

Allerdale Borough Council

Planning Application FUL/2021/0301

Development Panel Report

Reference Number: FUL/2021/0301
Valid Date: 07/12/2021
Location: Barn Neighbouring Holme Leigh and Kelsick Farm
Kelsick
Abbeytown
Wigton
CA7 4TL
Applicant: Matt Atkinson
Proposal: Proposed barn conversion to provide residential dwelling, demolition of existing WC to front (south) elevation and erection of two storey rear/side extension to provide quiet living, work area, rehabilitation and shower room on the ground floor and playroom, office, bedroom, bathroom and cupboard at first floor

RECOMMENDATION

REFUSE

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	<p>Policy S3 and S31 of the Local Plan (Part 1) supports the reuse of rural buildings in the open countryside.</p> <p>Officers are satisfied that the building is capable of conversion and the principle of conversion can be supported.</p> <p>However, concern is raised with regards to the new build element that would significantly alter the footprint of the development contrary to Policies S14 and S31 of the Local Plan (Part 1).</p>
Demolition and Biodiversity	The scale of the small lean to element on the southern elevation offers little

	<p>character to the site or visual amenity to the area and no objections are raised to its demolition.</p> <p>The applicant has adequately addressed the proposal is acceptable in terms of impact on protected species in line with Policy S35 subject to mitigations measures which can be secured by condition.</p>
Design	<p>Officers consider the proposed alterations and extension to the building, in the form of the scale of the two storey extension, addition of a balcony at first floor level and the use of inappropriate materials are inappropriate for its rural location and fails to respond positively to the character and history of the existing resulting in a development that would adversely alter the appearance of the existing building contrary to Policies S3, S31 and DM15 of the Allerdale Local Plan.</p>

2. Proposal

2.1. The proposal involves the conversion of the existing barn to provide a dwelling house. A small lean to element to the south elevation is to be demolished. A two storey extension is proposed to the north elevation. Access would be provided via the existing track, with parking and turning available to the east of the building.

2.2. The Plans for consideration are:-

21-11-04 Location Plan

21-11-05 As Proposed Site (Block) Plan

21-11-03 Rev A Proposed First Floor Plan, Elevations and Section B-B amendment received 14 January 2022

21-11-02 Rev A Proposed Ground Floor Plan, Elevations and Section A-A amendment received 14 January 2022

Design and Access Statement

Planning Statement, Drainage and Structural Information

Structural Inspection

Drainage Strategy

Foul Drainage Assessment

Survey for Bats, Barn Owls & Breeding Birds

2.3. The particulars are available to view via the following link:-

<https://allerdalebc.force.com/pr/s/planning-application/a3X3X00000B9E1ZUAV/ful20210301>

3. Site

- 3.1. The application site comprises a stone and brick built barn within the linear hamlet of Kelsick. The barn is set back from the main Kelsick highway, and surrounded by mainly open agricultural land. Access to the barn is via an existing single lane track from the main highway which is also used to access agricultural land to the north.
- 3.2. The main part of the barn is L shaped, with some smaller lean to elements of lower eaves height adjoining. There are a number of existing openings to all elevations of the barn.
- 3.3. The barn is bound to the north and south by agricultural land. To the west of the site is agricultural land with a residential property beyond, at a distance of approx. 35m. To the immediate east of the site is a redundant stone built building, separated from the application building by the access lane. A further residential property at Holme Leigh is situated to the east of the access track with Kelsick Farm beyond.

4. Relevant Planning History

- 4.1. FUL/2021/0097 Proposed barn conversion to provide domestic dwelling – Granted.
- 4.2. AGQ/2020/0003 - Conversion of agricultural barn at land northwest of Holme Leigh, to a dwellinghouse (use Class C3) including provision of services, the repair of the existing roof, work to the outside of the barn to make it wind and watertight and internal works to make it habitable at Barn Northwest of Holme Leigh, Kelsick - Prior Approval Granted.

5. Representations

Parish Council

- 5.1. The Parish Council has considered the application and has no objections and wish to support the application.

Environmental Health

- 5.2. No objections.

Natural England

- 5.3. No objections.

Minerals & Waste CCC

- 5.4. Cumbria County Council as minerals planning authority does not object to this application.

County Archaeologist

- 5.5. Our records indicate that the traditional farm buildings proposed for conversion and demolition probably have 18th century origins and are considered to be of local architectural and historical interest.
- 5.6. I therefore recommend that, in the event consent is granted, the existing buildings are recorded in line with the requirement outlined in condition 8 on the previously approved permission FUL/2021/0097, and that this should be secured in any new consent that may be granted.
- 5.7. The application has been advertised by site notice and neighbour letter. Five letters of support have been received to see this derelict building restored.

