

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2016/0384/FUL	ITEM 4	
Proposal:	Barn Conversions to form 2 dwellings		
Address:	Taylors Farm, Casterton Lane, Pickworth, Rutland, PE9 4DH		
Applicant:	Cecil Estate Family Trust	Parish	Pickworth
Agent:	David Todd Architecture Ltd	Ward	Greetham
Reason for presenting to Committee:		Contrary to Development Plan	
Date of Committee:		5 July 2016	

EXECUTIVE SUMMARY

The conversion of these barns into 2 dwellings is in an unsustainable location and hence contrary to policy but most of the range could now be converted to residential as permitted development. They comprise a range of Ancaster stone buildings in good condition that are desirable to retain and with their greater number of openings than is usual in a barn do readily lend themselves to a residential use. A conversion would be in accordance with the NPPF. In combination these factors can justify an exception to the Development Plan.

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.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1171/8, 1171/9 1171/10a, 1171/11 and 21727-08-020-02. The provision of the 2.5 metre high boundary fence shown on the approved plans shall be erected before the dwellings hereby permitted are occupied.
3. Before either dwelling is first occupied, the visibility splay shall be provided on site in accordance with the approved plans. No trees behind and adjacent to the approved visibility splay shall be felled. The land between the splay and the road shall thereafter be kept clear of any obstruction over 900mm in height.
4. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of new boundary treatments and soft landscaping works for the curtilages of the conversion scheme and the front of the visibility splay, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction.
5. The approved changes in ground levels, fencing 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 provision of the visibility splay 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.
6. No development other than that required to be carried out as part of an approved scheme of remediation shall commence until sections (i) to (iv) of this condition, below, have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(ii) Submission of Remediation Scheme

If shown to be required as a result of (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing any identified unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and approved in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and approved in writing by the Local Planning Authority.

(iv) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of section (i), and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of section (ii), which shall be approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and approved in writing by the Local Planning Authority in accordance with section (iii).

(v) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same shall be prepared, both of which shall be subject to the approval in writing of

the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASONS:

1. 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. For the avoidance of doubt, in the interests of proper planning and the appearance of the site in a rural area.
3. To allow adequate visibility along Casterton Lane in the interests of highway safety and to ensure that the minimum trees are affected in the interests of visual amenity and ecological interest.
4. To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development
5. To ensure that the landscaping is carried out at the appropriate time and is properly maintained
6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers and other offsite receptors.

Site & Surroundings

1. Taylors Farm is located on the west side of Casterton Lane some 1.2km south of the village of Pickworth and 3.3km north of Great Casterton. It comprises a house, large grain stores and a range of stone Ancaster buildings.
2. The access is unmade and very wide onto Casterton Lane. To the south is a wide grass verge and to the north is a narrow verge behind which is the garden of the house on site. This is owned by the applicants but let out on a tenancy to a private individual and has its own access further to the north.
3. The access slopes up into the site from Casterton Lane. The site is otherwise surrounded by farmland.

Proposal

4. The proposal is to convert the stone buildings into 2 residential units. The scheme is confined to the existing shell of the building and no extensions are proposed. See details in the Appendix 1.

Relevant Planning History

5. None

Planning Guidance and Policy

National Planning Policy Framework

Promotes sustainable development as a golden thread running through its policies.

To promote sustainable development, housing should be provided where it will enhance the vitality of rural settlements. Isolated new homes in the countryside should be avoided unless such development would represent the optimal viable use of a heritage asset or lead to a re-use of redundant buildings leading to an enhancement of the immediate setting.

The Rutland Core Strategy (2011)

CS4 – Location of Development – Open countryside

CS19 – Promoting good design

Site Allocations and Policies DPD (2014)

SP6 - Housing in the Countryside

The preamble to SP6 states that to ensure that buildings are in sustainable locations they should be no less than 500m from a smaller service centre unless on a bus route.

SP15 – Design & Amenity – includes residential amenity and highway safety.

