

© Crown copyright and database rights [2013]
Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2018/0891/FUL	ITEM 1	
Proposal:	Conversion of a barn to create a single dwelling house.		
Address:	Sculthorpe House, Pilton Road, North Luffenham, Rutland, LE15 9PD		
Applicant:	Mr C Binley	Parish	North Luffenham
Agent:	Rutland Planning	Ward	Normanton
Reason for presenting to Committee:	Previous Class Q proposal		
Date of Committee:	12 February 2019		

EXECUTIVE SUMMARY

The retention of works to convert a former Class Q barn conversion have had minimal impact on the public face of the building and taking account of material considerations, including the support of the Parish and the fallback position of a Class Q, the development is acceptable.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Land Registry Plan, Block/Landscaping plan, CB/REG/01/2018 and CB/REG/03/2018.
REASON - For the avoidance of doubt and in the interests of proper planning.
2. All hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.
REASON - To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

Site & Surroundings

1. The site is located on the southern side of Pilton Road between Pilton and South Luffenham, about 725 metres south of North Luffenham. The wider farm was built as Settings Farm by the Ancaster estate and comprises a range of late 19th century red brick and pantile buildings and a farmhouse, the latter of which has now been sold off separately. The agricultural buildings are set in a U shape. The buildings are of good quality and construction with relatively fine detailing on door mouldings window heads and eaves etc.
2. The separate building to the east is now occupied as a Class Q conversion. The remainder of the units are subject to the holiday let permission.
3. The farm is so called as it was used to 'set' guns on Luffenham House, home of Royalist Henry Noel and a garrison of 200 soldiers in the Civil War, following the razing of the village of Sculthorpe on or near the farm site.

Proposal

4. The application comes about as a result of alterations beyond the scope of the previous Class Q approval. The eaves of the single storey element have been raised by 6 courses and dormers have been added to the elevations to the rear courtyard. Details are shown in the Appendix.
5. This goes beyond what is permitted by a Class Q conversion so a new full application is required. The Curtilage is also larger than would be allowed under Class Q, which is otherwise very restrictive.
6. Solar panels have been erected on the east facing roof slope of the rear projection.

Relevant Planning History

Application	Description	Decision
2005/0751	Conversion of farm buildings to form 7 holiday lets	Approved Nov 2005
2014/0753/PAD	Conversion of agricultural buildings to up to 3 dwellings	Prior Approval Sept 2014
2014/1158/PAD	Submission of details in relation to above PAD	Prior approval; Feb 2015

Planning Guidance and Policy

National Planning Policy Framework

Supports sustainable development

Para 79 – To promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as;

- the need for a farm or forestry worker to live there,
- where it would represent the optimal use of a heritage asset
- where it would re-use redundant or disused buildings and lead to enhancement of the immediate locality, or
- be of exceptional quality, truly outstanding or innovative etc.

Para 197 - The effect of an application on a non-designated heritage asset should be taken into account in making a decision. A balanced judgement will be required having regard to the scale of the harm or loss of significance.

The Rutland Core Strategy (2011)

CS4 – Location of Development

Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs. The conversion and re-use of appropriately located and suitably constructed rural buildings for residential and employment-generating uses in the countryside will be considered adjacent or closely related to the towns, local services centres and smaller services centres provided it is of a scale appropriate to the existing location and consistent with maintaining and enhancing the environment and would contribute to the local distinctiveness of the area.

CS19 – Promoting Good Design

Site Allocations and Policies DPD (2014)

SP6 – Housing in the Countryside

New housing development will not be permitted in the countryside except where:

- a) it can be demonstrated to be essential to the operational needs of agriculture, forestry or an established enterprise requiring a rural worker to live permanently at or near to their place of work in the countryside; or
- b) affordable housing would meet an identified local housing need as set out in Core Strategy Policy CS11 (Affordable housing); (these sites may also include small numbers of market homes where exceptionally permitted by Policy SP10 (Market housing within rural exception sites)).

The development itself, or cumulatively with other development, should not adversely affect any nature conservation sites, or the character and landscape of the area, or cultural heritage.

The re-use or adaptation of buildings for residential use will only be permitted in the countryside where:

- a) the vacant building to be converted and re-used is a permanent structure capable of
- b) being converted without major re-construction;
- c) the proposal is accompanied by evidence that a reasonable effort has been made to secure a suitable business or commercial use, or there is evidence that any alternative use is not viable, before residential use is considered; the building relates well to a town, local service centre or smaller service centre or is close to a regular public transport service to such settlements;
- d) the creation of a residential curtilage does not have a detrimental impact on the character of the countryside. Any historical, cultural or architectural contribution the building makes to the character of the area will be taken into account in the overall assessment of the proposal.