6. Environmental Impact Assessment

- 6.1. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- 6.2. The development does not within Schedule 1 nor 2 and, as such, is not EIA development.

7. Duties

- 7.1. Does the site affect the setting of a listed building?
- No
- 7.2. Is the site within a designated conservation area?
- No
- 7.3. Is the development likely to have a significant effect upon a Natura 2000 designation?
- No

8. Development Plan Policies

8.1. Allerdale Local Plan (Part 1)

Policy S1 Presumption in Favour of Development
Policy S2 Sustainable Development
Policy S3 Spatial Strategy and Growth
Policy S4 Design Principles
Policy S5 Development Principles
Policy S6d Wigton
Policy S14 Rural Economy
Policy S22 Transport Principles
Policy S27 Heritage Assets
Policy S29 Flood Risk and Surface Water Drainage
Policy S30 Reuse of Land
Policy S31 Reuse of Rural Buildings and Replacement Dwellings in the Countryside
Policy S32 Safeguarding Amenity
Policy S35 Protecting and Enhancing Biodiversity and Geodiversity
Policy DM14 Standards of Good Design
Policy DM15 Extensions and Alterations to Existing Buildings and Properties

8.2. Allerdale Local Plan (Part 2)

Policy SA2 Settlement Boundaries

9. Other material considerations

9.1. National Planning Policy Framework (NPPF) (2021)

9.2. Allerdale Council Strategy 2020-2030

10. Policy weighting

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

11. Assessment:

Principle of development

11.1. Policy S3 of the Allerdale Local Plan sets out the settlement hierarchy for Allerdale. It defines the settlement hierarchy, which sets out the role of settlements, including the form and scale of development that would be

expected within the towns and villages and what is acceptable in the open countryside.

- 11.2. The development would involve the creation of a 4 bed residential dwelling from the conversion and extension of an existing barn. The application site lies outside any defined settlement, within the hamlet of Kelsick and is therefore considered as development in the open countryside.
- 11.3. Paragraph 80 of the National Planning Policy Framework February 2021 is applicable to the proposal. Within this, it is indicated that planning decisions should avoid the development of isolated homes in the countryside. Circumstances in which such development could be acceptable would include the re-use of redundant or disused buildings which would enhance its immediate setting.
- 11.4. Policy S31 of the Allerdale Local Plan (Part 1) is also applicable. This policy supports the re-use of rural buildings in the open countryside, subject to compliance with other relevant policies. It is noted that the building should also be suitable for conversion without substantial alteration or rebuilding i.e. the building should be structurally sound. This is a key element to this application.
- 11.5. The proposal would see the existing structure converted to provide a 3 bed residential dwelling with Kitchen/dining/family room, utility room and a separate living room. This would involve the re-use of a redundant agricultural building supported by Policy S3 and S31. However, the proposal includes a large new built two storey extension which would take the scheme away from been a conversion and this will be discussed in detail below.
- 11.6. An inspection report and accompanying drawings have been submitted alongside the application which identifies that the buildings are generally capable of conversion with some minor rebuilding works in localised areas. The extent of the rebuilding works to the existing structure are limited to a small proportion of the buildings as a whole. The applicant has been able to suitably demonstrate that the buildings are structurally sound and capable of conversion. With this in mind, the principle of residential conversion in this location is accepted.

Demolition and Biodiversity

- 11.7. The proposal would involve the demolition of a small lean to element to the southern elevation. The scale of the lean to is such that it offers little to the character of the site or visual amenity of the area. The loss of this element is therefore accepted.
- 11.8. The County Archaeologist notes that the farmhouse and adjacent barn are of traditional clay construction, as such they are of some historical interest, despite later alterations and being in a poor state of repair. It is suggested that a condition be attached to any consent to secure suitable recording of the buildings prior to demolition and conversion works.

- 11.9. Policy S35 of the Allerdale Local Plan (Part 1) seeks to safeguard the habitat of protected species. The structures at the site have features which potentially could provide habitats for protected species. The application has been accompanied by a Survey for Bats, Barn Owls and Breeding Birds. The Report found that there were signs of barn owls, barn swallows, pigeons, blue tits and some bat activity, although there was no evidence of a large roost. It is also indicated that there is potential for bats to be present in the areas that were inaccessible to the survey such as ridge gaps, wall cracks and behind roof beams. A mitigation strategy to include new bat lofts and barn owl window and nest boxes within and around the farmhouse is outlined in the report, to protect and enhance the existing biodiversity of the site.
- 11.10. The Habitats Regulations transpose prohibitions against activities affecting European Protected Species. The Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. These are referred to as the three derogation tests applied by Natural England at licensing stage. Standing advice indicates that where it is likely that one of the prohibitions of the regulations is offended, it is necessary for the Local Planning Authority to consider the likelihood of a license being granted at the planning application stage and therefore the three tests.
- 11.11. The three tests are that:
1. There are imperative reasons of overriding public interest or for public health and safety;
 2. There is no satisfactory alternative;
 3. A favourable conservation status of the species is maintained.
- 11.12. In consideration of the three tests:
1. The retention of a non-designated heritage asset and addition to the adequate supply of housing is of some public interest.
 2. There are potentially other sites/ structures offering alternative conversions, however these could equally impact on European Protected Species. The proposed works would bring the building back into use avoiding deterioration or loss of the building.
 3. Given the noted signs of protected species at the site, there would be some impact on the conservation status. However, there were no large roosts present and the mitigation strategy would introduce new bat lofts and barn owl window and nest boxes within and around the farmhouse, which provides compensation. Direct impacts can therefore be mitigated to a large extent through the application of appropriate conditions.
- 11.13. On the basis of the information available, it is considered likely that a license would be forthcoming from Natural England. The survey works and mitigation strategy proposed are considered suitable with regards protected species and

