

Item 3K **14/01303/FUL**

Case Officer **Ian Heywood**

Ward **Pennine**

Proposal **Conversion of barn to residential use**

Location **Morris Farm
Hollin Lane
Heapey
PR6 9DH**

Applicant **Mr Derek Smith**

Consultation expiry: **3 February 2015**

Decision due by: **11 March 2015**

Recommendation **Permit Full Planning Permission**

Executive Summary

The main issues to consider are whether the proposals accord with the policies contained within the current and emerging Local plan. For the reasons set out below it is considered that the proposals are consistent with the aims of the development plan and the Framework and represent a sustainable form of development within the Parish of Heapey.

Representations

No representations have been received.

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	No objections to the proposed development
Greater Manchester Ecology Unit	Conditions proposed
Lancashire County Council Archaeology	Condition proposed

Policy Position with regard to the emerging Chorley Local Plan 2012 – 2026

1. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan which is a material consideration in the consideration of any planning application.
2. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers.
3. Paragraph 18 of the Partial Report states: *“For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”*
4. The Council accepted the Inspectors modifications for Development Control purposes at its Executive Committee on 21st November 2013 and as such the policies referred to below can be afforded significant weight.

Description of the site

5. The site is located within the rural Parish of Heapey, in the ‘Area of Open Countryside’ as defined in the Adopted Chorley Borough Local Plan Review (2003). It is situated approximately 330 metres south west of the rural hamlet of White Coppice and the conservation area of the same name.
6. The nearest neighbouring properties, apart from Morris Farm farmhouse which is in the ownership of the applicant, are both approximately 360 metres from the site at Warth Farm, White Coppice to the north west and Rough Lee Farm to the south west of the site.
7. The topography is set on a generally falling grade in a roughly south west to north east direction.
8. The site is accessed from Hollin Lane, a rural lane that leads from Higher House Lane to White Coppice, via a short, approximately 75 metre long, single track drive. All the aforementioned routes are generally set within cuttings lined by raised banks, mature native hedges and trees.
9. It comprises a traditional vernacular historic barn and a more modern single storey storage building that approximates in size to a domestic double garage, that sit within the curtilage of a 17th Century grade II* listed farm house. The barn has been altered and extended throughout its life, with the majority constructed from local stone and later additions and repairs being constructed of brick. Other, more modern, agricultural style open fronted storage sheds are located to both the south and west of the site.
10. Farming operations continue on the site, essentially using the other more modern buildings as the subject of this application is no longer fit for purpose as it is not compatible with modern farming practices.
11. S.1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines that buildings that were part of the land prior to 1 July 1948 and which are located within the curtilage of a building included on the list of buildings of historic interest compiled under the authority of the Secretary of State (i.e. the list of listed buildings now maintained by English Heritage) are to be included as a part of the listed building even where they are not physically attached to that building.

Assessment

Principle of the Development

12. Pertinent Policies are: Adopted Chorley local Plan Review (2003), Policy DC1 and DC7B; Adopted Central Lancashire Rural Development SPD (2012); Emerging Chorley Local Plan 2012 – 2026, Policy HS9. Also of relevance is the Framework (National Planning Policy Framework) Section 9, paragraphs 87 – 92.

