

Item No: 2

Reference: B/12/00435/FUL

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Parish: GLEMSFORD

Ward Members: Cllrs R Thake &  
L Young

Location: New Street Farm, New Street

Proposal: Conversion and extension of existing barn and yard buildings to provide 2 no. dwellings with garage/carport and workshop/store areas together with associated works.

Applicant: Mr and Mrs Willemsen

Case Officer: Graham Chamberlain

Date for Determination: 30 May 2012

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### **RECOMMENDATION: Refuse Planning Permission**

**This application is referred to Development Committee as views have been expressed which are at variance with the officer recommendation and the proposal is of a scale that requires consideration by Members.**

#### **THE SITE**

1. The site is located on the outskirts of Glemsford (approximately ¾ mile from Tye Green) in close proximity to a small group of housing to the north east (along Plum Street). The site currently comprises a collection of modern and historic agricultural buildings arranged in a tight cluster. There is a principal barn with a single story historic range to the immediate east. These barns are timber framed with black weatherboarding and are open to the roof. There is also a modern agricultural building projecting off the east elevation. There is a further detached outbuilding located to the east (a former granary).
2. To the south west of the barns is the farmhouse which is also in the applicant's ownership but not within the red line site area. A former orchard abuts the southern boundary of the farmhouse. To the west is a large pond (believed to be a horse pond) surrounded by a number of large trees. To the north west of the site is an agricultural building and a telephone mast.
3. The site is approached from the east along a farm track. The farm track is also a public right of way. A second public right of way runs along the eastern boundary of the site in a north south direction. The site is located in the countryside and is within an Area of High Archaeological Potential. The site is broadly level.

#### **THE PROPOSAL**

4. The proposal is for the conversion of the barn complex to two dwellings. The main points are as proposed,

##### **Plot 1**

- Plot 1 would be converted to a 4 bedroom property but only 1 bedroom would be in the barn.
- A link would be provided between the principal barn and the open fronted shelter building to the east
- It is likely that much of this shelter building would have to be rebuilt (as per the structural engineers report) to enable a residential conversion.

- The shelter building would provide three of the four bedrooms, a bathroom and a utility room.
- The shelter building would be further extended with a flat roofed glazed extension running the length of the northern elevation. This would provide a corridor to the bedrooms and bathrooms.
- Seven roof lights would be inserted in the roof.
- Within the principal barn a partial first floor would be provided to accommodate the fourth bedroom
- The former granary store would be converted to a store.

#### **Plot 2**

- Plot 2 would be converted to a five bedroom property following demolition of the modern agricultural building that projects off the east elevation.
  - A new wing would be built to the east. In a similar way to Plot 1 this would also contain three bedrooms, a bathroom and a utility room. The new wing would be in the location of a demolished 19<sup>th</sup> Century stable.
  - The new wing would include a glazed corridor to mirror Plot 1.
  - Within the Principal barn a dividing wall would be added (to divide Plots 1 and 2) and a first floor added with two en-suite bedrooms and a gallery landing.
  - Eight roof lights are proposed in the new wing and a further roof light in the principal building.
  - A modern agricultural building to the north would be retained and converted to a workshop and store.
5. Garden spaces would be provided within a central space created by the new wing and the converted/rebuilt shelter building. A 1.8m high wall would enclose the gardens.
  6. The principal barn would also have a bat loft running its entire length.
  7. The application is supported by:-
    - Contaminated Land Assessment
    - A Structural Assessment
    - Ecological Assessment
    - Report on Marketing Campaign
    - Design and Access Statement
    - Heritage Asset Assessment
  8. The application documents can be viewed on line via the planning pages on the District Council's website.

#### **RELEVANT HISTORY**

9. B/04/01738/AGD Notification under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - Erection of General Purpose Farm Building. Withdrawn by applicant.
10. B/11/00427/FUL Change of use and extension of existing agricultural barn and linked yard buildings to provide 2 No. Dwellings with garage/carport and workshop/store. (Demolition of grain store attached to barn). Withdrawn by Applicant
11. Officers raised concerns with application ref B/11/00427 regarding the lack of information (contaminated land assessment, historic appraisal), the method of conversion and the principle of conversion to two dwellings.