Consultations

6. Ecology

- The ecology report submitted in support of this application (Conservation Constructions, January 2016) is satisfactory in regard to protected species. No recent evidence of protected species was recorded. However, we would recommend that a note to applicant is added to any permission granted to draw the applicant's attention to the recommendations in the report.
- The roadside verge along Casterton Lane is a Local Wildlife Site, designated due to its plant diversity. Whilst the proposed development should have no impact on this ecologically important site I am concerned that the required visibility splays may adversely impact (damage or destroy) a section of this verge. I would be grateful if further details of the proposed splay, clearly marked with all proposed vegetation removal and any new planting/boundaries, could be submitted for comment prior to the determination of the application. This will allow us to make an assessment of the potential impact on known ecological sites of importance

7. Environmental Protection

No objection, but if the application is approved I recommend that conditions are attached to address the following issues:

- Noise from Grain Dryers
- The proposed development is adjacent to a farm yard, including a grain dryer. Following site visits in October and November 2015 it was proposed that if a Planning Application was made for residential use the design should incorporate noise mitigation measures to minimise the noise impact from the grain dryer when it is in operation. The design details should ensure that noise levels from the grain drier should meet internationally accepted internal noise levels for residents sleeping in bedrooms, whilst the bedroom windows are open, as well as minimising Impacts in the other internal living areas. It is therefore important that if Planning Permission is granted Conditions should be attached to ensure the noise mitigation design details are built into the development, details as follows;- A close boarded fence of at least 2.5m height should be erected along the site boundaries as shown in submitted plan number (1171/8), titled Location Plan, dated Jan 2016. The layout of rooms and external windows and doors should be as shown in the submitted plan number

(1171/9), titled Proposed Plans dated Jan 2016.

8. Potential Contamination.
 - The previous uses of this site could have introduced contaminants that may pose a risk to future users of the site or the wider environment, I therefore recommend that Planning Condition(s) are attached. Planning Conditions should ensure that reports are submitted by the applicant starting with Phase 1, Desk Study, which is likely to indicate that a Phase 2, Intrusive Investigation will be required. These can then indicate that a Remediation Method Statement will be required and in such circumstances we would also require a Validation Report (or equivalent) to verify that any remediation has been properly implemented to remove any unacceptable risks. All reports and any supplementary information submitted by the applicant should be subject to the Local Planning Authority's Written Approval. This Condition is necessary to ensure any potential contaminants are identified as part of a risk assessment process and where required remediation be carried out with validation to ensure no unacceptable contamination risks remain.
9. Pickworth Parish Council
 - My only comment relates to the access on to Pickworth Road and poor visibility to the north. People drive along the road quite fast (I note an average speed of approx 50mph was noted in the ATC survey) and it is also a very narrow road. I note that it is proposed that some hedge will be removed to improve visibility to the north. Can this be enforced on a permanent basis so that hedging/fencing cannot be erected after the build?

Planning Assessment

10. The main issues are policy, residential amenity, highway safety, the latter combined with visual impact and ecology.

Policy

11. The proposal is to convert a range of Ancaster stone barns, totalling some 600m² externally, to 2 dwellings. Pre-application advice a few years ago was that these were in an unsustainable location so permission for conversion was unlikely. Policy SP6 in particular as set out above, including its preamble, sets out the policy to back this up.
12. However, the fallback position has now changed whereby under Class Q Part 3 of the General Permitted Development Order 2015, 450m² of these barns could be converted to residential as permitted development (subject to prior notification). The barns are in good condition and have not been used for agricultural purposes for a while, although they have not been used for anything else so will qualify for Class Q if a single wing was demolished/not included in the conversion..
13. The scheme does not comply with Policy SP6 but is supported by the NPPF in terms of re-use of a (non-designated) heritage asset. The fallback position of the permitted development rights has to be taken into account. On that basis it is a material consideration that a slightly smaller unplanned development, leaving part of some nice barns unused or demolished can go ahead without conditions. Whilst the application is contrary to the Development Plan there are material considerations identified that favour a permission. Members must consider whether these material considerations are sufficient to justify an exception to policy.