Proposals to extend dwellings in the countryside will be permitted where development is within the existing curtilage, only results in a modest increase in the volume of the original dwelling, is in keeping with the character, footprint, size and design of the original dwelling and is not visually intrusive in the landscape.

SP15 – Design & Amenity

Other guidance

The Conversion of Traditional Farm Buildings – A Guide to Good Practice. Historic England publication (2006)

Consultations

7. The Environment Agency

The Environment Agency does not wish to make any comments on this application. It does not appear to match any of the criteria on our consultation checklist. However, if you believe you do need our advice, please call me on the number below

8. Highways

No objections if built in accordance with drawing Block/Landscaping Plan

9. **North Luffenham Parish Council**
The opinion of NLPC Planning Committee is that the proposed application would be an enhancement to the site and therefore supports the application.
10. **Ecology**
Not clear how much of this is retrospective. A bat roost was identified in 2010 but if the conversion has already been carried out no survey is required as any evidence of bats will have been destroyed.

Neighbour Representations

Anonymous

11. I see that there is a planning application to raise the buildings at Settings Farm. As it was raised a year ago is this the way it is done now, do the job then ask? When I applied to do a small raise on my own property I couldn't even put a course on. These people have raised quite substantially. Is there a law for farmers different to the rest of us?
The barn at Preston was halted a year ago, they must feel sick. Can we just go ahead without planning now or is it just farmers. I will watch with interest.

Planning Assessment

12. The main issues are policy and design.

Policy

13. The Development Plan, specifically Policies CS4 and SP6, restricts new housing in the countryside to that which is necessary, usually for agriculture or forestry. This is supported by the advice in Paragraph 79 of the revised National Planning Policy Framework (NPPF).
14. CS4 states that conversion will only be permitted where the building is close to sustainable settlements and where there is no environmental impact. Policy SP6 builds on the Core Strategy and sets out where residential conversion might be allowed.
15. Since the introduction of Class Q permitted development rights, with no consideration of sustainability, this can be a material consideration in the determination of an application to convert a rural building, i.e. where there is a clear possibility and intention to use the Class Q rights. There was a Class Q approval and works commenced so there was a clear intention. If the unauthorised works were removed, the applicant could go back to the benefit of a Class Q conversion.
16. Members will recall that Officers concurred with the Legal advice referred to in the report for the Belton site in November in terms of their being a fallback position that should be lent considerable weight.

Design

17. Policies CS19 and SP15 require that new development is well designed. The raising of the eaves could be argued to create an unbalanced effect, however it is not particularly prominent even though clearly visible from the road frontage. The applicant states that they would like to carry out similar treatment to the single storey wing on the other side in the future which would re-balance the building. The brick that has been used is a good match for the original. All roofing has been replaced by pantiles and small red plain tiles as per the original.
18. The dormers that have been inserted would ideally have been avoided on a barn

conversion but they are located on the rear in an enclosed courtyard where they are not visible in the public realm.

19. The building could be described as a non-designated heritage asset. As such there is a duty under the NPPF to ensure that it is preserved. The works to raise the eaves results in less than substantial harm but the visual impact alone is not sufficient to warrant refusal. Alterations to the building in terms of openings could be carried out under Class Q so could not be controlled. There is a limited public benefit in bringing the asset back into use to secure its long term future.
20. The solar panels are not obtrusive in the public realm and they would not have required planning permission once the Class Q development had been completed or when the dwelling was occupied.
21. Class Q does not allow consideration of ecology issues so the works to the roof could have been carried out by the applicant who had the responsibility relating to any protected species. There has been no suggestion that any such species were present.

Conclusion

22. When considering the fallback position and the alterations made to the dwelling together with the landscaping to the front, the visual impact that the completed building would have on the public realm is limited such that the buildings would assimilate into the landscape in a satisfactory manner. Planning permission can therefore be granted.

