

**Item** 10/00446/FUL & 10/00447/LBC

**Case Officer** Mr David Stirzaker

**Ward** Pennine

**Proposal** Planning application and application for listed building consent for works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised development to form part of the existing barn structure

**Location** Crostons Farm Lucas Lane Whittle-le-Woods Chorley PR6 7DA

**Applicant** Mr & Mrs Paul Bettany

**Consultation expiry:** 7 July 2010

**Application expiry:** 2 August 2010

#### **Proposal**

1. These applications relate to Crostons Farm Barn in Whittle-Le-Woods and seek planning permission and listed building consent for works to and the conversion of an existing barn together with an extension to it to form a single dwelling house together with associated works to regularise unauthorised development and the remodeling of a part built adjacent two storey structure to form a garage. The application site is in an area of Safeguarded Land.
2. The barn was originally granted planning permission (01/00586/COU) and listed building consent (01/00587/LBC) in 2002 for conversion to 3 no. dwellings. Work was started on the conversion scheme but it was not implemented in accordance with the approved plans and more demolition was carried out than was permitted. This meant that the development carried out no longer had the benefit of planning permission and listed building consent.
3. A further planning application (05/00249/FUL) and a further application for listed building consent (05/00250/LBC) was submitted in 2005. These were withdrawn and not determined by the Council.
4. In 2007, applications for planning permission (07/00665/FUL) and listed building consent (07/00666/LBC) were submitted and subsequently withdrawn. The reason being that the design of the proposed dwelling was not deemed acceptable and following advice from Officers, the applicant agreed to amend the scheme and Listed Building Consent and Planning permission were subsequently granted in 2008 (Ref Nos. 08/00160/FUL and 08/00161/LBC) for a single dwelling. In 2009, planning permission and listed building consent (Ref Nos. 09/00185/FUL & 09/00186/LBC) were granted to extend the time period for the works to be commenced until 23<sup>rd</sup> October this year in order to allow the then applicant more time to try and sell the barn due to the downturn in the housing market. The extant scheme of conversion comprised of the conversion of the main barn to a dwelling with a single storey lean-to structure behind the main front elevation on the left hand side with two storey accommodation spanning approx. 10m of the 17m width of the barn. The two storey partly built structure was to be reduced to single storey height and utilised as garage accommodation for the property.
5. The latest applications follow the refusal earlier this year of planning permission and

listed building consent for a conversion scheme which included a reversion back to a full two storey structure (Ref Nos. 09/00948/FUL and 09/00949/LBC). The amended scheme retains garage accommodation but this is now linked to the main barn with a single storey extension to provide habitable accommodation which utilises the retained, presently free standing two storey west elevation and infills the space with two glazed infill sections and a timber infill section to the former barn opening facing the courtyard. The extension will utilise a slated pitched which lines through with that of the garage roof. The original main barn roof is also being taken further across the barn to enable the provision of additional first floor accommodation above where the previously permitted single storey lean-to structure stood.

### **Recommendation**

6. It is recommended that these applications be granted planning permission and listed building consent respectively.

### **Main Issues**

7. The main issues for consideration in respect of this planning application are:
- The principle of development
  - Impact on the character and appearance of the locality and the adjacent Listed Building
  - The amenities of neighbours
  - Highway safety and parking provision
  - Other matters

### **Representations**

8. A single letter of objection has been received from 1 local resident, the contents of which can be summarised as follows: -
- The previously approved scheme adhered to the principle of any re-use only being limited to the remaining part of the original barn range in order to comply with Local Plan Policy
  - To create a larger residential unit would, by allowing the rebuilding of all, or a material amount of, the demolished part of the barn range, would have constituted a wholly inappropriate reward for the breaches of planning and listed building control which had taken place in 2005.
  - Whilst the current owners were not of course responsible for those breaches, they did proceed to purchase Crostons Farm Barn in full knowledge of the planning history of, and circumstances surrounding the property.
  - If planning permission and listed building consent are granted, the occupier of Crostons Farm considers that there would be a legitimate reason to complain having had to endure 5½ years of frustration, inconvenience and risk.

### **Consultations**

9. The Council's **Conservation Officer** has been involved in pre-application discussions and consequentially raises no objections to the conversion scheme now proposed in light of the amendments to the scheme over the previously submitted one earlier this year.

### **Applicant's Case**

10. Following the refusal of planning permission and listed building consent earlier this year (Ref Nos. 09/00948/FUL and 09/00949/LBC) for a larger single dwelling conversions scheme, the applicant has scaled down the proposals and first floor accommodation is no longer proposed above the garage which has been reduced back to what was previously approved in 2008 and 2009.

11. The applicant advises that a suitable contractor has been found to carry out the scheme who has experience of conversion scheme. Also, sufficient finance is in place to fund the works and the applicant has now sold his own property in Whittle-Le-Woods and is presently residing in rented accommodation with a view to moving into the property once the conversion works have been completed, subject to planning

permission and listed building consent being granted. There is a large amount of material on site that will be re-used as part of the works and the applicant states that the scheme is not just about historic conservation but also about conserving materials and making the best use of existing resources.

