

APP 01

Application Number: 12/01530/FUL

Other

Change of use and conversion of barn to habitable living space; single storey extension to join existing dwelling with barn

AT The Hovel, Cross Lane, Weston Underwood

FOR Mrs Lesley Finn-Kelsey

Target: 16th October 2012

Ward: Olney

Parish: Weston Underwood Parish
Council

Report Author/Case Officer: Katy Lycett

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site comprises of an existing converted 'L' shaped barn which is used as residential. The dwelling is accessed via a purpose built gated entrance at the end of the cul de sac between numbers 9 and 10 Cross Lane. There is gravelled surfacing in front of the existing dwelling which is used for vehicle parking.

Also within the property ownership is an existing redundant agricultural barn which is accessed via an informal farm track which is located much further down Cross Lane via a five bar gate with a cattle grid. The barn is set within a yard and has five bays. The barn is currently separated from the converted barn by a distance of approximately 7 metres.

The local area is characterised by residential properties, many of which are constructed with traditional local materials. The site falls within the settlement boundary for Weston Underwood but backs onto designated open countryside - much of which is used for agricultural purposes. The site does sit within the Weston Underwood Conservation Area.

1.2 The Proposal

The proposal seeks consent for the conversion of the redundant agricultural barn to residential use in addition to an extension to connect the existing dwelling to the converted barn. The proposed link extension measures 7

meters with a ridge height of 3.7 metres.

The barn conversion involves the creation of ground floor living accommodation, an externally accessed store and a two bay garage. Roof lights are proposed for the barn roof slope in addition to new fenestration which will include two sets of patio doors.

The development as a whole will create a three bedroom dwelling (all single storey) with a small garden to the rear (as existing). Parking is to be located as existing to the front of the property. In addition, two car parking bays are being created within the barn conversion although these spaces do not count towards the parking requirement.

An application was submitted at the same time as this proposal for the formalisation of the existing farm track to create a new entrance to the property via the converted barn. This application was refused for the following reasons:

- The proposed works would create a second domestic residential vehicular access to the property which falls outside the settlement limits of Weston Underwood in open countryside. The development is not essential and is therefore contrary to Policy S10 of the Milton Local Plan 2001-2011.
- The dwelling already enjoys a vehicular access and a second access to the dwelling would unnecessarily add to the danger and inconvenience inherent in accesses to the highway contrary to policy T10 of the Milton Keynes Local Plan 2001-2011.
- The intensification of an existing agricultural access would have a detrimental impact in term of noise and disturbance upon nearby residents of Cross Lane which is contrary to Policy D1 and D2 of the Milton Keynes Local Plan 2001- 2011.

As a result of this decision, a revised plan has recently been submitted clarifying that should this application be approved the access to be used is the existing access which currently exists.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework paragraphs:

17. Core Planning Principles
56, 58 60. Good Design
128-129, 131-134. Historic Environment

2.2 Local Policy

Core Strategy

CS20 – Natural and Historic Environment.

Adopted Milton Keynes Local Plan 2001-2011

S10 – Open Countryside

D1 – Impact of Proposals on Locality

D2 – Design of Buildings

T15 – Parking Provision

HE6 – Conservation Areas

S9 – Other Villages

Supplementary Planning Guidance

New Residential Development Design Guide SPD 2012

Adopted Parking Standards for Milton Keynes 2005 and Addendum 2009

3.0 MAIN ISSUES

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

- 3.1 - The impact of the development on the local area and street scene.
- The impact of the development on nearby dwellings and occupiers.

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 Principle of Development

The application is considered in terms of both the link extension and the conversion of the barn to residential uses.

The proposed link is deemed to be of an appropriate scale and design for the existing property and there are no fundamental concerns raised to be principle of this part of the proposal.

This proposal includes the re-use of an existing rural building within the settlement limits of the village. A key criteria to justify the conversion is the submitted structural survey which in this instance confirms:

‘This structural survey has revealed that the walls are in good order considering their age. The roof to the barns are in good order and the roofs currently are weather tight....the buildings are substantially sound although

they do require some isolated masonry/render repairs....the proposed conversion works will, in our opinion, improve the stability of the existing buildings and will assist in retaining the character of the landscape as well as extending the life of the existing barn.'