ORIGINAL FRONT ELEVATION

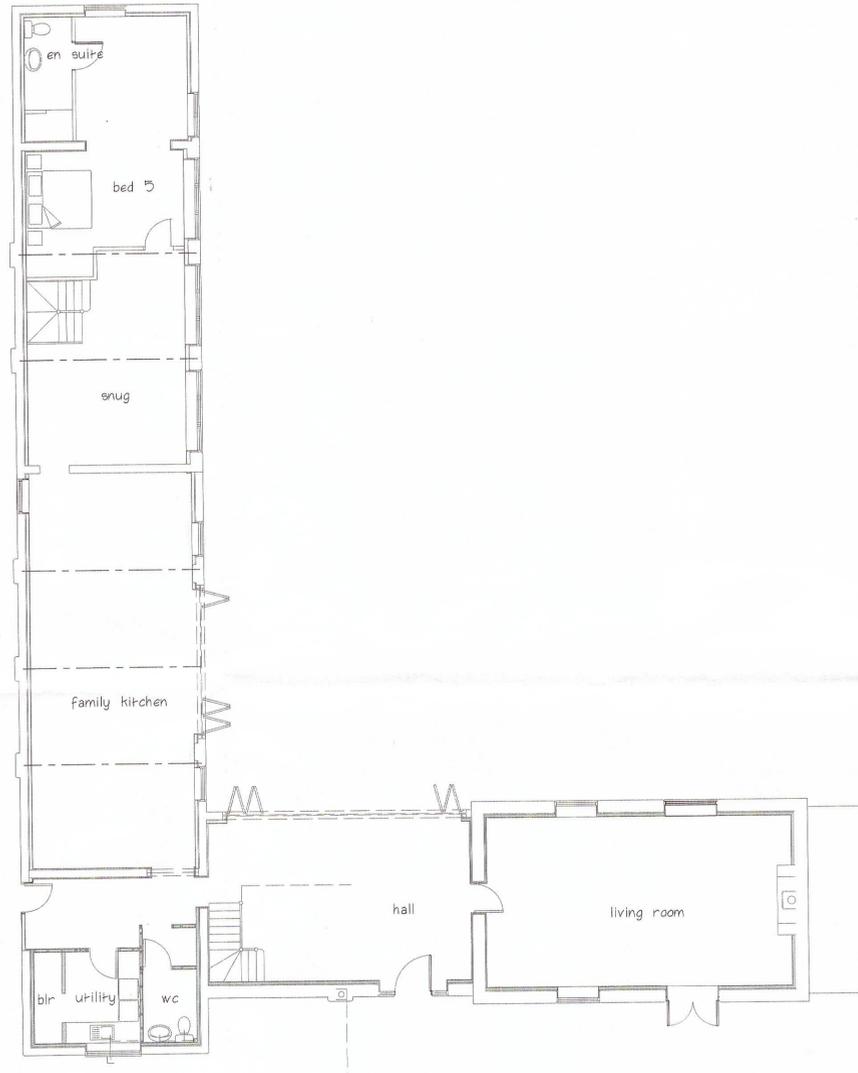


RAISED SECTION (FRONT)