satisfy the criteria of Planning Policy S35 of the Allerdale Local Plan (Part 1). It is suggested that a condition be attached to any planning approval to secure the mitigation works.

Design

- 11.14. The site is located in the open countryside outside the defined settlement limits under Policy SA2 of ALLP2. The principle of a barn conversion can be supported under Policy S3 subject to compliance with Policy S31 of the Allerdale Local Plan. Policy S31 clearly details that the scheme must be a conversion of an existing building and that it can be demonstrated that the building is structurally sound.
- 11.15. Policy S4 seeks to achieve high quality design, which is of appropriate scale and design for its location whilst responding positively to the character and history of its location.
- 11.16. Paragraph 134 of the National Planning Policy Framework details that development that is not well designed should be refused, especially where it fails to reflect local design policies.
- 11.17. The site benefits from planning approval FUL/2021/0097 for the conversion of the existing building. A single storey extension to provide a garage was approved to the north elevation. Permitted Development Rights were removed from the structure that meant any extensions or alterations to the property would require planning permission. The need for this condition was to protect the character and history of the building.
- 11.18. The proposal includes a new two storey extension of approx. 200 sqm (external measurements) to the north elevation (rear). The south elevation immediately to the front of the extension is single storey in nature and therefore the massing of the extension will be seen over the existing structure increasing its impact. Given the size and scale of the extension which would result in a new build of over 50% the floorspace of the existing barn and is a significant increase to the overall footprint of the existing barn, officer consider this could not be considered as minor or ancillary to the host dwelling. This is contrary to Policy S31 that details “proposals for the conversion of rural buildings to residential will only be acceptable in line with national policy and where the building can be converted without substantial alteration to the original footprint”. The significant new build moves the application away from been considered wholly as a conversion scheme and in officers opinion does not comply with Policy S31 of the Allerdale Local Plan and should not be supported.
- 11.19. The size of the existing barn is adequate to accommodate a reasonably sized dwelling which the plans demonstrate can accommodate 3 bedrooms and living space within the existing fabric.

- 11.20. The side elevations (west and east) are two storey in nature and could accommodate floorspace over 2 floors. The proposed plans show a large section of this part of the building as void at first floor level as there is currently no floor in this part of the building. However, with the insertion of a floor that could be supported subject to external design, this would provide an additional internal usable space of approx. 70 sqm without any alteration to the footprint.
- 11.21. In turning to the accommodation in the proposed extension this includes an internal area of 40sqm which is to be used in association with "The Little St Cloud Company" which would be a commercial element. Policy S14 is committed to supporting the economic prosperity and sustainability of rural communities by enabling appropriately scaled economic development. The policy details that with regards to new rural business "in the open countryside new development will only be permitted where the proposals involves the appropriate re-use of rural buildings". The proposed business element of this scheme is within the new build extension that is proposed. It has not been demonstrated by the applicant that there is a locational need for the business to be located at this location (although it is stated that due to medical reasons she has had to give up her job) and therefore the proposal for a new build rural business is contrary to Policy S14 of the Local Plan.
- 11.22. Application FUL/2021/0097 initially included a two storey extension as proposed under this application this was amended as part of that application to remove the two storey element and provide a reduced ground floor extension following officer's recommendations that the scheme was contrary to Policy S31 and could not be supported. This ground floor extension could accommodate a reasonably sized rehabilitation room and workspace, which is a need of the applicant.
- 11.23. In tuning to the design, the existing openings have been retained and reused where possible. A small number of new openings are proposed and the principle of these are not opposed. The Proposed plans propose composite framed double glazed doors with narrow profile composite framed double glazed windows. Given the agricultural history of the building the original openings would have been fitted with metal or timber with the timber lintels still visible on some of the large openings. The proposed composite windows and doors can be chunky in nature and alien to barns. To retain the character and history of the barn aluminium or timber windows and doors should to utilised. However, a condition could be added to any approval seeking further details be provided on the design and material.
- 11.24. A large first floor balcony is proposed that wraps round the corner elevations of the south (front) and west (side). The south elevation faces the highway and will be highly visible within the streetscene. The inclusion of a balcony is a modern feature that is not found on barns. The inclusion of this is at odds with the simple architecture of the existing barn, does not respond positively to the agricultural character, history and distinctiveness of its location resulting in a development that would adversely alter the appearance of this part of the existing building.