Residential amenity

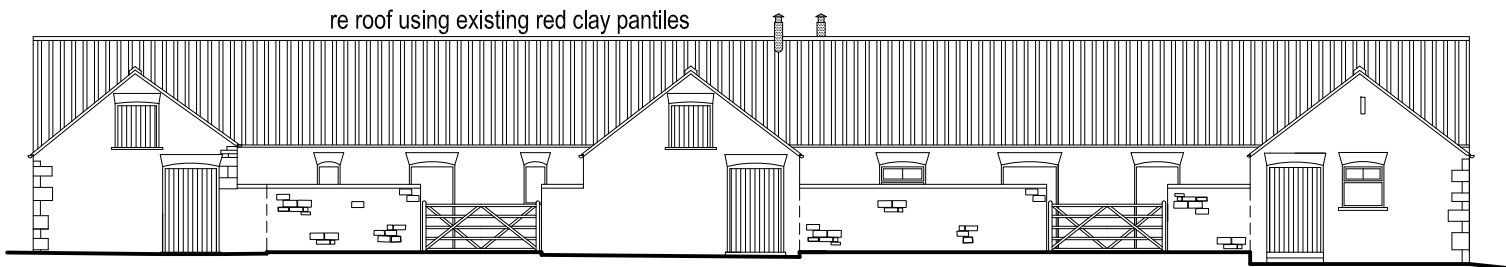
14. This issue relates to the amenities of the future occupiers of the building. The Environmental Health Officer suggests that noise and contamination need to be dealt

with by conditions.

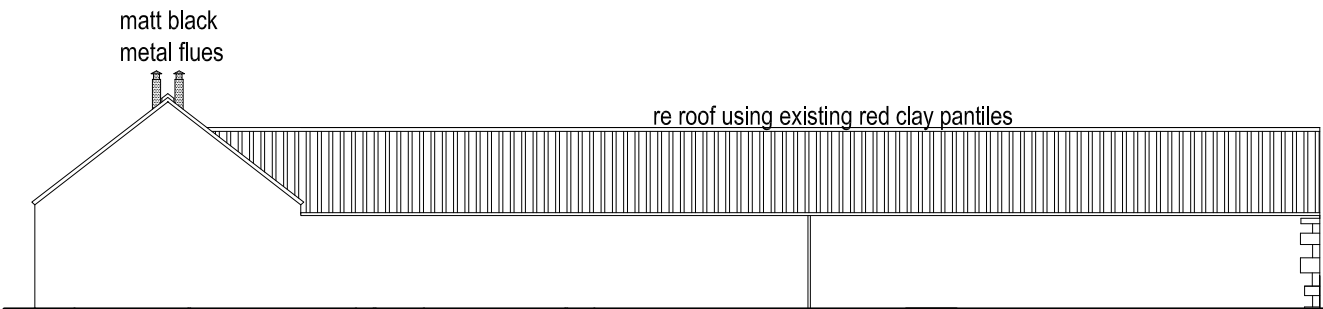
15. The plan states that the grain stores are still in use apart from a section of building and silo's adjacent to the application barns. A dryer exists in a building to the north west comprising 2 electric fans that can only operate one at a time due to the electrical supply. The plans submitted indicate that a fence 2.5metres high would be provided as requested in pre-application advice and that the main bedrooms of both units would be as far from the dryer building as possible with windows facing east. Contamination can be dealt with by condition, although with most floors being concrete, this is not a major concern. The scheme therefore complies with SP15.

