

APPLICATION REPORT – 19/00623/FUL

Validation Date: 28 June 2019

Ward: Brindle And Hoghton

Type of Application: Full Planning

Proposal: Conversion of existing barns to 4 no. dwellings and erection of 3 no. car garages

Location: Leigh Farm Marsh Lane Brindle Chorley PR6 8NY

Case Officer: Amy Aspinall

Applicant: Mr K Ormisher

Agent: Miss Abigail Kos

Consultation expiry: 30 September 2019

Decision due by: 13 November 2019

RECOMMENDATION

1. It is recommended that the application is approved, subject to conditions.

SITE DESCRIPTION

2. The application site forms part of an agricultural holding, which includes various traditional farm buildings. The site is situated wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks full planning permission for the conversion of the buildings to form 4no. dwellings. The application also includes the erection of 3no. garages.

REPRESENTATIONS

4. At the time of report preparation, no representations have been received.

CONSULTATIONS

5. Lancashire Highway Services: No objection.
6. Greater Manchester Ecology Unit: No objection.
7. Regulatory Services - Environmental Health: The Environment Health Officer advises that the applicant need to be mindful of the close proximity of the dwelling to the working from and the potential for complaints in relation to odour and noise. They also suggest that electric vehicle charging points should be considered to encourage the use of low

emission vehicles; and if the development is suitable for sustainable energy such as solar.

8. Waste & Contaminated Land: No objection.
9. Brindle Parish Council: Report that they have no comments.
10. CIL Officers: The development is subject to the CIL Charge for Dwelling Houses as listed in Chorley Councils CIL Charging Schedule.
11. Lancashire County Council Archaeology Service: Recommend a condition for archaeological recording and analysis.

PLANNING CONSIDERATIONS

Principle of development

12. Planning permission has previously been granted for the conversion of the buildings to form 4no. dwellings (15/00833/FUL).
13. The National Planning Policy Framework ((NPPF) at paragraph 146 provides certain forms of development are not inappropriate in Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes: the re-use of buildings provided that the buildings are of permanent and substantial construction.
14. The Central Lancashire Rural Development SPD (Oct 2012) also provides additional guidance on the re-use of buildings in the Green Belt.
15. Chorley Local Plan policy HS9 (Conversion of Rural Buildings in the Green Belt and Other Designated Rural Areas) states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:
 - a) ***The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;***
16. The proposal does not extend beyond the confines of existing built form and yard areas; and would not conflict with the purposes of the Green Belt.
17. The application also proposes 3No detached garage to serve plots 1,2 and 3. The National Planning Policy Framework (NPPF) states a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. The proposed garage does not fall within any of the exceptions set out at paragraph 145 and is, therefore, inappropriate development in the Green Belt. The garages would also harm the openness of the Green Belt.
18. The NPPF is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
19. At paragraph 144 the NPPF states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
20. The Council takes a pragmatic approach to the development of domestic outbuildings within a residential curtilage, with the Householder Design Supplementary Planning Document (SPD) making provision for, among other things, the equivalent of a double garage to serve a single dwelling in the countryside.

21. At paragraph 1.2 the Householder Design SPD is clear that the guidance contained within it should be afforded significant weight as a material consideration in determining planning applications. Significant weight is, therefore, afforded to the provision of the proposed double garage within the curtilage of the dwellinghouse and the Council considers this to sufficiently justify the proposal in the Green Belt as very special circumstances to outweigh Green Belt considerations.
22. It should also be noted that the provision of these garages as part of the conversion scheme has already been acceptable under a previous planning permission 15/00833/FUL.

b) The proposal would not harm the character or quality of the countryside or landscape;

23. The proposal is for the re-use of an existing building for residential purposes and would utilise an existing access. The site would obtain a more domestic appearance, including the introduction of a domestic garages, however, the proposal would secure a viable reuse of a rural vernacular building. Views would still be seen in the context of a working farm. It is not considered that the proposal would be harmful to the character or quality of the countryside or landscape.

c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;

24. The application states that the buildings are redundant and used for surplus storage. In addition, the principle of the conversion of these buildings has already been accepted previously under planning permission 15/00833/FUL.

d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;

25. The building is over 10 years old.

e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;

26. The application is accompanied by a structural survey which concludes that the barn is adequate for conversion to residential use and that the buildings are generally in a good state of repair and do not display any obvious signs of structural movement or distress. There is no conflict with criterion (e).

f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;

27. The proposed alterations and new openings are not excessive in number and the proposal overall would retain the simple form and functional appearance of the existing building and would read as a former agricultural building. In order to secure this in the long-term, permitted development rights for extensions and alterations would be removed to avoid the addition of overly domestic features to a traditional conversion which would ordinarily allowed under permitted development rights for a typical domestic dwelling.
28. The curtilage is shown on the plans as being defined by the existing fence line and this would be an acceptable curtilage formation, in line with the previous planning permission 15/00833/FUL.

g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;

29. The proposed development would utilise an existing access and would provide adequate on-site parking, including garages which are of sufficient size to be counted as parking spaces. There are no objections from LCC Highways who are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
30. The proposal is considered to be acceptable in highways safety terms having regard to criterion (g) and Chorley Local Plan policy BNE1(d).

h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.

