

Application:	2022/0951/FUL	ITEM 1	
Proposal:	Barn conversion to form a single dwelling, including detached carport.		
Address:	Barn Adjacent To New Quarry House, Holywell Road, Clipsham		
Applicant:	Mr & Mrs Stuart Paton	Parish	Clipsham
Agent:	Mr David Todd	Ward	Greetham
Reason for presenting to Committee:	As requested by the Parish Meeting		
Date of Committee:	17th January 2023		
Determination Date:	19th October 2022		
Agreed Extension of Time Date:	20th January 2023		

EXECUTIVE SUMMARY

This is an adaptation of an attractive range of buildings for residential use, being structurally sound and able to be converted without major re-construction

The conversion and re-use of this appropriately located and suitably constructed range of rural buildings for residential use 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.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 1310/8, 1310/9 and 1310/10.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development on the existing buildings shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in relation to the conversion and garage car port have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.
4. No development shall take place until a Method Statement for bat mitigation has been submitted to and approved in writing by the local planning authority. The bat mitigation features are to be shown on all relevant elevation plans. All works are to proceed strictly in accordance with the approved Method Statement.
Reason: In the interests of the protection of wildlife and their habitat.
5. No floodlighting shall be installed until details of the illumination scheme have been

submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason: In the interests of amenity to reduce the impact of night time illumination on the character of the area.

6. Before any work to replace the existing windows is commenced drawings to a scale of not less than 1:20 fully detailing the new or replacement [e.g. windows, doors, surrounds] to be used and indicating the materials and finish; shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in accordance with the approved details.

- (i) e.g. materials
- (ii) decorative/protective finish
- (iii) cross sections for glazing bars, sills, heads etc at a scale
- (iv) cross sections for fascia, pilaster, stallriser
- (v) sample sections of joinery work (glazing bars, sills etc) to be used
- (vi) method of opening
- (vii) method of glazing
- (viii) colour scheme

Reason: To maintain the character of the building.

7. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B, C, D and E 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 provision of extensions, alterations, buildings, enclosures, swimming or other pool shall be carried out or erected at the premises.

Reason: To enable the LPA to consider any further proposals in this prominent location in the open countryside, in the interests of visual amenity.

8. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Class E 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), within the curtilage of the dwellinghouse no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas shall be erected or carried out except with prior planning permission.

Reason: To enable the local authority to control future development of the site.

Informatives

1. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you have not received an acknowledgement by the time you intend to commence development then it is imperative that you contact cil@rutland.gov.uk.

If the development hereby approved is for a self-build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can

be found on the Planning Portal:
https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

2. This development will require a European Protected Species licence to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution.

3. This permission has been granted due to no significant demolition or alteration works proposed to the existing buildings. Should during conversion works any additional demolition or alteration works be required then contact should be made with the local authority before any works commence.

Site & Surroundings

1. New Quarry House and the outbuilding range are located on the northern side of Holywell Road, approximately 1.5km to the east of Clipsham village.
2. Located to the rear (north-east) of the dwelling is an extensive range of traditionally styled outbuildings. These have a U-plan form, with the open side of the group facing toward the house. The range is predominantly single storey, with a two-storey element in its north-eastern corner

Proposal

3. This full planning application proposes the conversion of a range of stone and pantile outbuildings associated with New Quarry House, to form a single, five-bedroomed dwelling unit.
4. The outbuilding range is of stone construction under a pantiled roof, and its styling is very reflective of the local vernacular. The buildings, which are relatively unaltered, have notable detailing, with dressed stone window and door surrounds segmental arches and moulded timber eaves and verge detailing.
5. No extensions to the building are proposed and the existing overall footprint is retained and the scheme of conversion utilises as much as possible existing openings.
6. Within the courtyard side of the building, the open fronted car-shed element of the eastern wing is to be infilled with a combination of glazing and horizontal weatherboarding. This is set behind the existing support posts, which are to be retained. One additional first floor window opening is proposed together with an existing opening is to be enlarged to form a doorway.
7. The external outward facing elevations will feature two conservation rooflights on both the western elevation of the western wing and two on the north facing roofslope.
8. The southern ends of the western and eastern wings are to be retained for use in connection with the principal dwelling, and a new boundary wall will run across the

southern end of the courtyard to provide a suitable boundary between the two properties.

9. To the eastern elevation of the east wing, an open fronted garage bay is proposed, involving the formation of a new opening. Four additional windows, styled to match the existing window openings are proposed.
10. The unit will be served via the existing access from Holywell Road, and car parking will be set to the east of the overall range. An oak framed, timber clad car port / store is to be set alongside this parking area.
11. Set on the eastern side of the proposed gravel parking and turning area, a car port / store is proposed. This comprises an oak framed structure with timber boarded elevations and a clay pantiled roof.