On this basis the principle of conversion of the building is accepted in terms of the existing building being suitable for renovation.

5.2 Impact on Nearby Dwellings and Occupiers

The existing converted barn is single storey only and the majority of the living accommodation is concealed to the rear of the existing stone wall and entrance gates. The existing barn is partially visible from the highway at the existing entrance however the proposed link extension has a lower ridge line than the existing property and this should have only a limited impact locally.

The closest property to the proposal is 9 Cross Lane. The layout of the two dwellings is such that the closest part of the proposed converted barn to the occupiers of 9 Cross Lane is the two parking bays and store. The created living accommodation is concentrated at the end of the barn closest to the original dwelling and as a result there is not expected to be a significant impact upon residential amenity value to this property. There is an existing close boarded fence along the side boundary of 9 Cross Lane and this will help to maintain privacy at ground floor level.

The properties in the wider locality, notably numbers 8, 10, 11 and 12 Cross Lane may be aware of the small domestic single storey extension above the existing entrance gates, however the visual impact will be minimal as the site is predominantly located behind the boundary wall and the extension is set a lower ridge height than the existing. Similarly the barn conversion will not increase the height of the structure and as a result the existing structure will not significantly change in terms of visual impact in the locality.

To the properties further down Cross Lane, which can view the barn via the existing farm track, the visible elevations will not change significantly. The way in which the barn will be used will of course be altered by the conversion to residential however the impact on the wider area is expected to be limited.

5.3 Policy Implications

Under the relevant Policies contained within the Milton Keynes Local Plan 2001-2011 the proposal is considered under various policies, notably Policy S9. This states that in villages listed within the Policy (15 – Weston Underwood) infill development and barn conversions can be permitted. This is subject to the site being located within the settlement boundary as defined on the Proposals Map.

As the site sits within the settlement boundary the principle of the conversion of a barn is deemed to be acceptable subject to all other criteria being met. There is no additional dwelling proposed and the conversion is purely to increase the

residential accommodation for the existing barn conversion.

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. The extension hereby permitted together with the existing house shall be used wholly as a single family dwellinghouse and for no other purpose whatsoever. (E07)

Reason: To ensure that the premises are not sub-divided without the permission of the Local Planning Authority.

3. 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.

4. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

5. Prior to occupation of the development three artificial Barn swallow nest cups shall be installed in stable block A2. The nest cups and access to them shall be maintained in perpetuity (as recommended in the Bat and Barn Owl Survey Report, Conservation Constructions, 24th June 2011).

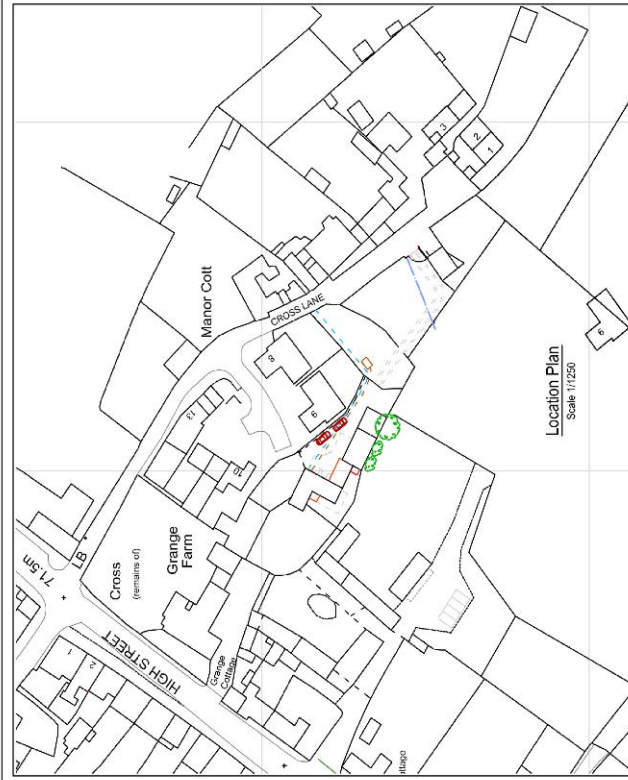
Reason: To comply with the Conservation of Habitats and Species Regulations 2010

6. Prior to occupation of the development, the applicant shall install two “woodcrete” bird boxes, open fronted or with a 32mm entrance hole in suitable locations on the outside of buildings A1 or A2 in the Bat and Barn Owl Survey dated 24th June 2011. The boxes and access to them shall be maintained in perpetuity (as recommended in the Bat and Barn Owl Survey Report, Conservation Constructions, 24th June 2011).