31. The application is accompanied by a bat survey which provides that no evidence of use of the barn by roosting bats was detected during May and June 2019 surveys; however, a single pipistrelle bat did enter the barn during the dusk emergence survey of May 2019. The report concludes that whilst there is moderate suitability for use by roosting bats, there are no constraints posed to the proposed development. The Councils appointed ecologists at Greater Manchester Ecology Unit raise no objection to the application and do not make any recommendations or suggest any conditions.
32. The report advises that there was no evidence of use by barn owls, however confirmed use by nesting swallow, blackbird and wren was detected. Mitigation measures for birds has been provided, and this could be secured by way of condition, where relevant, in order to safeguard nature conservation interests.
33. Having regard to the advice obtained from GMEU it is considered that nature conservation interests would be safeguarded and would comply with criterion (h).

Amenity

34. The proposal includes the realignment of the existing driveway further away from the farmhouse to accommodate parking spaces and would also act as a buffer between the farmhouse and the shared driveway. There would be no adverse impacts on the residential amenity of the farmhouse over and above the previous approval at this site, and this property is within the ownership of the applicant.
35. The plans show that plots 2 and 3 would have a shared courtyard arrangement to the rear, with habitable windows of both plots facing into the courtyard. Whilst not ideal, many conversion schemes have this kind of close-knit arrangement which is considered to be acceptable in this case in order to retain traditional openings and maintain the integrity of the building and its layout which has evolved through agricultural practices over time. The submitted plans show a number of the habitable windows to be obscure glazed, however it is not considered that this is entirely necessary to have habitable rooms being predominantly obscure glazed. Unlike the previous planning permission, an obscure glazing condition for these particular windows is not considered to be necessary. In addition, any future occupiers of plots 2 and 3 would be readily aware of the close relationship.
36. The number of units and their configuration has previously been accepted, and each unit would benefit from adequate private amenity space to carry out day-to-day domestic activities.
37. As the site is still a working farm, the Council's Environmental Health Officer has advised that there is potential for complaints in relation to odour and noise. In planning terms, a balance has to be made between living conditions of potential future occupiers of the development, and the benefits of securing a long-term viable use of traditional rural

buildings which would also support investment into the farming enterprise. A dwellinghouse situated within a working farm cannot be expected to be afforded the same level of amenity as a typical residential estate. Any future occupiers would be aware of this situation. In addition, the applicant owns the farm and has made an informed decision to apply for planning permission for residential dwellings on his farm which is actively operating and could potentially be subject to noise/odour complaints.

38. The same development has been approved previously and, on balance, would afford acceptable living conditions for future occupiers.

Public open space

39. Chorley Local plan policy HS4 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
40. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
41. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to continue to seek contributions towards provision for children/young people on developments of 10 dwellings or less.
42. There is currently a deficit of provision in Brindle and Hoghton in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified.
43. A financial contribution is not, therefore, required in this instance.

Electric vehicle charging points

44. There is currently no policy requirement to secure electric vehicle charging points as part of this application. However, permitted development rights do exist for the provision of charging points if future occupiers wish to install them.

CONCLUSION

45. The application is recommended for approval, subject to conditions.

Suggested Conditions

46. To follow.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

Ref: 00/00697/MAS Decision: REMAS Decision Date: 10 October 2000
Description: Prior notification of erection of 15m monopole structure, 3 no. antennae, 1 microwave dish & associated equipment,

Ref: 01/00426/TEL Decision: PERTEL Decision Date: 12 June 2001
Description: Prior notification of siting of telecommunications equipment consisting of 1 equipment cabin and 3 antennae attached to existing national grid pylon ZP338,

Ref: 05/00470/OUT Decision: WDN Decision Date: 24 June 2005
Description: Outline application for the erection of an agricultural dwelling,

Ref: 14/00242/FUL Decision: PERFPP Decision Date: 1 May 2014
Description: New access road to existing farm

Ref: 15/00833/FUL Decision: PERFPP Decision Date: 24 March 2016
Description: Conversion of series of barns to 4 dwellings and erection of 3 single garages

Ref: 94/00314/FUL Decision: PERFPP Decision Date: 27 June 1994
Description: Demolition and rebuilding of part of building due to structural instability