- 11.25. Furthermore, although the proposed extension is to be located to the rear of the existing building, given its scale and massing at two storey this will be visible over the simple single storey front elevation significantly altering the character of the existing building with the roof massing being more dominant than the single storey barn off shoot to the front.
- 11.26. In considering the proposed alterations and extensions to the building as a whole is considered the overall scale, design and materials of the extension, balcony and use of materials are inappropriate for its rural location and fails to respond to the character and history of the existing building resulting in a development that would adversely alter the appearance of the existing building contrary to Policies S4, S31 and DM15 of the Allerdale Local Plan.
- 11.27. Officers acknowledged that given the size of the application site the development would not result in over development of the site. There are two point members need to consider when assessing the proposal. Firstly, when considering the footprint of the proposed extension it increases the size by 44%, with the additional floorspace even greater. Members need to judge whether they believe the scale of the extension is proportionate taking into consideration its location in the open countryside where new build dwellings will not be supported and conversion are only supported without substantially alteration to the original footprint. Secondly, do the proposed alterations (with specific reference to the balcony, extension and use of composite materials) respond positively to the character, history and distinctiveness of the existing agricultural barn. If it is considered that any of these are unacceptable and harm the character of this rural barn the application should be refused.
- 11.28. If members are minded to approve the application this would be considered as a departure from the Local Plan Policy S31 and should be advertised to this nature prior to the decision been issued.

Highways

- 11.29. The site is accessible via a lane, which would be retained within the development. Conditions were suggested by the Highway Department to the earlier application in relation to the surfacing of the access drive. The highway details are acceptable with the conditions applicable to this application also.

Amenity

- 11.30. The application site is situated within a large plot. A residential dwelling is situated beyond the western boundary. A farm complex is situated beyond the eastern boundary. It is considered that there are reasonable separation distances between the application property and the agricultural buildings associated with the farm, with intervening planting and structures, such that the potential for noise and odour impact from the adjacent farm practices is considered to be minimal

Drainage

- 11.31. A new foul water drainage system is proposed for the proposed dwelling comprising a package treatment plant discharged to the watercourses located around the property, nearby water course at Stank Beck. Surface water would be discharged to watercourses around the site with rainwater harvesting, permeable paving and sub surface storage incorporated within the development.
- 11.32. The proposed drainage strategy is accepted.

Contamination

- 11.33. The Environmental Health Department have assessed the proposal and considered the information provided on the barn conversion form. They consider the proposal to be acceptable and do not require any further assessments be carried in relation to contamination.

Local Financial Considerations

- 11.34. Having regard to S70 (2) of the Town and Country Planning Act the proposal will have financial implications arising from New Homes Bonus and Council Tax Revenue.

12. Conclusions

- 12.1. The conversion of the existing structure is considered acceptable and in line with Policy S3 and S31 of the Local Plan (Part 1) and therefore the principle of a house at this location is not opposed.
- 12.2. The proposal includes a large two storey extension to the property to provide additional accommodation both of a domestic and commercial nature. This extension will result in a substantial alteration to the original footprint that is contrary to policies S14 and S31 of the Local Plan.
- 12.3. Furthermore in considering the design impacts from the development it is considered that the scale of the two storey extension which will be visible over the simple existing single storey barn will have a harmful appearance on this principal elevation. The addition of a balcony at first floor level and the use of inappropriate materials further harm the character of the existing agricultural barn. The proposed alterations and extensions to the barn fail to respond positively to the character and history of the barn contrary to policies S4, S31 and DM15 of the Local Plan (Part 1).

13. RECOMMENDATION

REFUSE

- 1. The proposed two storey extension with a dual use of residential and commercial will result in a significant alteration to the footprint of the existing rural building contrary to Policies S14 and S31 of the Allerdale Local Plan (Part 1).**
- 2. The proposed extension and alterations to the existing rural barn in the form of the scale of the extension, addition of a balcony at first floor level and the use of inappropriate materials fail to respond positively to the character and history of this rural barn resulting in a development that would adversely alter the appearance of the existing building contrary to Policies S3, S31 and DM15 of the Allerdale Local Plan (Part 1), Adopted July 2014 and paragraph 134 of the National Planning Policy Framework.**

