

**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**

**GRANT**

**1. Summary**

<b><u>Issue</u></b>	<b><u>Conclusion</u></b>
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>The scale of the extension has been significantly reduced and is considered to be proportionate to the existing building.</p>
Demolition and Biodiversity	<p>The scale of the small lean to element on the southern elevation offers little character to the site or visual amenity to the area and no objections are raised to its</p>

	<p>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, to be acceptable for its rural location and responds positively to the character and history of the existing building in compliance to Policies S3, S31 and DM15 of the Allerdale Local Plan.</p>

## 2. Introduction

- 2.1. Members will note that this application was deferred from the Development Panel meeting on the 15 March to allow officers to work with the applicant to seek amendments to the scheme.
- 2.2. The applicant has submitted a further set of plans to be considered by officers and members:
  - 21-11-02 Rev B As Proposed Ground Floor Plan, Elevations & Section A-A
  - 21-11-03 Rev C As Proposed First Floor Plan, Elevations & Section B-B
  - 21-11-05 Rev C As Proposed Site (Block) Plan
- 2.3. The plans still include an extension to the rear of the property, however, the second floor element has been partially removed from the proposals along with the balcony to the front of the building.
- 2.4. The existing structures has a floor area of approx. 210 sqm. The revised extension is approx. 130 sqm (external measurements) of which 97 sqm is at ground floor and only 35 sqm at first floor. This is a significant reduction to the previous application and would only result in a further floor space of 60 sqm from what was approved under the earlier 2020 application.
- 2.5. The two storey element of the extension has been limited to directly to the rear of the existing two storey side elevation of the barn and therefore will not be visible from the front elevation, will be seen in line with the existing structure and does not harm the character of the existing barn.
- 2.6. Whilst the proposed single storey extension will extend the footprint of the barn it is considered this will not be a substantial alteration with the revised scale of the extension proportionate to the building and the large development plot the building sits within. Officers consider the amended scheme is in line with the

National Planning Policy Framework and Policy S4, S14, S31 and DM15 of the Allerdale Local Plan (Part 1), Adopted July 2014 and can be supported.

### **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 18<sup>th</sup> 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 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.
- 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 revised proposal negotiated with the applicant and his agent involves conversion of the existing barn and addition of a new single storey wing to create a 3 sided courtyard.

### **Highways**

- 11.19. 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**

- 11.20. 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**

- 11.21. 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.



11.22. The proposed drainage strategy is accepted.

### **Contamination**

11.23. 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**

11.24. 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 with addition of a single storey extension 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.

## **13. RECOMMENDATION**

### **GRANT**

### **Annex 1**

### **CONDITIONS**

#### **Time Limit:**

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

#### **In Accordance:**

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:  
21-11-04 Location Plan  
21-11-02 Rev B As Proposed Ground Floor Plan, Elevations & Section A-A  
received 30.03.2022**

**21-11-03 Rev C As Proposed First Floor Plan, Elevations & Section B-B received 30.03.2022**

**21-11-05 Rev C As Proposed Site (Block) Plan received 30.03.2022**

**Drainage Strategy dated March 2021**

**Planning Statement – Drainage and Structural Survey for Bats, Barn Owls & Breeding Birds**

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

**Pre development conditions:**

- 3. Prior to the carrying out of any construction works the existing buildings affected by the proposed development shall be recorded in accordance with a Level 2 Survey as described in Historic England's document 'Understanding Historic Buildings A Guide to Good Recording Practice, 2016'. Within two months of the commencement of construction works a digital copy of the resultant Level 2 survey report shall be furnished to the Local Planning Authority.**

Reason: To ensure that a permanent record is made of the existing buildings of architectural and historic interest prior to their alteration as part of the proposed development, in compliance with Policy S27 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**Post-commencement/Pre use commencing conditions:**

- 4. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.**

Reason: In the interests of highway safety for constructional and operational traffic.

- 5. The foul and surface water drainage scheme outlined in the submitted Drainage Strategy shall be fully implemented prior to the occupation of the dwelling house and maintained operational at all times thereafter.**

Reason: To ensure a satisfactory means of drainage and minimise the risk of flooding, in compliance with Policy S29 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**Other:**

- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting**

**that Order with or without modification) no external alterations or additions shall be made to any dwelling hereby approved and no buildings, extensions, gates, fences or walls (other than those expressly authorised by this permission) shall be carried out within the curtilage of any dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.**

Reason: To preserve the character and appearance of the original building and its surroundings.

- 7. The works shall be implemented in accordance with the mitigation strategy outlined in Section E and F of the submitted Survey for Bats, Barn Owls and Breeding Birds and Detail 8 (Roof Space Roost for Long Eared Bats) and Detail 4B (Ridge Tile Access Detail 4B).**

Reason: To safeguard the habitat of bats in compliance with the National Planning Policy Framework and Policy S35 of the Allerdale Local Plan (part 1), Adopted July 2014.