Relevant Planning History

No other planning history.

Planning Guidance and Policy

National Planning Policy Framework (2021)

Supports sustainable development

Para 80 – 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; 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;
- c) 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

Design Guidelines for Rutland 2021

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

Officer Evaluation

12. The main issues are policy, design and landscape impact.

Principle of the use

13. The proposed works will suitably preserve a high quality non-designated heritage asset and the conversion represents an appropriate means of ensuring the future of the asset.
14. A structural survey undertaken in connection with this application has identified some relatively minor remedial works that are required, but otherwise indicates that the building is structurally sound and capable of conversion without the need for wholesale demolition and rebuilding.
15. The residential conversion is an appropriate re-use of the building assimilating with the adjacent residential property that is in proximity to the barn and other properties in the general location, including a barn conversion. To the north of the house and outbuilding range, and separately accessed from the south-east is a range of modern agricultural building that have been consented for residential conversion initially via a Class Q consent, with subsequent scheme revisions.
16. As the proposed development relates to the optimum viable use of a heritage asset, the re-use of redundant or disused buildings and lead to enhancement of the immediate locality it is considered that it conforms to several of the stated special circumstances.
17. As such, and notwithstanding the considerations of Policy CS4 and SP6, the development is considered to conform to the latest government guidance on the provision of housing in rural areas stipulated in paragraph 80 of the NPPF (2021).
18. 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 80 of the National Planning Policy Framework (NPPF).
19. 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.

Impact of the use on the character of the area

20. The submitted plans show a scheme that is considered a conforming re-use of the outbuilding.
21. Suitable materials such as matching stonework and stone cills and lintels are indicated. Whilst the visual appearance of the structure as a whole will be improved the benefits are localised and will mainly be seen from within the residential curtilage itself as opposed from the wider aspect of the surrounding area.
22. It is considered that the building is of some quality and architectural value and may reasonably be defined as a non-designated heritage asset, contributing to the character and setting of the principal building which enhances its overall character and setting.

23. The plans indicate a high standard of design and construction in delivering the conversion.
24. The development suitably respects the building and its wider context with the character of the landscape being preserved.
25. By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, streetscene and surrounding context in accordance with Section 12 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Impact on the neighbouring properties

26. The outbuilding grouping, which is predominantly single storey, has an overall U-plan form, with a central courtyard space, and principal building openings facing into the courtyard. The open side of the courtyard faces south towards New Quarry House and Holywell Road.
27. Concerns have been raised relating to amenity and overlooking impacts between the proposed dwelling and New Quarry House. The design of the development incorporates appropriate screening between the two properties with the re-use of existing openings. No adverse amenity impacts are considered to arise from the use of the buildings for residential purposes.
28. Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway issues

29. The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

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

Human Rights Implications

31. Articles 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.
32. It is considered that no relevant Article of that act will be breached.

Consultations

33. Highway Department:

The Highway Authority's comments are based upon the supporting information submitted by the applicant. The Highway Authority has not been made aware of any departures from this information by the LPA that should be considered and as such the assessment of the proposal is provided against this context.

The application proposes the conversion of the barn to a single dwelling consisting of 5 bedrooms.

In line with adopted standards this would equate to a requirement for 4 parking spaces. 3 spaces are proposed along with a garage. It is considered that there is also additional room for parking if required.

No changes the existing access are proposed, and the development will be served by a new internal spur of the existing access road. This is considered to be acceptable.

The Highway Authority is satisfied that the proposal would not lead to any material detrimental impact upon the safety and efficiency of the public highway network.

The internal site layout is considered to be adequate with sufficient space for the safe and efficient manoeuvring of vehicles.

In line with the above, the Highway Authority raises no objections to this proposal

34. Ecology:

The bat activity surveys found the buildings proposed for conversion to be used by small numbers of two common bat species.

Therefore a mitigation scheme and EPS licence will be required for this site. The report by Andrew Chick recommends four external bat boxes to be affixed to the exterior of the building prior to works commencing, and that another two are integrated into the gable ends, along with four access points being created under ridge tiles. This will require consideration as to the type of membrane used in these areas (standard BRM's are not safe for bats). Works to the roof will also need to take place under the supervision of a licensed ecologist.

Therefore I recommend that the following Condition is attached to any permission:

No development shall take place until a Method Statement for bat mitigation has been submitted to and approved in writing by the local planning authority. The bat mitigation features are to be shown on all relevant elevation plans. All works are to proceed strictly in accordance with the approved Method Statement.

Along with the following Informative:

This development will require a European Protected Species licence to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution.