## **Assessment**

### Principle of development

12. The application site is in an area of Safeguarded Land wherein the same restrictions on new development as per areas of Green Belt apply. These are set out in Policy DC3 of the Local Plan Review whilst Policy DC7B provides more specific guidance on the re-use of rural buildings. The Council's Supplementary Planning Guidance (SPG) document on the Conversion of Rural Buildings in the Countryside provides specific guidance applicable to this application with one of the most pertinent criteria being the amount of rebuilding normally permitted. The Council is also at present undertaking a period of public consultation on a proposed interim Policy aimed at resisting garden development in the Borough. Given the status of this document, it can only be afforded limited weight but this proposal does comply with the Policy in that it meets criteria (c) which allows the conversion of existing buildings. As stated, the 'principle' of the conversion of the barn has already been established by virtue of the planning permission and listed building consent granted in 2008 and extended in 2009.
13. A structural report has been submitted with the application and this states that all of the remaining sections of the barn can and will be retained and incorporated into the conversion scheme. The percentage of rebuilding/additional build according to the report is asserted as being 30.6% although the Council's own calculations result in a figure of just over 50% meaning there is some discrepancy between the figures. However, it should be noted that this scheme does not simply turn on the extent of rebuilding proposed. Whilst the Council's Supplementary Planning Guidance (SPG) document on the Conversion of Rural Buildings in the Countryside specifies that the extent of rebuilding will be restricted to not exceed 25-30% of the area of external walls, it does state that any rebuild above this level will not normally be permitted so there is a limited degree of flexibility within the wording of the Policy to allow a greater amount of rebuilding in exceptional circumstances. In this case, permitting a greater amount of rebuilding will act as a catalyst to ensure the barn is finally converted thus significantly improving the visual amenity of the barn, site and locality. The applicant also intends to re-use as much of material on site as possible which comprises of a large amount of stone and slate which has been retained from when the original building was partially demolished. The applicant also states that the barn will be formed using sustainable zero carbon technologies to provide an environmentally sustainable form of development. It is therefore considered that the 'principle' of the conversion scheme proposed is acceptable in this case.

### Impact on the character and appearance of the locality and the adjacent Listed Building

14. As stated, there is a scheme for which extant planning permission and listed building consent exists. The latest amended scheme retains garage accommodation but this is now linked to the main barn with an extension which utilises the retained, presently free standing west elevation and infills the space with two glazed infill sections and a timber infill section to the former barn opening facing the courtyard to provide habitable accommodation. The extension will utilise a slated pitched roof which lines through with that of the garage. The original main barn roof is also being taken further across the barn to enable the provision of additional first floor accommodation above where the approved single storey lean to structure would stand.
15. The design and detailing of the latest scheme of conversion has been arrived at following several pre-application consultation meetings after the refusal of planning permission and listed building consent of the last scheme submitted (Ref Nos. 09/00948/FUL and 09/00949/LBC) earlier this year.
16. The overall design of the resultant dwelling is one that is considered to now be

acceptable and the Council's Conservation Officer advises that the design philosophy seeks to be complimentary with the adjacent listed farmhouse, whilst offering a contemporary style for the new works to clearly differentiate between old and new which is an entirely appropriate solution for works to heritage assets. The use of simple, rustic elements and materials such as timber reflect the simple agricultural character of the buildings and their setting will both sustain and enhance the significance of not only the heritage assets themselves, but also their setting.

17. This latest scheme would have an even more positive impact on the setting of Crostons Farm which is a Grade II Listed Building than the previously approved scheme in that it would re-establish the sense of farmyard enclosure that originally existed and would have been retained if the 2001 planning permission and listed building consent had of been implemented in accordance with the approved plans. Planning Policy Statement 5 (PPS5) places a greater emphasis on the setting of listed buildings than PPG15 did so this adds support to the case for allowing the latest scheme of conversion. The extant approvals relate to a scheme wherein the garage is detached from the main barn so the latest scheme, by virtue of the link between the barn and garage, will re-establish, to a greater degree, the farmyard enclosure that originally existing thus enhancing to a greater extent the setting of the Grade II Listed farmhouse.
18. Policy HE10.1 of PPS5 states that when considering applications for development that affect the setting of a heritage asset (i.e. listed buildings), Local Planning Authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, Local Planning Authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.
19. Policy HE10.2 of PPS5 also states that Local planning authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset (i.e. listed building). Taking such opportunities should be seen as a public benefit and part of the process of place shaping.
20. The latest scheme would as stated, re-establish to a greater degree than the plans for which there is an extant planning permission and listed building consent the original farmyard enclosure which would in turn enhance the setting of Crostons Farm and PPS5 places a greater emphasis on this than PPG15 did so the scheme as proposed is deemed to comply with the objectives of PPS5 and is therefore considered acceptable.