Reason: To comply with the Conservation of Habitats and Species Regulations 2010.

7. For the avoidance of doubt the development access hereby permitted shall be taken only via the existing gated access situated between number 9 and 10 Cross Lane.

Reason: to maintain highway safety.



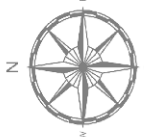
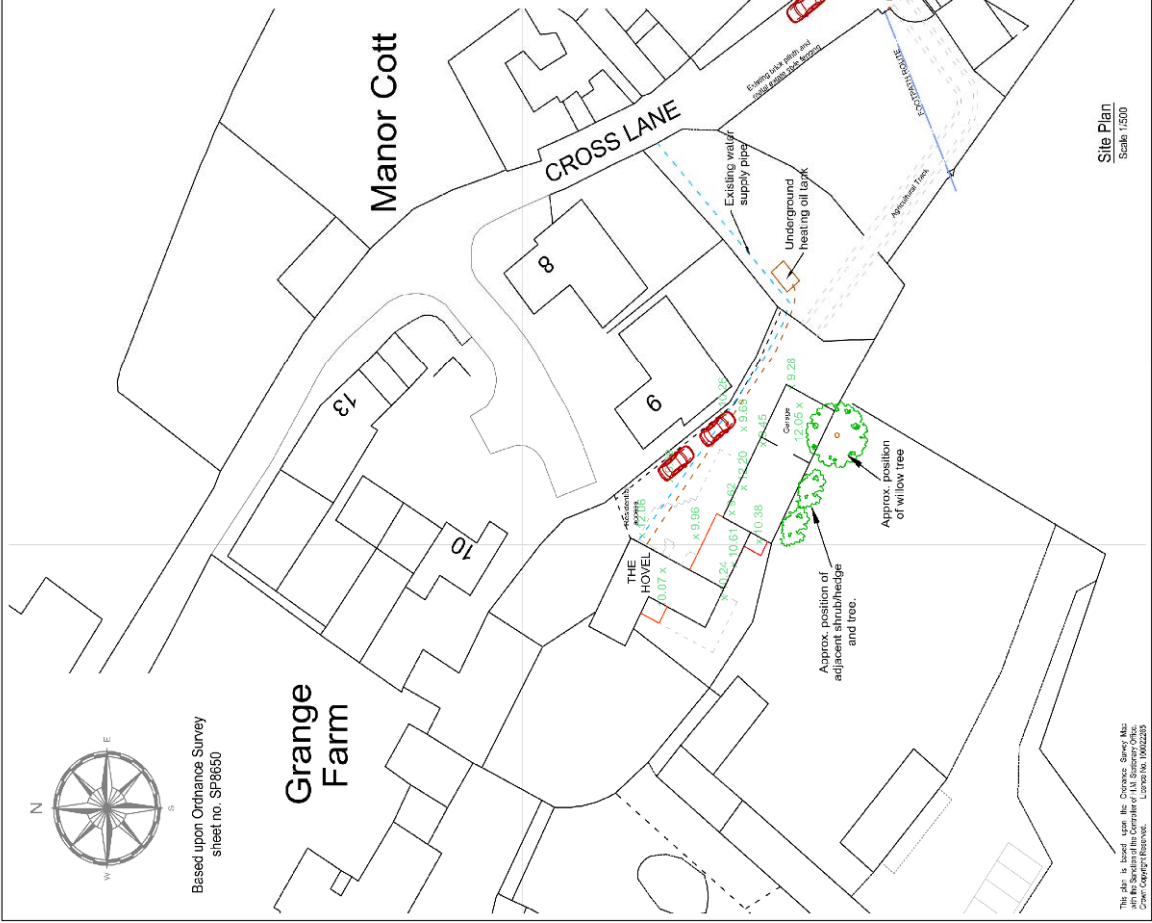
Revisions:
 A - Parking space positions altered. M.C. 17/01/11
 B - Levels added. MAF, 24/05/12
 C - Scheme revised. DJS 22/06/12
 D - Pedestrian gate. DJS 22/06/12
 E - Vehicular access. DJS 21/11/12