## **NATIONAL PLANNING POLICY FRAMEWORK**

12. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
13. The Policies listed below have been reviewed for compliance with the NPPF (as per Paragraph 215) and are found to be consistent with the framework. Weight can therefore be afforded to the Policies listed

## **PLANNING POLICIES**

14. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and saved policies in the Babergh Local Plan (Alteration No.2) adopted 2006. The Localism Act 2011 contains provisions that are likely to lead to the abolition of the East of England Plan. These provisions should be regarded as a material consideration in planning decisions. The following policies are applicable to the proposal:

### **East of England Plan, 2008**

- **ENV7** - Quality in the Built Environment

### **Suffolk Structure Plan, 2001**

None

### **Babergh Local Plan (Alteration No.2) 2006**

- **HS04** – Countryside
- **CR19** – Residential Conversion of Rural Buildings
- **CN01** - Maintaining Local Distinctiveness
- **HS32** - Open Space
- **TP15** - Parking
- **CR01** – Development in the Countryside
- **EN03** – Protected Species
- **CR07** – Countryside Landscaping

The relevant policies can be viewed on line. Please see the notes attached to the schedule.

## **CONSULTATIONS**

15. PC – Approve
16. County Archaeologist – No comments received
17. AWS – No comments received
18. SWT – No objection (comments discussed in more detail later in the report)
19. Rights of Way Officer – SCC – No objection

20. Dedham Vale and Stour Valley Project – No comments received
21. Historic Building Officer– Comments pending at time of writing. Has informally objected to the proposal
22. BDC Economic Development – No objection
23. Environmental Health - Land Contamination Issues – No objection subject to an investigatory condition

## **REPRESENTATIONS**

24. None received

## **PLANNING CONSIDERATIONS**

25. As the proposal is for a barn conversion with associated works in the countryside, the planning considerations as confirmed by relevant Local Plan Policies are as follows,
  - The principle of development
  - Whether alternative uses have been considered (location relative to service centres and marketing) (Policy CR19)
  - Whether the barn is capable of conversion without significant rebuild or extension (Policy CR19)
  - Whether the barn is of historic/architectural/landscape merit and therefore worthy of an exception being made to countryside policy (Policy CR19)
  - Does the method of conversion retain the character of the buildings(s) and the amenity of the countryside (CR19, CR01 and CR07)
  - Whether there is an adverse impact on biodiversity (CR19)

### **Principle of Development**

26. Policies HS01, HS02, HS03 and HS04 (along with CR01) should be read in conjunction and set out the Councils strategic approach to housing delivery. The Policies provide an overarching approach with the aim of securing sustainable development by minimising car journeys and directing development to locations which will support the provision and retention of local services. Policies HS01, HS02 and HS03 direct new residential development to identified towns and villages in the district whilst Policies HS04 and CR01 restrict new residential development in the countryside.
27. However, there are some circumstances where residential development in the countryside can be permitted; such circumstances would have to be an identified exception (as set out in the Local Plan and NPPF). Such exceptions could be a local needs housing scheme (Policy HS06), a replacement dwelling (Policy HS05) a rural workers dwelling (NPPF) or an appropriate conversion of a rural building. The latter exception is only acceptable if a number of stringent tests are passed. These tests are set out in Policy CR19 of the Local Plan.

28. The recently published NPPF reaffirms that the assessment of an application should start with the Local Plan and that an application should be determined in accordance with the Local Plan unless other material considerations indicate otherwise. The NPPF only allows weight to be afforded to Local Plan Policies if they are consistent with the NPPF. The Councils Planning Policy Team has confirmed that Policy CR19 (which relates to residential conversion of rural buildings) is consistent with the NPPF in so far as it relates to general residential conversion (it is not considered consistent with regards to holiday lets).
29. Policy CR19 can therefore be given weight and, along with Policies CR01 and HS04 is the start point in the assessment. Although the conversion of a rural building can be considered an unsustainable form of development because it provides residential units remote from services, Policy CR19 allows the conversion of rural buildings as an exception if they meet a number of tests, but principally whether the conversion would facilitate the retention of a historic building. Therefore a balance needs to be struck between what is needed to retain the building and the inherent unsustainable nature of the development – an isolated dwelling in the countryside.
30. Whether alternative uses have been considered (location relative to service centres and marketing) (Policy CR19)
31. Policy CR19 requires employment generating uses to be considered before a residential uses are. Employment uses in appropriate locations can help stimulate and diversify the rural economy providing jobs closer to where people work. Furthermore, conversions to employment uses can be less harmful to the rural building as a lower level of intervention in the conversion can be tolerated by building regulations.
32. The building is located in close proximity to Glemsford and has a reasonable vehicular access along a private farm track that runs into a narrow country lane. This country land joins Cavendish Lane. The site is approximately 800m from Cavendish Lane, where there are other employment uses (also in converted buildings).
33. Given that the location was considered 'sustainable' a marketing campaign was undertaken. The campaign ran for a period of 1 year between 08/10/09 and 14/10/10. The campaign was agreed in advance by Officers and quarterly reports were submitted. A summary report has been submitted with the application.
34. The report demonstrates that there was quite a bit of interest in the buildings on site for commercial uses but no offers were received. It is understood that issues holding back offers were the scale and condition of the barns, the proximity of a nearby residential property (the farmhouse) which could restrict activity, security concerns due to the proximity of rights of way and the remote nature of the site/Glemsford along with the access.