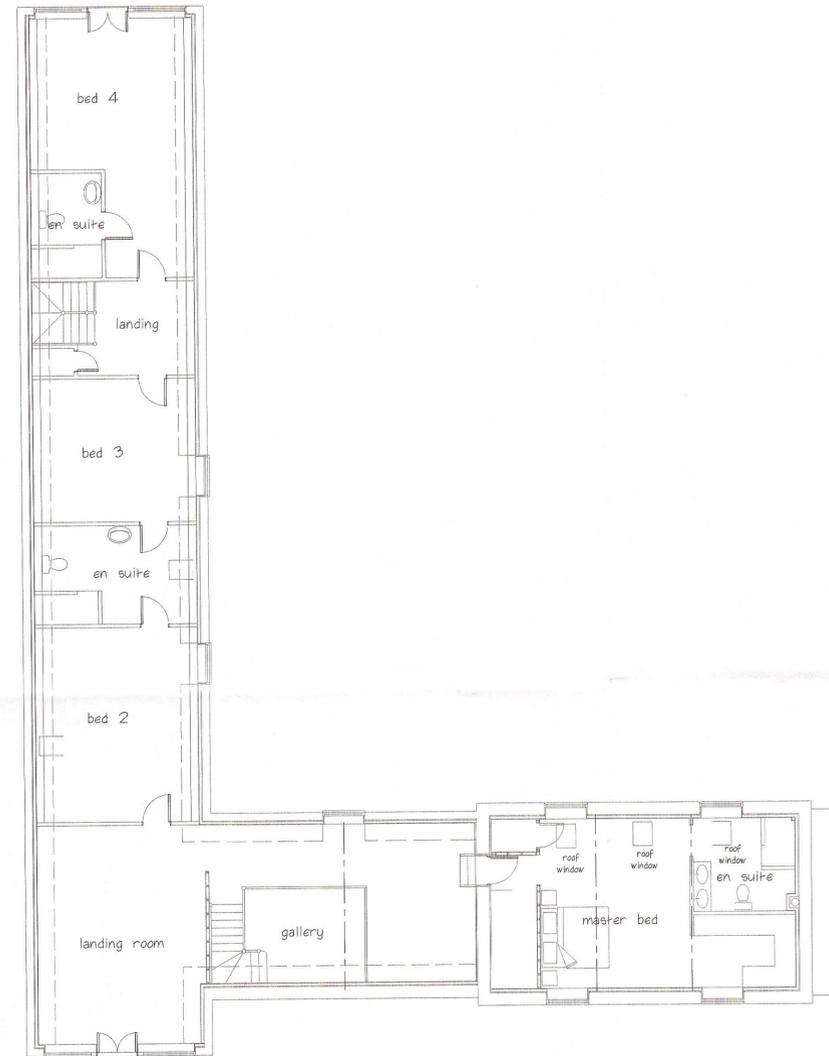


REAR ELEVATION





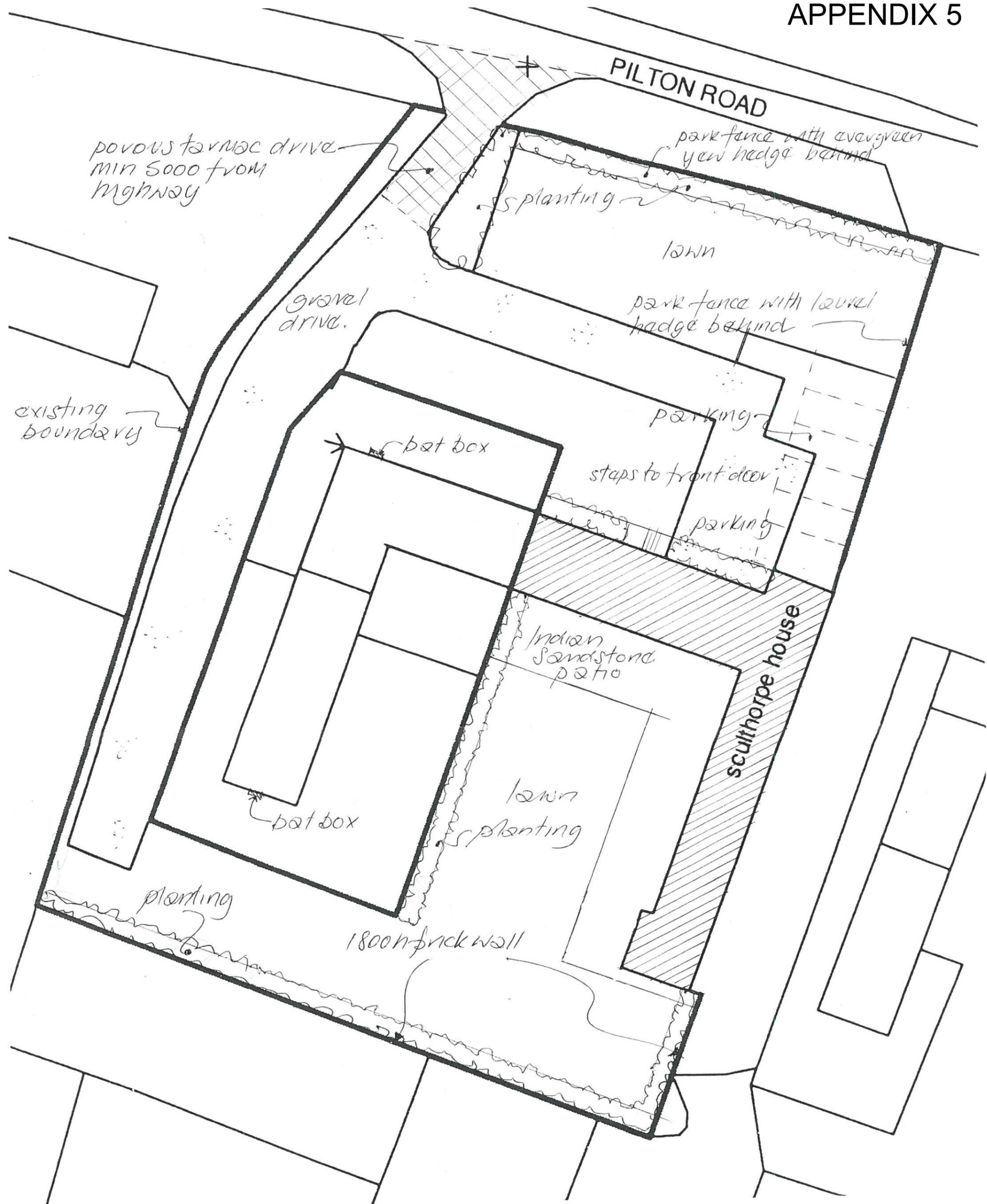
Ground Floor Plan As Built 1:100



First Floor Plan As Built 1:100

RECEIVED
24 AUG 2018
PLANNING SUPPORT

Ref: CB/REG/03/2018



Block/Landscaping Plan 1:250

RECEIVED
 24 AUG 2018
 PLANNING SUPPORT