building.

14. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 as amended (or any Order revoking and re-enacting that Order) in respect of the dwelling hereby permitted no development as specified in Classes A - F (development within the curtilage of the dwelling), shall be carried out unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over future extensions in view of the form and density of the development proposed.

15. Notwithstanding the details on the submitted plans, full details of redesigned narrow fenestration to the building shall be submitted unless otherwise agreed in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved plans.

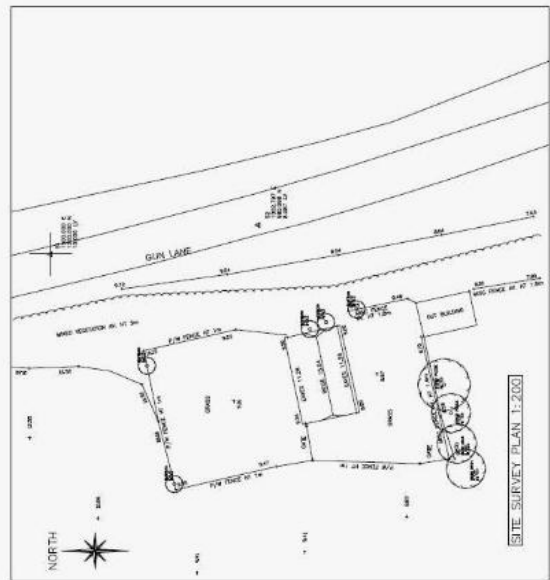
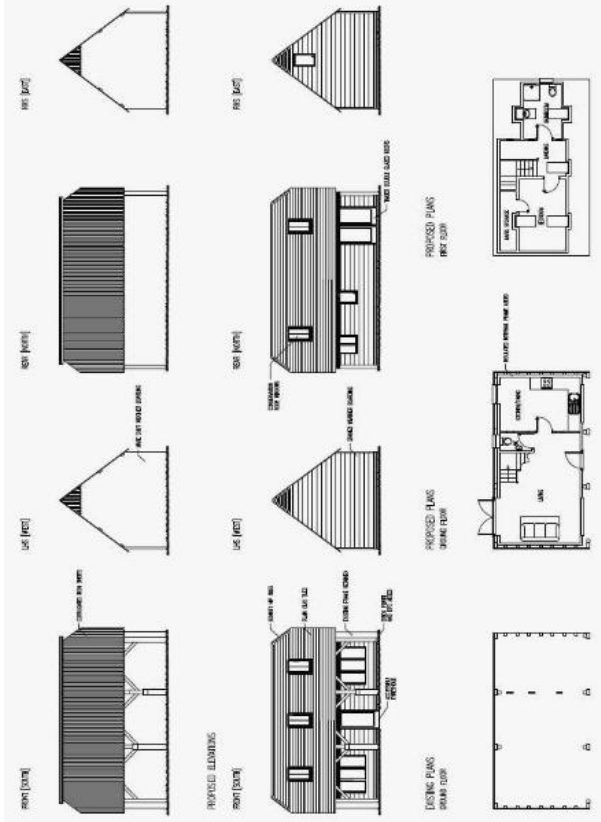
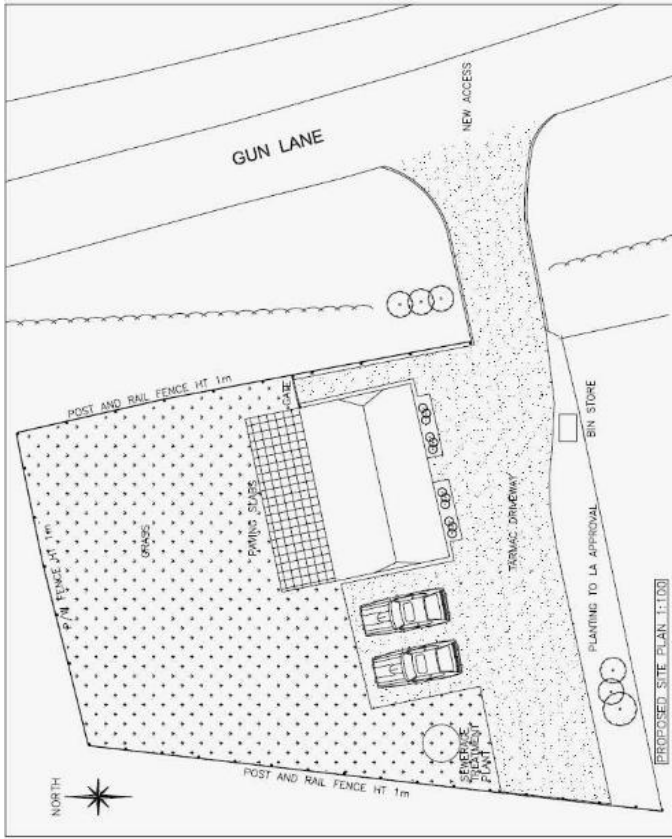
Reason: To preserve the character and special historic interest of the building.