Project:
 The Hovel,
 Cross Lane,
 Weston Underwood,
 Olney,
 Buckinghamshire

Site & Location Plan as Proposed/Extension

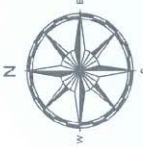
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Scale: 1:600 & 1:1250 @ A3
 Date: December 2011
 Drawn: MJC
 Checked: DJS
 Drawing No. **A/40761/2E**



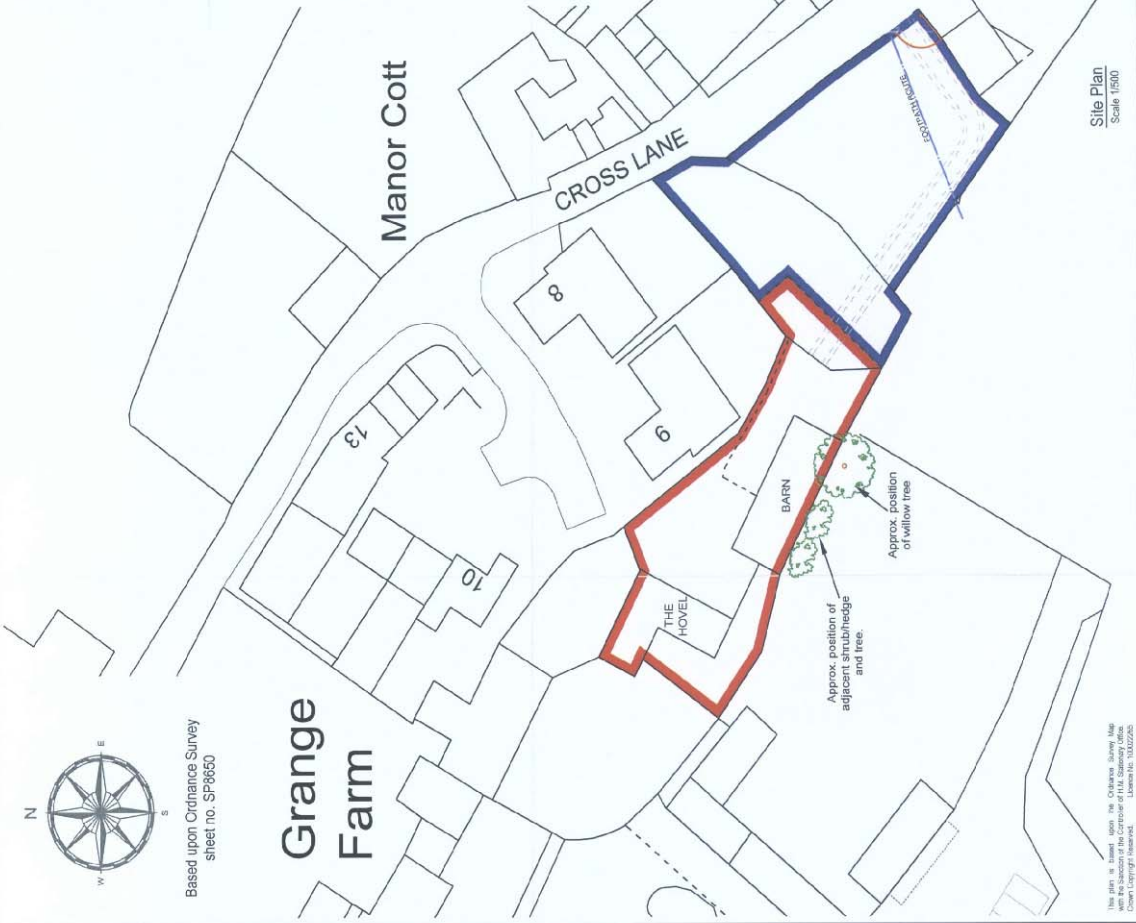
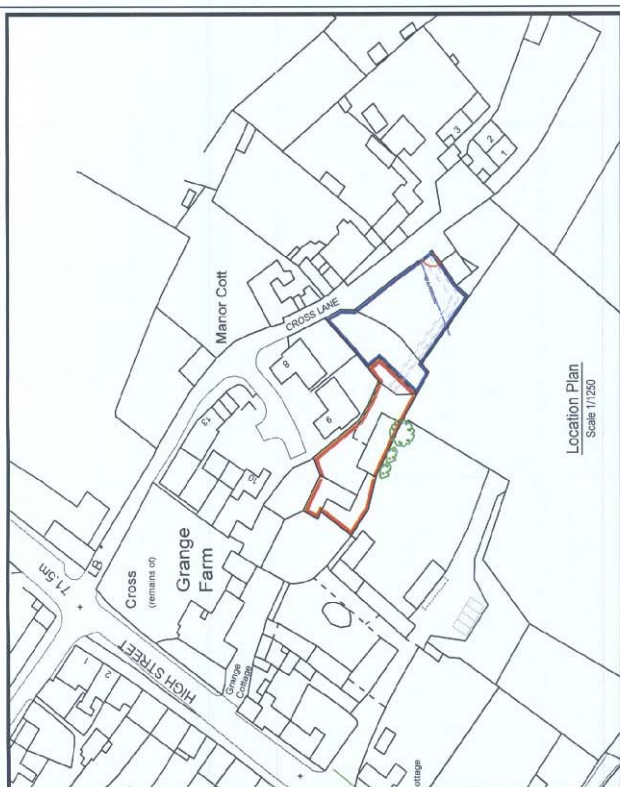
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Grange Farm



