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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0651/FUL	ITEM 4	
Proposal:	Conversion of barn to 2 no. Residential units.		
Address:	Fairchild Lodge, Lyddington Road, Caldecott, Rutland, LE16 8TE		
Applicant:	Mr And Mrs Andrew Brown	Parish	Caldecott
Agent:	Mr Tony Ansell	Ward	Lyddington
Reason for presenting to Committee:	Member application		
Date of Committee:	30th July 2019		

EXECUTIVE SUMMARY

The proposed changes to a former Class Q barn conversion would have a minimal impact on the public appearance of the building, and taking account of material considerations, including the fallback position of 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, numbers; LB/01/BP/2019, LB/REGS/01/2019, LB/REGS/02/2019, LB/REGS/03/2019.
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Materials (wording to be finalised in addendum report)
3. No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary, but the construction details used must be porous.
Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable.
4. Any new gates provided at the vehicular access shall be inward opening only and shall not be sited closer to the nearside edge of the carriageway than the existing gates.
Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.
5. Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B, D, E, and F, and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling, no provision of hard surfacing, buildings, enclosures, swimming or other pool, or any fences, walls or other means of enclosure shall be erected except with prior planning permission.
Reason: To protect the character and appearance of the open countryside.
6. The existing hedge on the west (roadside) boundary of the site shall be retained at a height of no less than 1.5 metres. Any part of the hedge that dies, is removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To maintain a soft boundary treatment for this part of the site, in the interests of the character and appearance of the open countryside.

Site & Surroundings

1. The site is a disused agricultural building within a farmyard located about half a mile east of Caldecott, within the open countryside. The barn has breeze block walls and a corrugated asbestos sheet roof, with similar sheeting to parts of the side and rear elevation. There are larger barns to the south-east, and the farmhouse is sited beyond that.
2. The site and surrounding grazing land is flat, and the barn is prominent from public views when travelling in either direction along the road; however there is established hedgerow along the roadside boundary to the site and surrounding fields.

Proposal

3. The site was granted prior approval for a single dwelling in 2017 (reference no. 2017/0592/PAD) under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In 2018 this was changed (following a refusal that went beyond the scope of Class Q) via a further prior approval to two dwellings (2018/0660/PAD).
4. The development has commenced on this basis, though the current planning application seeks various changes to the scheme. The nature of a 'prior approval' notification does not allow for further amendments to a scheme once development has commenced, hence the need for a full planning application.
5. The changes to the scheme consist of a different vehicular access to the site, alterations to the parking arrangements and curtilage, various fenestration alterations, and a change of proposed roofing material from tiles to profiled aluminium sheeting. The walls are to be as per the existing Class Q prior approval; render and red cedar cladding.
6. Plans are attached as appendix 1.

Relevant Planning History

Application	Description	Decision
20187/0250/PAD	Conversion of barn to residential use.	Prior Approval Aug 2017
2018/0393/PAD	Conversion of existing roadside barn to 2 no. residential units.	Refuse Prior Approval June 2018
2018/0660/PAD	Conversion of existing roadside barn to 2 no. residential units.	Prior Approval; Aug 2018

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.

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 being converted without major re-construction;
- b) 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;
- c) 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.

SP15 – Design & Amenity

Consultations

7. **Highways**
No objections, subject to conditions for surface material, gates, and note to applicant for a Highways Licence.
8. **Ecology**
It appears that the barn to be converted is a modern-style barn constructed in sheet-material. The conversion of this building would not meet any biodiversity triggers and we have no comments on, or objections to, this application.

Neighbour Representations

9. None

Planning Assessment

10. The main issues are policy, design, and highways

Policy

11. 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).
12. 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.
13. 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 have commenced so there is a clear intention, and case law has established that a fallback position should be lent considerable weight.
14. Given the above, it is considered that the principle of residential development here has been established, and as such the proposal would not be in conflict with Section 5 of the NPPF (2019), Policies CS03 and CS04 of the Rutland Core Strategy (2011), and Policy SP6 of the Site Allocations and Policies Development Plan Document (2014).