Highway Safety/Visual Impact/Ecology

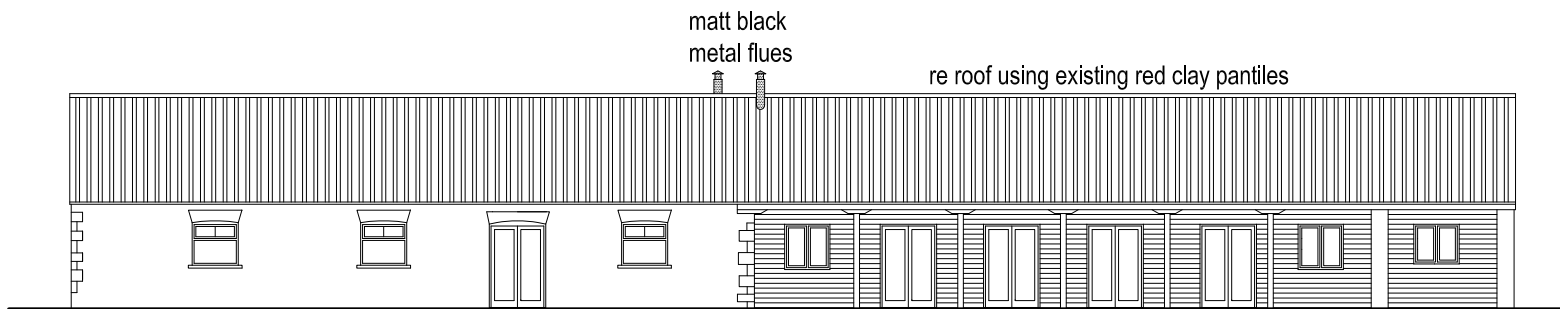
16. The highway authority confirms that the visibility to the north (left) out of the access is sub-standard. Traffic surveys have shown that 85th percentile speeds on this road, subject only to the national speed limit, are 51mph northbound and 50mph southbound. This requires lesser visibility splays than would be the case for 60mph traffic, so 2.4m x 160m is required. This cuts through the front garden area of the adjacent house, (owned by the applicant). The new splay line would involve removing a recently erected fence with shrub and hedge planting behind it and moving it back, affording better visibility to the north by providing a grass verge as already exists in a southerly direction. A new post/rail fence with native hedge could then be re-instated on the splay line.
17. The Councils Ecology advisor requested details of new verge treatment to ensure that the replacement details are acceptable. However, the verge outside the site is currently mown grass so is unlikely to be of significant interest. The land inside the existing fence comprises recently planted 'domestic' shrubs/hedge and overgrown grass and again does not appear to have any special significance.
18. All of this planted material and the fence could be removed to improve visibility at any time without the need for planning permission (although hedges/trees cannot generally be removed during the nesting season). The fence actually appears to be relatively recent as it does not appear on Google Street View, so was probably erected without planning permission as it is over 1m in height on the highway boundary. The loss of the vegetation for the visibility splay is unfortunate but visibility to the north out of the existing access for farm machinery etc. is poor so could benefit from improvement. There is a stream running through the area shown as the splay behind which are the most important trees. There does not appear any need to remove trees behind the stream line. Most heavy traffic apparently occurs in the autumn when grain lorries are visiting the site. It was suggested to the applicant that the large agricultural buildings be removed to reduce the need for improved splays but they are still in use, mainly in the autumn as stated.
19. The need for the works to provide the splay and the potential impact are finely balanced, but as they would improve visibility and could be carried out without permission, it is not considered that a refusal based on visual impact and ecological grounds would be reasonable. The proposal to improve visibility is supported by the Parish Council. Conditions requiring new fence/planting details would ensure that the best trees are retained and a suitable scheme is put back.