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Revisions

Project
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Site & Location Plan as Existing

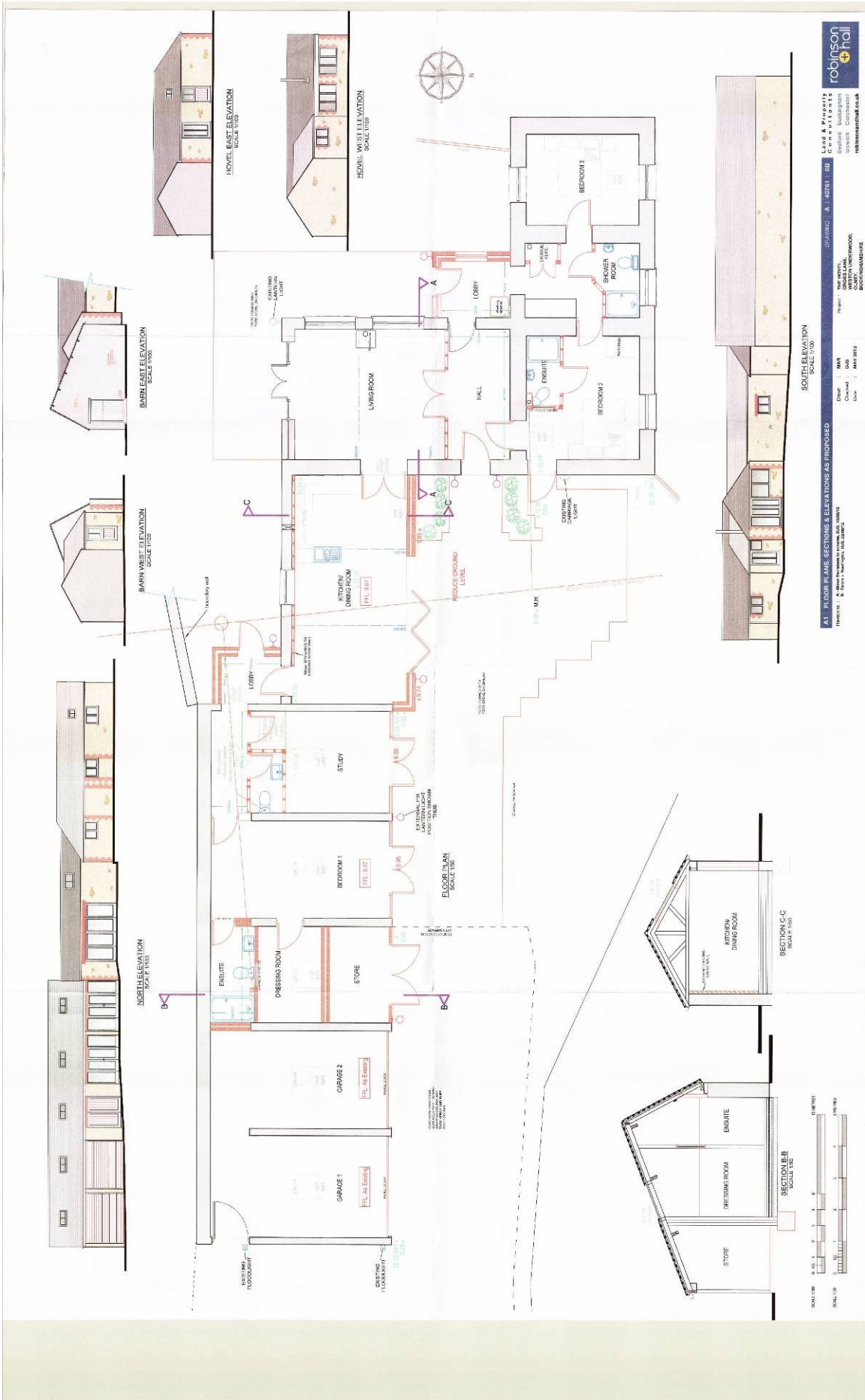


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A/40761/3

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AT 1 FLOOR PLANS, SECTIONS & ELEVATIONS AS PROPOSED

robinsn hall

Lead Architect: Robinsn Hall
 Designer: Robinsn Hall
 Date: 01/10/2019
 Scale: 1:500

Client: M&S
 Project: 2019/001
 Location: Newbury
 Site: 01/10/2019

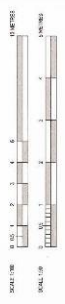
Drawn: M&S
 Checked: M&S
 Date: 01/10/2019

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SOUTH ELEVATION
SCALE 1:500

SECTION C-C
SCALE 1:500

SECTION B-B
SCALE 1:500



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 11/02813/FUL

Change of use from annexe to 1 separate dwelling (retrospective)
Permitted 10.05.2012

12/01531/FUL

Change of use of paddock land to track to form residential driveway (retrospective); re-gravelling of hardcore track
Refused 16.10.2012

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 **Impact on Traffic and Parking**

The site has an existing dedicated access which was created as part of the change of use from annexe to separate dwelling in 2011. It is deemed that the site has sufficient space for vehicles to park on plot and is not expected to have a detrimental impact upon highway safety and parking locally.

Overall the continuation of the existing access is considered to be an appropriate method of entrance and exit to the site.

At the time of submission of this application, an additional application was also submitted under reference 12/01531/FUL which sought permission for the formalisation of an existing informal farm track to create a new residential access to the rear of the site.