REVISION	REASON	DATE
[N]	FIRST ISSUE (PLANNING)	16.04.2012

TEL: (01908) 819033/07804 850464	EMAIL: paul.ellen@apengineers.co.uk
CLIENT	MR B SOUL
PROJECT	CONVERSION OF AGRICULTURAL BARN TO RESIDENTIAL
SITE ADDRESS	SHOULDER OF MITTON, GUN LANE, SHERINGTON
DWG NAME	SITE LOCATION PLAN
DWG NUMBER	12.028-P2
SCALE	1:1250 @A4
DO NOT SCALE FOR CONSTRUCTION PURPOSES	DRAWN BY [PA]

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REVISION	REASON	DATE
01	HEAT LOSS PLANNING	16.04.2012

TEL: 01929 216553/216554	FAX: 01929 216555
CLIENT	LAB 2 2011
PROJECT	CONVERSION OF AGRICULTURAL BARN TO RESIDENTIAL
SITE ADDRESS	SHOULDER OF WATTON, GUN LANE, NEWBURN
DWG NAME	ELEVATIONS AND FLOORPLANS
DWG NUMBER	12.029-PI
SCALE	1:100 (04)
DRAWN BY	[M]
CHECKED BY	[M]

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A1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 None

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 **Other matters**

None

A3.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments

Officer Response

A3.1 Councils Countryside Officer

I am broadly in agreement with the contents of the ecological survey as there are few wildlife habitat opportunities on the site. However, I discovered a blackbird nesting in the roof timbers in the rear right-hand corner of the derelict barn. The nest currently contains chicks which should not be disturbed. In order to meet the requirements of the Wildlife and Countryside Act 1981 it is recommended that a condition be imposed that no work should commence on the barn until the chicks have fledged and flown from the nest.

Noted at paragraph 6 (condition 9)

A3.2 Environment Agency

No objection

Noted at paragraph A2.1

A3.3 Highways Development Control

The overgrown verges have been cut back and this has had the benefit of being able to properly assess the visibility. Visibility is now possible to the bend in Gun Lane to the north of the site approximately 95m away. It was in this direction that was of most cause for concern due to approach speeds to the site from that direction. However, with clear visibility to this bend now achievable (as well as clear visibility towards the village) the access is acceptable. The applicant has provided an adequate parking and turning

Noted at paragraph 5.3, and 6.0 (condition 6 and 7)

area. I therefore have no objections to planning permission being granted subject to the highway conditions.

A3.4 Landscape Services Manager – Trees

No representation received

Noted

A3.5 Environmental Health Manager

No objection subject to the imposition of ground assessment condition.

Noted at paragraph 6.0 (condition 10)

A3.6 Councils Archaeologists

No objection subject to the imposition of recording condition.

Noted at paragraph 6.0 (condition 8)

A3.7 Conservation Officer

It is acknowledged that the existing barn would benefit from some repair and maintenance. However the proposed internal and external alterations would result in little historic character being left to this building, and the proposed works would cause substantial harm to the significance of the heritage asset.

Noted at paragraphs 5.6, 5.7, 5.8 and 5.9 in the report. Condition 12 and 14 deals with matching external materials and details of fenestrations to be redesigned and submitted for approval in writing.

The proposed residential conversion would have a significant impact on the character of the building that would fail to preserve the significance of the heritage asset.

The proposed elevational treatments are not sympathetic to the simple character of the building. The domestic proportioned windows and patio doors are not in keeping with the simple agricultural character of the building. The infilling of the open bays to the front elevation in the way proposed is not in keeping with the character of the building.

The number and size of the proposed roof lights are not in

keeping with the simple roof form of the existing. It is not desirable to have roof lights on such a simple structure.

It is proposed to line the interior of the barn, so none of the timber framing will be visible- it is the timber frame that contributes to the character of the building, so covering it in the way proposed will fail to preserve this character.

Such intensive use and proposed alterations required to achieve residential conversion all points to the fact that this use is not appropriate for this building.

A3.8 Parish - Sherington

No objection however would like to have all permitted development rights removed if permission is granted.

Noted at paragraph 5.9

A3.9 Ward - Sherington - Cllr Mclean

No representation received

Noted

Local Residents

The occupiers of the following properties were notified of the application:

Coney Grey Gun Lane Sherington

Noted

No representation received