13. The site is within the Area of Open Countryside, which to all intents and purposes is treated in the same way as the Green Belt. Paragraphs 87 - 88 of the Framework state:
(para 87) *'As with previous Green Belt Policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'* (para 88) *'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, is clearly outweighed by other considerations.'*
14. The Adopted Central Lancashire Rural Development SPD (2012) mirrors paragraph 89 of the Framework. Policy DC1 of the Adopted Chorley Borough Local Plan Review (2003) and Policy HS9 of the emerging Chorley Local Plan 2012 – 2026 set out exceptions where development can be considered to be appropriate in the Green Belt and Other Designated Rural Areas:
 - 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;
 - b. The proposal would not harm 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;
 - d. If an agricultural building, it is not one substantially completed within ten years of the date of the application;
 - e. The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;
 - 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 tightly drawn around the building footprint and the requirement for outbuildings, which should be minimal;
 - 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 and undue environmental impact;
 - h. The development would not result in the loss or damage to any important wildlife habitat or protected species.
15. In this case:
 - a. Overall the amount of built development within the site will be the same as is currently the case. Consequently it is considered that there will be a lesser impact on the openness of the Green Belt.
 - b. The proposal seeks to re-use the existing building and to make alterations including the demolition of part of the milking shed, erection of an extension that is smaller than the part of the milking shed that is proposed to be demolished, the addition of a small porch and the replacement of the current storage building with a domestic double garage. These alterations have been designed to complement this rural setting. It is therefore considered to sustain the character and quality of the Green Belt.
 - c. Farming operations continue at this site, however not from this building and not of the type of agriculture for which it was originally intended, as it no longer meets the requirements of modern farming practices. Those needs are fulfilled by other buildings on the site. There will therefore be no requirement for additional farm buildings as a result of the proposed development.
 - d. The building probably dates from the late 17th/early 18th Century.
 - e. A structural survey report accompanies the application which confirms the structural integrity of the building and its capacity for conversion.
 - f. The building is readily capable of conversion and only requires a limited amount of alteration, principally involving partial removal of later additions and replacement of a later outbuilding with a domestic scaled garage. The extent of the proposed domestic curtilage closely follows the outline of the building and is considered to be both adequate for a property of this type and acceptable in terms of the relation with the open countryside beyond.
 - g. An existing access is already in place and the LCC Highways Engineer considers this and the parking provision proposed to be acceptable.
 - h. Suitably worded conditions will ensure that protected and endangered

species are safeguarded both during and post construction.

16. The proposal involves the removal of part of the current (now unused) milking shed, a form of development that is appropriate in the Green Belt, erection of an extension that is smaller than the part of the milking shed that is proposed to be demolished and the erection of a small porch extension and the replacement of a small storage building with a domestic double garage that falls to be considered as inappropriate development in the Green Belt. However the overall impact on the openness of the Green Belt is considered to be acceptable as, with reference to the Framework, it will not result in a disproportionate addition over and above the size of the original building. The overall mass of built development will be unchanged at this point within the Green Belt.
17. In terms of alternative uses for the buildings they were originally taken out of agricultural use as being no longer fit for modern farming practices and are too small to accommodate modern farming machinery. Other industrial uses, even office accommodation is considered inappropriate in this quite remote location as it would result in even heavier vehicle movements along Hollin Lane than an additional single residential use would create. Clearly these buildings, as with any building, have to be sustainable and have an active, economic and sustainable use. It is considered that residential use in this case is the most appropriate.
18. On balance it is considered that very special circumstances have been demonstrated and that these overcome the inappropriateness of development and any other harm caused and that the end product will sustain the openness and the quality of the Green Belt at this point.

Design

19. Pertinent Policies are: Chorley Borough Householder Design Guidance SPD (2008); Adopted Central Lancashire Core Strategy (2012), Policy 17; Adopted Central Lancashire Design SPD (2012); Emerging Chorley Local Plan 2012 – 2026, Policy BNE1. Also of relevance is the Framework paragraph 56, 57 and 60 – 65.
20. A key thrust of these policies is the desire to encourage high quality and innovative design. Paragraph 56 of the Framework states that, *'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 57 continues, It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes.'*
21. Paragraphs 60 – 65 not only reinforce the need for good design and design which responds to context, but also the benefits of using independent design review arrangements to ensure high standards of design. Paragraph 63 states that, *'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'* Paragraph 65 concludes that, *'Local planning authorities should not refuse planning permission for buildings or infrastructure which promotes high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.'*
22. The design suggests minimal new interventions, however these are only proposed where they are necessary and are considered to be of a high-quality, complimentary yet contemporary design that will enhance the appearance of the building. High quality complimentary materials are proposed to support the overall design ethos. Suitably worded conditions will secure these details.
23. It is therefore considered that the proposal represents good quality design and that consequently it accords with the aforementioned policies.

Impact on the significance of a designated heritage asset

24. Pertinent Policies are: Adopted Central Lancashire Core Strategy (2012), Policy 16; Emerging Chorley Local Plan 2012 – 2026, Policy BNE8. Also of relevance is the Framework, Section 12.

25. Within the Framework paragraph 129 states that, 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'
26. Paragraph 132 states, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'
27. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, 'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:
 - a. *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.*
28. The emerging Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, '*Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate. The enhancement of the setting of heritage assets.*'
29. In this case given the relationship of the development site and the designated heritage asset, the design of the proposed works and the choice of materials proposed it is considered that the significance of the designated heritage asset will be sustained as a result of the development.
30. It is therefore considered that the proposed development is in accordance with the aforementioned policies.