35. Response from Clipsham Parish Meeting.

Introduction: In considering our response to this application we are taking into consideration the following factors:

- i) The need for consistency and integrity in our approach to all planning applications in the parish of Clipsham.*
- ii) Our interpretation and support for planning policies in Rutland's Adopted Local Plan which are stated in the Core Strategy DPD and in the Site Allocations and Policies DPD and have been re-affirmed in later Local Plan drafts.*
- iii) The Adopted Core Strategy DPD at paragraph 4.19 states that policies CS1, CS2 and CS3 address the principles of sustainable development. Policy CS4 addresses the question of location of development.*

These policies will now be considered in relation to this application.

Observations

With respect to policy CS1: Sustainable development principles

- i) Paragraph a): This proposal does not minimise the impact on climate change and does not include measures to take account of future changes in the climate. It will be a factor further encouraging future climate change.*
- ii) Paragraph b): the proposal does not maintain or enhance the county's environmental assets. The development of a new 5 bedroom property adjacent to new Quarry House will harm the present environment of the property and will contribute to the wider harm of the environment caused by additional family daily commuting by motor vehicle which would be essential from this location.*
- iii) Paragraph c): The site is not located where it minimises the need to travel and the site can only be accessed by motor vehicle. The site will maximise the need to travel for all family purposes.*
- iv) Paragraph d) This policy clause refers to the conversion or re-development of "buildings within settlements" The building proposed for conversion is not situated "in a settlement" it lies in open countryside.*
- v) Paragraph h): This proposal does not contribute towards creating a strong, stable and more diverse economy.*
- vi) Therefore this application does not conform to sustainable development principles and neither does it meet the strategic objectives of policy CS1.*

With respect to Policy CS2: The spatial strategy

- i) Paragraph a): This application is not in a sustainable location. It lies in open*

- countryside, in one of the least sustainable locations and is not accessible by any other modes of transport except by the private car.*
- ii) Paragraph k) This proposal does nothing to promote sustainable transport measures.*
 - iii) Paragraph o) This proposal will not “protect and enhance the natural environment”*
 - iv) Therefore this proposal does not meet key strategic objectives of policy CS2.*

With respect to Policy CS3: The Settlement Hierarchy

- i) This proposed development lies in Open Countryside in an area designated as being “particularly attractive countryside”*

With respect to Policy CS4: The location of development.

- i) This policy states that “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”*
- ii) This proposal has no essential need to be located in the local countryside and will make no demonstrable contribution to the rural economy, nor will it meet affordable housing needs. Therefore this proposal does not conform to policy CS4.*

Other Material Planning Considerations (see notes from Planning Aid England)

- i) It might be considered that the close proximity of the barn conversion to New Quarry House will lead to a degree of overshadowing and loss of outlook to the detriment of residential amenity to both properties.*
- ii) There will also be a degree of over-looking and loss of privacy for both properties.*

Recommendations:

- 1. This application does not conform to the policies CS1, CS2, CS3, CS4. We therefore recommend refusal of this application.*

36. Applicants response to Clipsham Parish Meeting comments:

‘We have considered the response of Clipsham Parish Meeting (CPM) and would comment as follows.

The response is quite selective and appears to entirely focus on Policies CS1, CS2, CS3 and CS4 of the Core Strategy. There is no reference to other development plan policies that are perhaps more relevant to the consideration of the application – for example, Policy SP6 of the Site Allocations and Policies DPD relating to The Re-Use or Adaptation of Rural Buildings for Residential Use. Equally, there is no reference to relevant provisions of the National Planning Policy Framework, some of which post-date the adoption of the development plan.

The draft Interim Position Statement for Housing Development acknowledges that the current development plan is out of date and that the tilted balance in favour of

sustainable development, as set out in the NPPF, is engaged.

In relation to the CPM comments in respect of Policy CS1;

- (a) The proposed works will incorporate appropriate measures to respond to climate change (through compliance with relevant building regulations requirements).*
- (b) The proposed works will suitably preserve a high quality non-designated heritage asset – conversion represents an appropriate means of ensuring the future of the asset.*
- (c) The site enjoys reasonable proximity to higher order centres*
- (d) The development makes appropriate re-use of an existing building. Whilst not in an existing settlement, other plan policies support the conversion of buildings in countryside locations, beyond existing settlements.*
- (e) The development suitably respects the building and its wider context. The character of the landscape will be preserved.*
- (f) A high standard of design & construction is proposed*
- (g) the site is not in an area at risk of flooding*
- (h) conversion and re-use of the building will have positive economic benefits*
- (i) appropriate infrastructure will be provided to support the development.*

The proposals do not conflict with Policy CS1. The pre-application enquiry response in respect of the proposed building conversion did not identify any conflicts with Policy CS1.