#### The amenities of neighbours

21. As with the previous conversion schemes, it is not considered that the resultant dwelling would have a detrimental impact on the amenities of the occupiers of Crostons Farm. There are first floor windows facing this property but only one of these windows serves a habitable room so the resultant dwelling would have less of an impact on the amenities of the occupier of this property than the originally approved 2002 scheme which included several first floor windows directly facing Crostons Farm. On this basis, there are no objections to the conversion scheme as proposed.

#### Highway safety & parking provision

22. Access to the site is via the existing farmyard in front of Crostons Farm. Both are served by an unmade track which joins Lucas Lane to the north. The property incorporates a garage which would provide 2 off street parking spaces whilst there would also be space adjacent to the garage to provide at least 2 further parking spaces so the level of parking provision is satisfactory. The existing access which would serve the converted barn and the existing farmhouse is also considered to be acceptable, given it was deemed acceptable to serve the three proposed residential units approved in 2002. On this basis, there are no highway safety or parking

provision concerns with the application.

### Other matters

23. With regards to the objection raised by the neighbour at Crostons Farm, it is stated that if planning permission and listed building consent is granted by the Council, the neighbour would have a legitimate grievance and cause for complaint against the Council having had to endure 5½ years of frustration, inconvenience and risk only for the Council to do a volte face. This is noted and the neighbour's concerns are understandable. However, if the latest scheme is approved, the applicant has made assurances that works on the conversion scheme will commence as soon as possible thus resulting in an outcome that will be of benefit to the neighbour, locality and the setting of Crostons Farm.

### **Overall Conclusion**

24. This is a finely balanced case where the amount of rebuilding is clearly above what would normally be permitted as part of a conversion scheme. However, there is scope within the wording of the Conversion of Rural Buildings in the Countryside SPG to allow a greater level of rebuilding and PPS5 also places a greater emphasis on the impact of proposals on the setting of listed buildings and as stated, the latest scheme, by providing a greater sense of enclosure by linking the garage to the main barn, would enhance the setting of Crostons Farm which is a Grade II Listed building. The applicant is also proposing to re-use a large amount of material which has been stored on site and to incorporate energy efficient technologies into the conversion scheme to ensure that the development is as sustainable as possible. The building has stood on the site in its present dilapidated state for approx. 5 years to the detriment of the occupier of Crostons Farm and the locality, notwithstanding the impact this has on the setting of Crostons Farm so on balance, it is recommended that the increased scheme of conversion and rebuilding works proposed be granted planning permission and listed building consent. As with the previous approvals, it is considered reasonable to limit the time for the commencement of works to one year for each of the applications in order to ensure the works are started as soon as possible by the applicant.

### **Planning Policies**

25. National Planning Policies:

PPS1 / PPG2 / PPS3 / PPS5

26. Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC3 / DC7B / HS4 / HS6 / HS21 / TR4 / Design SPG / Conversion of Rural Buildings SPG

### **Planning History**

27. The site has been the subject of the following planning applications: -

- 01/00586/COU - Conversion of barn and stable into 3 no. dwelling houses with associated curtilage (Permitted)
- 01/00587/LBC - Application for Listed Building Consent for conversion of barn and stable into 3 No. dwelling houses with associated curtilage (Granted)
- 05/00249/FUL - Alteration and extension (including partial demolition) of existing barn and change of use into three dwellings (Withdrawn)
- 05/00250/LBC - Application for Listed Building Consent for the alteration and extension (including partial demolition) of existing barn and change of use into three dwellings (Withdrawn)
- 07/00665/FUL - Proposed works to and conversion of existing barn to form a single dwelling house together with associated works to regularise unauthorised development (Withdrawn)
- 07/00666/LBC - Proposed erection of works to enable the conversion of an existing barn to form a single dwelling house together with associated works to regularise unauthorised development and the erection of associated structures to reflect the integrity and setting of the properties (Withdrawn)

- 08/00160/FUL - Works to and conversion of existing barn to form a single dwelling house together with associated works to regularise unauthorised development and remodeling of part built adjacent structure to form a garage (Permitted)
- 08/00161/LBC - Works to and conversion of existing barn to form a single dwelling house together with associated works to regularise unauthorised development and remodeling of part built adjacent structure to form a garage (Granted)
- 08/01063/DIS - Discharge of conditions No's. 3 to 17 of planning approval Ref: 08/00160/FUL (Refused)
- 09/00185/FUL - Works to and conversion of existing barn to form a single dwelling house together with associated works to regularise unauthorised development and remodeling of part built adjacent structure to form garage. (Resubmission of planning application 08/00160/FUL which was approved on 14th April 2008.) (Permitted)
- 09/00186/LBC - Works to and conversion of existing barn to form a single dwelling house together with associated works to regularise unauthorised development and remodeling of part built adjacent structure to form a garage. (Resubmission of listed building consent application 08/00161/LBC which was approved on 14th April 2008.) (Granted)
- 09/00948/FUL - Works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised development to form part of the existing barn structure (Refused)
- 09/00949/LBC - Works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised development to form part of the existing barn structure (Refused)

**Recommendation: Permit Full Planning Permission  
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*