Impact on the amenity of neighbours

31. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy HS4; Chorley Borough Householder Design Guidance SPD (2008); Emerging Chorley Local Plan 2012 – 2026, Policy BNE1. These policies/ guidance suggest that any proposed development should not have an unacceptable impact upon the amenity currently enjoyed by neighbouring properties.
32. The proposed development will have no material impact upon the amenity currently enjoyed by the neighbours to the site. At approximately 360 metres distance those neighbours are considered to be too far away from the proposed development for any impact to be material. It is considered that the relationship to Morris Farm farmhouse will be acceptable and that both properties, existing and proposed, will be able to enjoy their own, acceptable, amenity.
33. This being the case it is considered that the proposed development will not have an unacceptable material impact upon the amenity currently enjoyed by neighbouring properties.

Highway Safety and Parking

34. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy TR4; Emerging Chorley Local Plan 2012 – 2026, Policy ST4. The Lancashire County Council Highways Officer has commented that he has no objections to the proposed

development. The development will accord with the Council's parking standards as set out in Appendix A of the emerging Chorley Local Plan 2012 – 2026.

35. The proposed development is therefore considered to accord with the aforementioned policies.

Ecology

36. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy EP4; Adopted Central Lancashire Core Strategy (2012), Policy 22; Emerging Chorley Local Plan 2012 – 2026, Policy BNE9. These policies, together with other legislation, seek to safeguard protected and endangered species and their habitats. The Greater Manchester Ecology Unit has suggested a number of suitably worded conditions that will secure and safeguard protected species and their habitats.

37. The proposed development is therefore considered to accord with the aforementioned policies.

Overall Conclusion

38. It is considered that the proposed development will accord with local and national policy in terms of principle, designated heritage assets, highways, ecology and neighbour amenity. Consequently the application is recommended for approval.

Planning Policies

39. 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 Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Ref: 84/00161/LBC **Decision:** REFFPP **Decision Date:** 22 May 1984
Description: Application for listed building consent for conversion of barn to dwelling part demolition alterations extension to form porch and installation of septic tank

Ref: 84/00134/FUL **Decision:** REFFPP **Decision Date:** 22 May 1984
Description: Conversion of barn to dwelling extension to form porch and installation of septic tank

Proposed Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Drawing: SD/14/152 Rev W Proposed S & E Elevations Dated 11/01/2015 Drawing: SD/14/151 Rev W Proposed N & W Elevations Dated 11/01/2015 Drawing: SD/14/154 Rev W Proposed GF Plans Dated 11/01/2015 Drawing: SD/14/153 Rev Proposed FF Plans Dated 07/12/2014 Drawing: SD/14/150 Rev Proposed Garage</p> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
3.	<p>The development hereby permitted shall not commence unless and until samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality</i></p>
4.	<p>The proposed exclusion of bats from the interior of the Barn is likely to cause harm to common pipistrelle bats as identified in the Bat, Barn Owl and Breed Bird Survey and Assessment, Aug- Oct 2014 by Ribble Ecology. Prior to the commencement of the development either of the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a license</p> <p>In the event that a license is required, the development shall thereafter be carried out in accordance with the agreed measures.</p> <p><i>Reason: To safeguard protected species.</i></p>
5.	<p>No conversion works or demolition shall commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To safeguard protected species.</i></p>
6.	<p>Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are known to occur on the site, including Himalayan balsam. These species shall be eradicated from the site and working methods shall be adopted to prevent their Spread in accordance with Environment Agency guidance and codes of practice.</p> <p><i>Reason: to ensure the eradication and control of any invasive species which are found on the site.</i></p>
7.	<p>An ecological mitigation plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development. The content of the plan should include elements to mitigate for loss of bird nesting habitat, and measures to avoid harm to UK priority species such as hedgehog and common toad. The approved plan will be implemented in accordance with the approved details.</p>

8.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwelling, porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission.</p> <p><i>Reason: In the interests of neighbour amenity.</i></p>
9.	<p>The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
10.	<p>The garage hereby approved as part of the development shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.</p> <p><i>Reason: To ensure adequate garaging/off street parking provision is maintained and thereby avoids hazards caused by on-street parking.</i></p>
11.	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until all fences and walls shown in the approved details have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
12.	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.</p> <p><i>Reason: To secure proper drainage</i></p>