35. It is slightly unusual that the campaign stopped in 2010 and the application now under consideration was received in 2012 as there is a significant gap in timescale terms. Whether the campaign shows the current picture in terms of market demand for the site is questionable. However, on balance Officers have taken the view that the marketing is reasonable evidence that there is no demand for the building (in the absence of information to the contrary). The Economic Development Team has raised no objections.
36. Whether the barn is capable of conversion without significant rebuild or extension and whether the barn is of historic/architectural/landscape merit and therefore worthy of an exception being made to countryside policy (Policy CR19)
37. As the applicant has demonstrated that there is no commercial demand for the building a residential conversion can be entertained if the building is of sufficient historic/architectural quality and in an acceptable condition. To this end the applicant has submitted a structural survey and a heritage appraisal. The latter is discussed below.
38. The structural survey concludes that the principle barn is in a good condition and capable of conversion. However, the ancillary shelter building is not. Although the rear brick and flint wall is in good condition, the rest of the building would need to be replaced. This building is not therefore, capable of conversion without significant rebuilding.
39. Consequently, Officers would expect to see a conversion of the principle building with perhaps the shelter building retained and repaired for ancillary purposes such as a garage or store, as its rebuilding would be unfortunate and would significantly diminish its historic interest, negating the justification for conversion in the first place.
40. The application is supported by a Heritage Appraisal (including a frame survey) prepared by an Architectural Historian. The main findings of the report are as follows:-
- The farm house and barns probably date from the early 19<sup>th</sup> Century
  - Some of the timbers in principle barn date from the 16<sup>th</sup> Century having been reused from early buildings including perhaps, an aisled barn.
  - Historic OS maps (1840 and 1884) show a range to the north (now demolished) along with other outbuildings.
  - The historic maps show a range to the south (the shelter building) having been constructed between 1840 and 1884
  - The principal barn is a 'double barn' i.e. designed to do the function of two smaller barns for example the storing of two different crops in one building.
41. In summary, the applicant is of the opinion that the complex of barns is an interesting survival that helps articulate how historic farmsteads functioned. The applicant has used the report to inform the conversion. The principal barn would be split into two houses to articulate the original purpose of a double barn, the northern range would articulate the location of the demolished stables and the resultant courtyard split with a wall as it would have been historically.

42. Officers agree that the building is of historic interest. Although not listed (of national historic significance) the building is of local interest. The building also has a presence in the landscape. Policy CR19 does not specifically refer to a buildings contribution to the landscape as being justification for conversion but barns such as this contribute much to the sense of local identity in South Suffolk, so this is a material consideration.

Given the historic interest, the contribution to landscape character and the generally good condition of the principle barn/the double barn, Officer have concluded that there is sufficient interest to justify retaining the building via a residential conversion. The question therefore is how this is done so as to ensure the development is not unnecessarily unsustainable and that the conversion is sensitively implemented. Officers are not convinced that the proposal achieves these aims.

43. The proposal includes significant rebuilding with the long since demolished stables (the northern range) being newly built and the shelter building (the southern range) being rebuilt (apart from the rear wall). This quantum of rebuilding constitutes significant rebuilding and therefore is contrary to Policy CR19.

44. The new build/rebuilding extensions proposed facilities the provision of two large properties on a site that cannot take this quantum of development without them. Six of the nine bedrooms proposed are in the new extensions. The double barn should ideally be converted to a single dwelling as this is all it can take without the need for significant extension/rebuilding; there would be scope for a single 3 to 4 bedroom dwelling. The shelter building could be retained for ancillary storage, garaging etc... This would be a reasonable compromise between unsustainable development in the countryside and using residential development to retain a building of historic merit.

45. The applicant argues that the rebuilding can be justified due to the historic precedent i.e. they are rebuilding structures that were there historically. This is a weak argument for a number of reasons.