Design

15. The building itself to be converted would not differ in size from the previous prior approval. The changes to the fenestration (including the introduction of new openings, and bi-fold doors) would not have a detrimental impact upon the appearance of the building, or the character or appearance of the open countryside.
16. Aside from the farmhouse (owned by the applicants) there are no residential dwellings in the vicinity, and as such the proposal would not have a detrimental impact upon residential amenity. The applicant has advised since submitting the application that they now wish to retain some roof lights that were present on the original roof, but these are not currently shown on the plans. This is acceptable; however these revisions have not

yet been received. Members will be updated in the addendum report should these revisions be submitted.

17. There is also no objection in principle to the change of materials. The proposed roofing material is an accepted roofing material for farm buildings, and while this is a conversion, it would still be in keeping with the remaining barns and surrounding countryside. The applicant is in the process of finalising the colour of the roof sheeting (anticipated to be olive green), and members will be updated on this in the addendum report, and a suitable materials condition included to secure this.
18. The Class Q prior approvals do not include any permitted development rights, and while the current application is for full planning permission, given the prominence of the building within the open countryside, the removal of permitted development rights for further extensions, outbuildings and means of enclosure is considered justified in the interests of the character and appearance of the open countryside.
19. A condition is also included to retain the hedging along the roadside boundary. There are two trees here as well, and while both of these provide a degree of screening, they are not mature and are sited close to the building and proposed parking area. Given this, securing their long term retention via a tree preservation order would not be justified. The retention of the hedge here however would maintain a soft boundary, and help to screen the parking area.
20. Given the above, the proposal would not have a detrimental impact upon the character or appearance of the open countryside or local amenity, in accordance with Sections 9 & 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011), and Policies SP6 and SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway issues

21. The current application proposes to re-locate the vehicular access to the site, and the curtilage of the site has been slightly amended from the prior approval, in order to facilitate the new access layout, driveway and parking arrangements. On the previous approvals the site would share an access with the farm and farmhouse. However there is another existing access to the field behind the barn to be converted, which would provide better access, and also separation from the farm access. Parking for the two units would also be separated from one another, with each unit having four spaces at each end of the building; an improvement over the previous approval.
22. The Highway Authority has no objection to the proposal, and has recommended conditions. These are included, however as the access is existing and there is a gate here already, the 'gates' condition has been reworded accordingly to not allow a gate closer than the existing gate.
23. The proposal will not have an adverse impact on highway safety. There is adequate parking and turning for vehicles using the site. The proposal is therefore acceptable in this respect, in accordance with Section 9 of the NPPF (2019) and SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