This application was considered and subsequently refused for the following reasons:

- 1. The proposed works would create a second domestic residential vehicular access to the property which falls outside the settlement limits of Weston Underwood in open countryside. The development is not essential and is therefore contrary to Policy S10 of the Milton Local Plan 2001-2011.**
- 2 The dwelling already enjoys a vehicular access and a second access to the dwelling would unnecessarily add to the danger and inconvenience inherent in accesses to the highway contrary to policy T10 of the Milton Keynes Local Plan 2001-2011.**
- 3 The intensification of an existing agricultural access would have a detrimental impact in term of noise and disturbance upon nearby residents of Cross Lane which is contrary to Policy D1 and D2 of the Milton Keynes Local Plan 2001- 2011.**

Following this decision being made a revised block plan was submitted clarifying that the existing main access would continue to be used as the primary entrance and exit point to the site.

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 Conservation Officer

The proposals affect an unlisted building in the conservation area. I note the proximity of some listed buildings but do not believe that the proposals will have a sufficiently detrimental impact on them to warrant an objection.

I therefore advise that the application may be determined according to local plan policies and subject to conditions to control materials and finishes.

Councils Countryside Officer

A Bat and Barn Owl Survey Report dated 24th June 2011 was submitted in support of this application. I am in agreement with the findings of this report and its recommendations.