- The applicant's argument is diluted as they do not propose to rebuild all the structures shown on the 1884 OS map. This selective conservation is arbitrary
- The applicants have commissioned a comprehensive historic recording report. The historic assessment of the site is comprehensive and can be archived. There is no need to rebuild certain elements to understand the history of the complex.
- Notwithstanding this, the proposed ranges would not be 'restoration' there is little evidence of the detail of the buildings that were previously there so the new build would be modern interpretations. Notwithstanding this they would be modern by virtue of building regulations requirements, layout, function etc...
- There is no need to rebuild the ranges to understand/interpret the site. Other forms of interpretation can be used such as marking out the plan of the historic buildings with bricks, an approach used at a barn conversion proposed in Little Cornard (Costens Hall)

46. The argument put forward by the applicant would set an undesirable precedent. Most historic sites have historic buildings that can be rebuilt. The applicant's argument moves the proposal away from what can be considered a conversion and more towards 'new build' in the countryside. The current buildings on site can only really take a conversion to a single dwelling (without harming the historic fabric and character). The second unit, therefore, is considered unjustified new build in the countryside.
47. In summary, the principal barn/the double barn is considered to be of historic interest and capable of conversion. The smaller shelter building is not capable of conversion without rebuilding. The interest of the double barn is considered sufficient to override normal policies of restraint for new dwellings in the countryside. However, the applicant has proposed significant rebuilding to try and fit two dwellings into the 'conversion'. This cannot be justified under Policy CR19 as the second dwelling is unnecessary. The proposed conversion is therefore not capable of being delivered without significant rebuilding and extension. The development is therefore contrary to Policy CR19.
48. Does the method of conversion retains the character of the buildings(s) and the amenity of the countryside (CR19, CR01 and CR07).
49. The method of 'conversion' is not considered to retain the character of the buildings, in particular the double barn. The 'conversion' includes the erection of two modern range extensions (one being the rebuilding of the shelter building). These new ranges would have a contrived glazed corridor which is flat roofed. This would jar with the traditional appearances of the buildings on site. The extensive glazing would also result in light spill which would diminish the solid appearance that characterises agricultural buildings. The ranges would also have 15 roof lights, again this diminishes the solid roofscape which is a key characteristic of agricultural buildings and again would result in light spill. The ranges have a domestic character that would jar with the double barn.
50. The conversion of the double barn is more positive with open internal spaces retained. However, a significant weakness is that the original doors have not been retained. The doors are identified in the Heritage Appraisal as being important to the character of the barn. The loss of these would be harmful to the buildings character.
51. The proposal also retains a modern agricultural building on the northern side of the complex which is a missed opportunity and proposed parking in prominent locations. A conversion to a single dwelling would enable the modern building to be demolished and parking to be better integrated into the site.
52. The method of conversion is considered to harm the character of the double barn and the amenity of the countryside.

**Whether there is an adverse impact on biodiversity (CR19)**

53. The applicant has provided a protected species survey that has concluded that bats are present but no other protected species. The applicant has designed the conversion with a bat loft in the apex of the roof which runs the entire length. This is sufficient to ensure there is sufficient mitigation for any impact on bats. The Suffolk Wildlife Trust has not objected subject to the mitigation being secured.



54. In assessing this application due regard has been given to the provisions of the Natural Environment and Rural Communities Act, 2006, in so far as it is applicable to the proposal and the provisions of Conservation of Habitats and Species Regulations, 2010 in relation to protected species.

#### **Crime and Disorder**

55. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

#### **PLANNING OBLIGATIONS**

56. Policy HS32 of the adopted Local Plan requires all applications proposing new dwellings to make provision for public open space. This is either in the form of on-site provision (minimum of 10% of the application site area) or off-site provision in the form of a commuted payment. In this case, given the size of the site on site public open space provision is not considered appropriate. A payment towards off-site public open space provision/improvement could be secured via a S106 Agreement. At the time of writing, the agreement has not been secured even though the application has been with the Council since May.
57. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.

#### **STATEMENT REQUIRED BY ARTICLE 31 OF THE TOWN AND COUNTY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010 (as amended)**

58. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the Local Planning Authority attempted to discuss its concerns with the applicant but was not able to secure the necessary improvements to the scheme that would have enabled the proposals to be considered more favourably. At a pre application stage and during the assessment of the application officers of the Council recommended that the number of units be dropped to one and the level of extension/rebuilding be significantly reduced. The applicant did not share this view and although has made some design revision has not addressed the Council's principle concern.

#### **RECOMMENDATION**

- (1) Refuse planning permission for the following reasons
- The conversion of the barn to two dwellings as proposed is not capable without significant rebuilding contrary to Policy CR19 of the Local Plan.
  - The method of conversion harms the character of the barn and the amenity of the countryside, contrary to Policies CR19 and CR01.
  - The absence of a contribution under Policy HS32 towards open space provision is contrary to Policy HS32.