south elevation



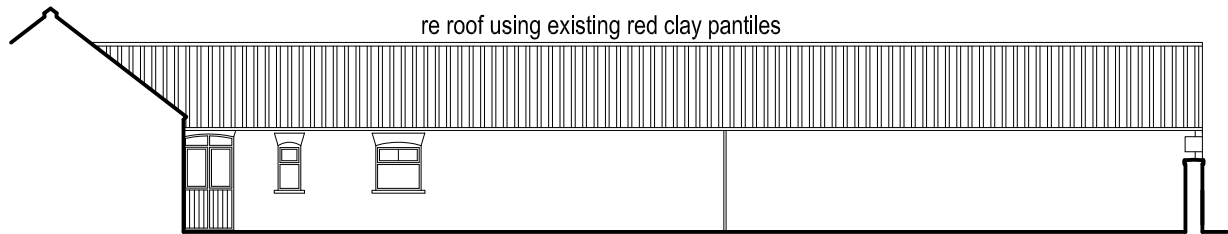
west elevation



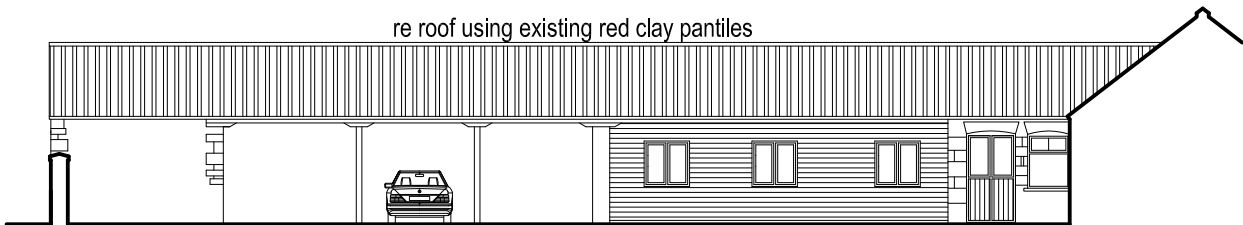
north elevation



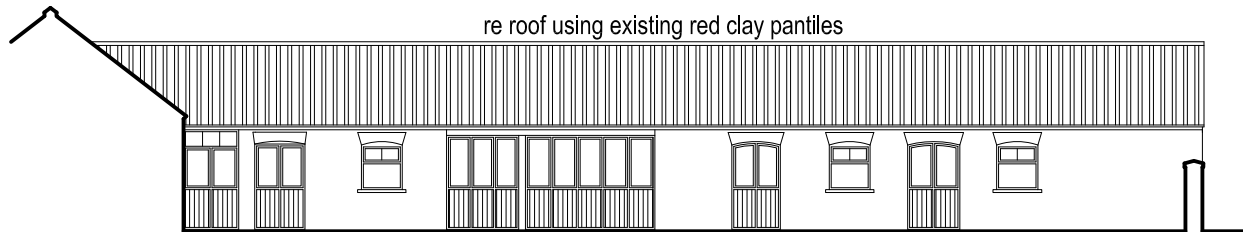
east elevation



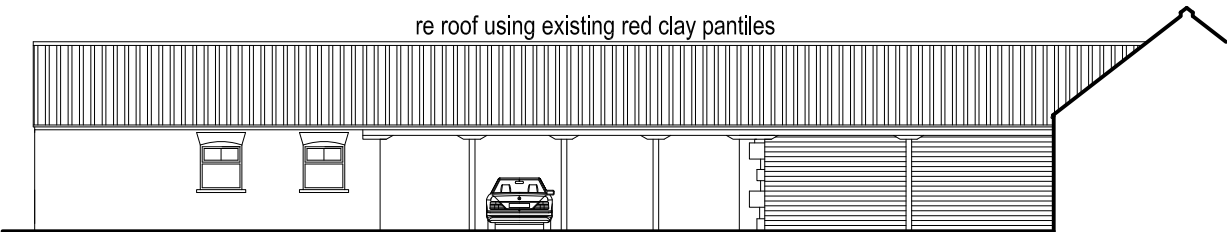
internal west elevation



internal east elevation



internal west elevation



internal east elevation

Revised Drawing
2016/0384/FUL
04/05/2016

1 : 200	Cecil Estate Family Trust	a	04.05.16	windows added to courtyard elevation	proposed elevations
A3	Proposed Development	Rev.	date	description	
January 2016	Taylor's Farm Pickworth	amendments			1171 / 10a