No evidence of bats using either building was found during the survey. Breeding birds were not present at the time of the survey but a Barn swallow was seen flying in and out of the building referred to as "A2" in the survey and which offers nesting potential.

The nests, eggs and young of all wild birds are protected from intentional disturbance, destruction or damage by Section 1 of the Wildlife & Countryside Act 1981. Nests under construction are also protected. The breeding season for most bird species is considered to be 1st March to 31st

July though some birds may continue to breed into August.

All wild birds and their habitats are protected following an amendment to the Conservation of Habitats and Species Regulations 2010

<http://www.legislation.gov.uk/ukxi/2012/1927/regulation/8/made> which came into force on 16th August 2012. This applies to all wild birds, their eggs, nests and habitats as per Regulation 1 of the Birds Directive and has the following objective:

'the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive.' (*Article 2 being a balancing measure having regard to economic and recreational requirements*).

Paragraph 2 states that appropriate authorities including local authorities must take such steps in the exercise of their functions as they consider appropriate to contribute to the achievement of this objective.

Paragraph 5 states that this applies particularly to functions under certain enactments including any function exercisable in relation to town and country planning.

'Regulation 8 also inserts regulation 9A, which imposes new duties on public bodies in relation to wild bird habitat, and regulation 9B, which requires nature conservation bodies to review and report on whether the obligations under regulation 9A have been met.'

This barn was the subject to the following condition placed on planning application 11/02033/FUL:

(9) On completion of the works the Applicant shall install four “woodcrete” House martin boxes in suitable locations on the buildings subject of this consent and two “woodcrete” Swallow boxes on the building called “A2” in the Bat and Barn Owl Survey dated 24th June 2011. The boxes and access to them shall be maintained in perpetuity.

Reason: to mitigate for loss of hirundine (swallows and martins) nesting sites due to the development.

Weston Underwood Parish Council

The Parish Council objected to this application on the grounds that:

- The proposed development extends beyond the curtilage originally consented under 11/02813/FUL.
- The proposed developments will double the size of the existing dwelling which will mean that the use of the land as garden land.
- The Parish Council had concerns over the original planning application in 2011 and considered to be piecemeal development with possible residential development of the stable block.
- The proposal does not preserve or enhance the Conservation Area.
- The application is for residential is for a residential dwelling which includes land in the open countryside and cannot therefore be construed as an agricultural development.

- The view from Chapel Lane is a 'permitted view' and this proposed development would severely encroach on that view.

Councils Archaeologists

I have assessed the site against the known archaeological resource as contained in the MK Historic Environment Record (HER). In conclusion I am pleased to state that although it is within a Heritage Interest Area the proposed development itself is not regarded as being of significant potential archaeological impact. As such it is, in my view, unnecessary to conduct any pre-determination archaeological investigation nor do I wish to recommend an archaeological condition in respect of the site.

Environmental Health Manager

In accordance with PPS 23, as the proposed use is particularly vulnerable to the presence of contamination I recommend that the following condition be applied to any grant of planning permission for this site.

1) 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.

2) 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.

3) 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 purpose and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised.

Highways Development Control

My site visit revealed the form of current access and the fact that there was still sufficient space on site to accommodate the two car parking spaces as required.

Senior Landscape Architect

Raised no objections to the application submitted.

Local Residents

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

Grange Farm High Street Weston Underwood

The Barn Cross Lane Weston Underwood

12 Cross Lane Weston Underwood Olney

11 Cross Lane Weston Underwood Olney

10 Cross Lane Weston Underwood Olney

8 Cross Lane Weston Underwood Olney

Cross Lane Cottage Weston Underwood Milton Keynes

In total, letters were received from 10 nearby properties regarding this proposal. The letters raise several issues of concern including:

- Impact on the Open Countryside.
- Setting a dangerous precedent.
- Impact on village amenity.
- Garden is insufficient which could lead to further applications in the future to create a larger garden.
- Impact on the Area of Attractive Landscape.
- Increase in traffic and parking issues.

DLP Planning Ltd 4 Abbey Court Fraser Road
Berrys Oak House 32 Ashby Road

- Would result in substantial overlooking and loss of amenity to nearby properties.
- Impact on the Conservation Area.