24. It is considered that the proposal would not result in any significant crime and disorder implications

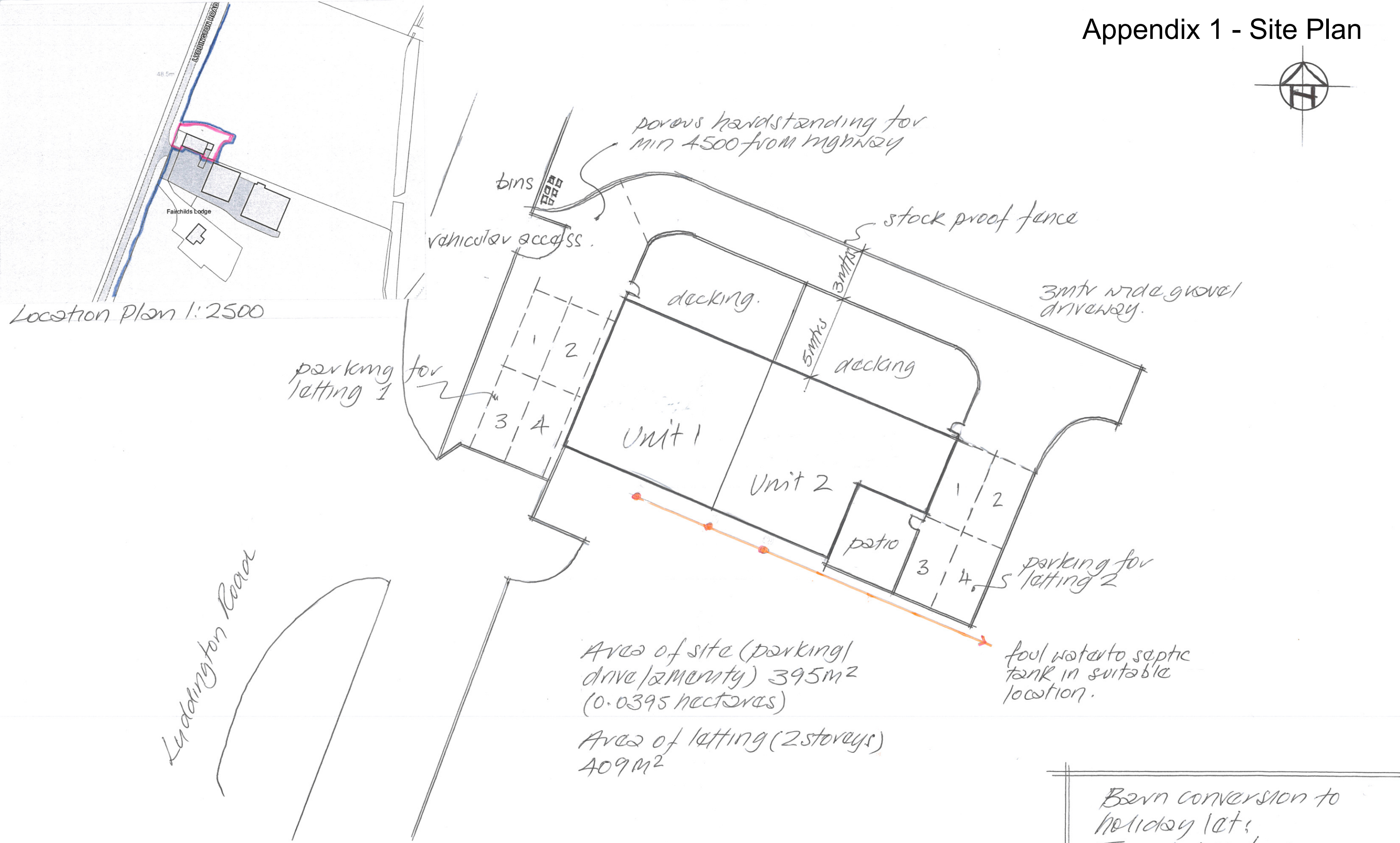
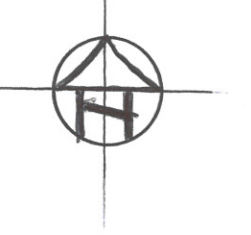
Human Rights Implications

25. Article 6 (Rights to fair decision making) and Article 8 (Right to private family life and

home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

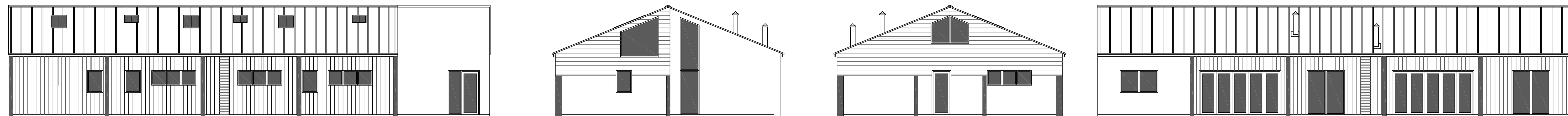
Conclusion

26. When considering the fallback position and the alterations proposed, the visual impact that the completed building would have on the public realm is limited such that the building would assimilate into the landscape in a satisfactory manner. Planning permission can therefore be granted, subject to the recommended conditions.



Block Plan 1:200@A3

Barn conversion to holiday let:
 Fairchild's Lodge
 Lyddington Road
 Caldecott
 Ref: LB/01/BP/2019