In relation to the CPM comments in respect of Policy CS2; this policy essentially summarises and signposts other policies within the Plan. CPM reference three strands of the policy;

- (a) sustainable locations. As highlighted above (CS1(d)), the proposed development makes appropriate re-use of an existing building. Whilst not in an existing settlement, other plan policies support the conversion of buildings in countryside locations, beyond existing settlements. The proposal re-utilises an important, high quality existing resource (a non-designated heritage asset). In this respect the proposals are considered to comprise a sustainable development in a sustainable location.*
- (k) Sustainable transport measures. The proposal is located in reasonable proximity to higher order centres.*
- (o) The proposals will protect and enhance the natural environment (an ecological assessment accompanies the application).*

The proposals do not conflict with Policy CS1. The pre-application enquiry response in respect of the proposed building conversion did not identify any conflicts with Policy CS2.

The CPM allege a conflict with Policy CS3; The settlement hierarchy. This policy simply sets out the settlement hierarchy. It contains no policy wording specifically associated with that hierarchy – this is generally dealt with under separate policies. The site is located in open countryside. Policy CS4 and Policy and SP6 deals with proposals in countryside locations. We have demonstrated that the proposals satisfy those policies. There is no conflict with Policy SP3.

In relation to the CPM comments in respect of Policy CS4, it is noted that they have selectively quoted from the policy. The paragraph after the one quoted supports the re-use and conversion of buildings in countryside locations (the policy needs to be read alongside policy SP6 which supports the conversion of buildings for residential use). The pre-application enquiry response acknowledges that the proposed conversion is supported by CS4/ SP6 when considered alongside NPPF (2019) Para. 79 (now NPPF(2021)Para.80).

Two other points are raised relating to amenity and overlooking impacts between the proposed dwelling and New Quarry House. This has been fully considered as part of the overall design of the development (which incorporates appropriate screening between the two properties). No adverse amenity impacts are considered to arise in this case.

Neighbour Representations

37. Mr & Mrs Anthony Dighton - Old Fathers Cottage Holywell Road Clipsham:
As the next door neighbours to this property, on the same side of the road, we have looked at the plans and elevations. The resulting development looks to be sympathetic with the existing dwellings on the plot and with others on Holywell Road and we have no objection to the overall proposal.

38. Mr Andrew Cunliffe - Hilltop House Holywell Road Clipsham:
This is a really nice carefully planned development that can only add to our community and surrounding properties. The proposal also ensures the sympathetic rebuilding of old buildings which need investment to stop them falling into disrepair. We are totally in support of the application.

39. Mr & Mrs Brian Spiers - Frensham Holywell Road Clipsham Oakham
We support this application.

40. Mr. Richard Tinsley - Holywell Farm Barn Holywell Nr Stamford:
I have viewed the plans and can see no reason why one could object given the amount of planning permissions granted in very close proximity. In fact there will be very little visual change as structure exists in its entirety.

To conclude I can see no reason to object and I support the application .

41. Mr & Mrs John and Rachael Pelan - Holywell Lodge Holywell Road Clipsham:
As the adjacent neighbouring property, we have been involved in the consultation and amendments for this proposal from the outset.

The outline design, additional spur road and car port building has been designed with sympathy to the existing property and the neighbouring buildings. As this is a conversion, utilising existing buildings which currently need maintenance, the exterior will be relatively unaltered and provide new viewing aspects which do not encroach existing properties.

To this end we support the planning application fully.

42. Mrs Judith Machin - Pettywood Farm Holywell Stamford
I have viewed the plans and find there is no reason to object as there appears to be no change.
43. Mr Nicholas Eden - Church House Wormingford Colchester:
I have studied the application and having known the buildings and the surrounding site for nearly half a century I am impressed with the care and sensitivity shown by the proposed scheme which achieves the protection of significant stone buildings which are no longer suitable for modern agricultural use. Furthermore I consider the scheme fits in very well with the existing New Quarry House immediately to the south and the recently approved significant new residential development of former agricultural buildings immediately to the north. I also believe that the proposed scheme complements the need for the sustainable use and development of these buildings whilst at the same time providing new residential accommodation.

Conclusion

44. This is an adaptation of an attractive range of buildings for residential use, being structurally sound and able to be converted without major re-construction
45. The conversion and re-use of this appropriately located and suitably constructed range of rural buildings for residential use 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.
46. The residential occupation will be a conforming use for the location, which will preserve the future of the of these attractive buildings whilst not impacting on highway safety, neighbouring residential amenity or the character of the area.
47. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12), Policies CS4 and CS19 of the Rutland Core Strategy (2011) and Policies SP6 and SP15 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.