Proposed South West Elevation 1:100

Proposed North West Elevation 1:100

Proposed South East Elevation 1:100

Proposed North East Elevation 1:100

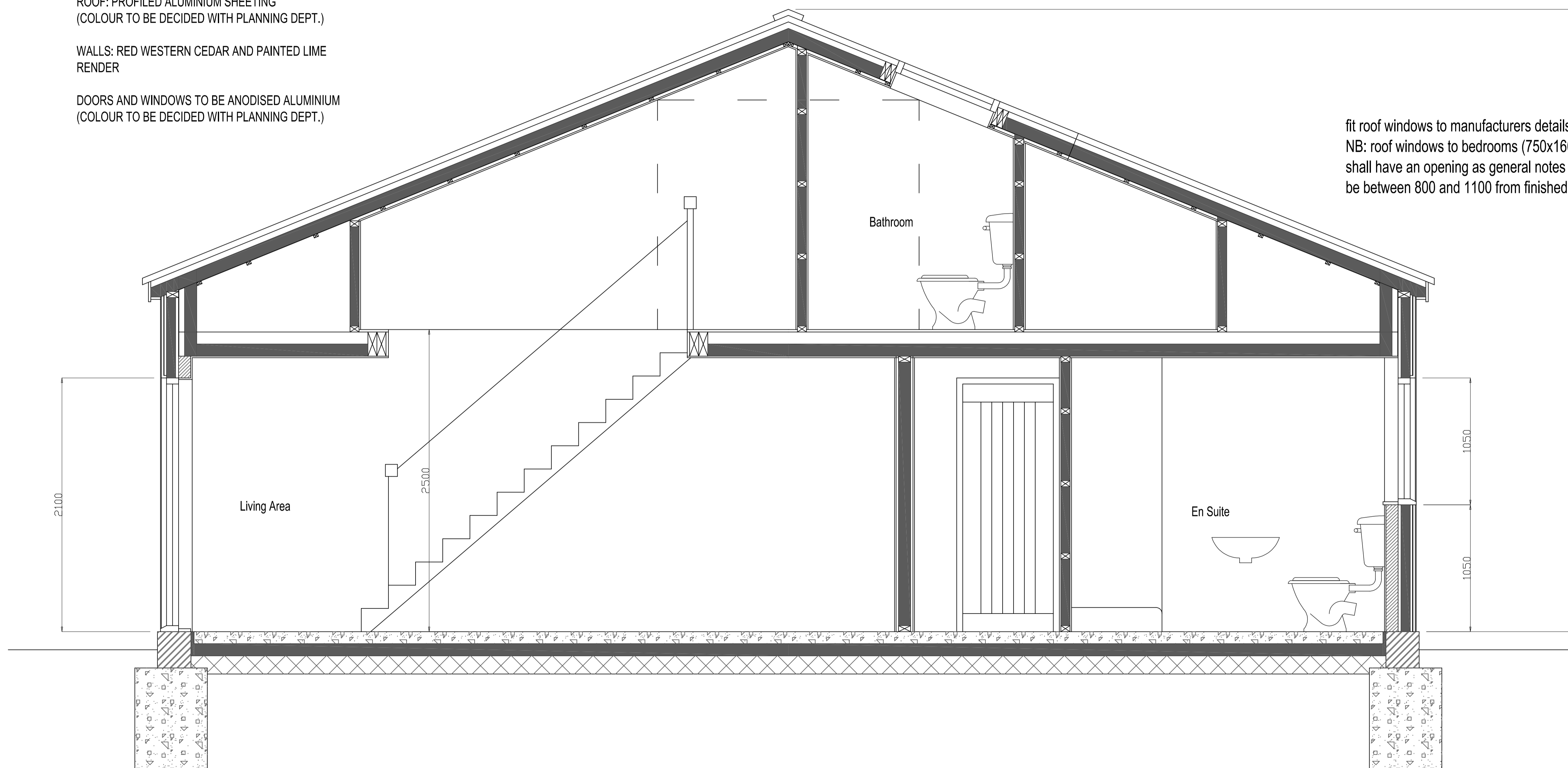
PLANNING NOTES

ROOF: PROFILED ALUMINIUM SHEETING
(COLOUR TO BE DECIDED WITH PLANNING DEPT.)

WALLS: RED WESTERN CEDAR AND PAINTED LIME
RENDER

DOORS AND WINDOWS TO BE ANODISED ALUMINIUM
(COLOUR TO BE DECIDED WITH PLANNING DEPT.)

fit roof windows to manufacturers details
NB: roof windows to bedrooms (750x1600)
shall have an opening as general notes and
be between 800 and 1100 from finished floor level



Section 1:20

Ref:LB/REGS/01/2019
Proposed Elevations