

**Planning Committee:** 11 October 2005

**Item Number:** 09

**Application No:** W 05 / 1266

**Registration Date:** 15/07/05

**Town/Parish Council:** Beausale

**Expiry Date:** 09/09/05

**Case Officer:** Steven Wallsgrove

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**Barn, Fernwood Farm, Rouncil Lane, Beausale, Warwick, CV8 1NN**  
Barn conversion to live/work unit FOR Mr S Collier

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This application was deferred for a site visit. The following report is that previously considered, but amended to take account of late responses to consultation.

This application has been requested to be presented to Committee by Councillor Mrs. Compton.

### **SUMMARY OF REPRESENTATIONS**

**Beausale (Joint) Parish Council:** Express concern that the live/work unit will become purely residential, so how will this be monitored?

**W.C.C. (Ecology):** recommend a Barn Owl survey condition.

**W.C.C. (Archaeology):** have no comment.

### **RELEVANT POLICIES**

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)  
(DW) H9 - Open Countryside (Warwick District Local Plan 1995)  
(DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)  
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)  
(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)  
(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)  
County Structure Plan Policy RA.4: Conversion of existing rural buildings.  
PPG7: Sustainable Development in Rural Areas.  
PPG2 : Green Belts.

### **PLANNING HISTORY**

Since the farm was sold in c.2003, there have been 9 applications for development of different parts of the site, including the present proposal. Of

these, a proposal to convert the farmhouse into two dwelling units was dismissed on appeal as not being sustainable, while two applications (one for part of the house and one for the conversion of a traditional brick and tile stable block) were granted for live/work units. Other applications were for the re-use of buildings for business use (the former farm shop) and as a stables/store (with an adjoining riding arena). Another application, on adjoining land, was for the erection of a grain/potato store and machinery workshop/store.

## **KEY ISSUES**

### **The Site and its Location**

The buildings subject of this application consist of a modern, steel-framed, farm shed with an open end, one side wall being blockwork (the back wall of some lean-to, modern, buildings which have recently been made into garages), and the other long wall being an old, brick, freestanding wall from an earlier building. A second, attached, building is of blockwork. Both buildings have corrugated/profiled sheeting roofs. Other modern farm sheds lie to the north and east, with the farmhouse to the south, having its own access.

The whole site lies in a relatively isolated position in the Green Belt and the Arden Special Landscape Area.

### **Details of the Development**

The proposal consists of the conversion of the main farm shed into a live/work unit. The residential part would consist of a large living/dining/kitchen area open to the roof, with a substantial games room with a utility, store and shower at one end. There would be 5 bedrooms at first floor. One end of the building would be used for offices on the ground and first floors (with direct access to three of the bedrooms). The attached blockwork building would be substantially altered to form a double garage (one wall would be removed and sliding timber doors installed, while the opposite side would be filled in with a new wall).

The office floorspace would represent some 25% of the total floor area. Adjoining, modern, farm sheds are shown as to be removed.

### **Assessment**

Green belt policy allows for reuse of permanent and substantial buildings which are capable of reuse without major or complete reconstruction. (PPG 2 "Green Belts - para 3.8), whilst Structure Plan policy does favour reuse for employment purposes, including live/work where employment is the dominant element.

I consider that the principal issues in this case are the definitions of the words/terms "permanent", "substantial" (in terms of the building, and the alterations) and "live/work."

"Permanent" is considered to mean a structure which has either been in existence for a substantial period of time, and is capable of being used for a further substantial period without the need for substantial repairs or reconstruction, or a more recent building which is designed to be in use for a substantial period, without the need for substantial alterations or reconstruction. In the present case, the farm buildings were probably erected in the 1960's/1970's and, therefore, should be considered as "permanent" since they could have continued to be used for their original (or similar) purpose if the farm had not been split up and sold.

"Substantial" has to be considered in three different contexts, namely the quality of the structure itself (not its size), the amount of alterations proposed/needed for the proposed new use, and the amount of reconstruction/rebuilding needed.

In the first case, a "substantial" building is taken to mean one which is of solid construction (such as traditional, brick built, farm buildings) which have a good degree of natural insulation from the weather due to the materials used. It is considered that modern sheds, with profiled sheeting on their walls and roof, are not "substantial", particularly if one or more of the sides are open to the elements.

This is supported by an appeal case at Church Farm, Sherbourne (W99/411) where the building was described by the Inspector as "a tall open-ended agricultural storage building, constructed of a steel framework to which metal and asbestos corrugated sheeting has been fixed". He stated that "I do not believe that it can be reasonably described as being of substantial construction."

In the second case, "substantial alterations" relates to the amount of change which is proposed to the building to enable the new use to operate. This can mean alterations to the external appearance of the building which could seriously affect its existing character (e.g. infilling open walls, inserting windows, rooflights etc) or other changes to satisfy Building Regulations (e.g. adding a second "skin" to the external walls to provide satisfactory insulation).

In the third case, "substantial/reconstruction" means the degree to which the building has to be taken down and rebuilt, for structural reasons, rather than being repaired. This generally relates to more traditional forms of building, rather than modern steel, or concrete, framed structures.

The term "live/work" is a modern creation and relates to the use of a building as a mixed use where the person/people living in the building also works from that building, with the employment floorspace being more than incidental to the residential floorspace. In this context, the explanation to County Structure Plan Policy RA.4 states that for a case to be acceptable the "residential

conversion is a subordinate part of a scheme for business re-use." This is consistent with PPG7, which promotes sustainable development.

In an appeal at Stratford District, relating to the creation of a live/work unit in a former agricultural building, the reason for the appeal being dismissed included that the employment use would only have been 30% of the floorspace, whereas in a subsequent case on the same site, the employment element was 70%. That second appeal was allowed for that, and other, reasons, as the inspector concluded that the scale of the employment element met structure plan requirements.

#### Application of policy to the Present Case

In the present case, the principal building is a steel framed structure with one open end, a blockwork side wall, and a blockwork end wall, with sheeting in the gable. The roof is also of sheeting. The other side is not infilled, but has a freestanding, independent brick wall adjoining it.

It is considered that this is not an appropriate building for conversion since the nature of the building makes it unsuitable for re-use or adaptation (C3 (a)); and the use would require extensive alteration (C3 (b)). The proposal would also be contrary to the Structure Plan since the office would only constitute some 25% of the total floor area.

#### **RECOMMENDATION**

REFUSE for the following reasons :

- 1 Policy (DW) C3 of the Warwick District Local Plan and emerging policy RAP8 of the first deposit version of the Local Plan (1996-2011) sets out a number of criteria for the re-use or adaptation of existing rural buildings within the District and the policy specifically refers to the need for the proposed use to be accommodated without extensive rebuilding, alteration or extensions to the building. This reflects paragraph 3.8 of PPG2 "Green Belts" which refers to re-use of buildings in Green Belt Areas which are of "permanent" and "substantial" construction, capable of conversion without "major or complete reconstruction". In the present case, the creation of a live/work unit would require works of major reconstruction to a structure, which is considered to be contrary to both local development plan and national policy guidance.
- 2 Policy RA.4 of the County Structure Plan states that the residential part of a live/work unit should be a subordinate part of a scheme for a business re-use. In the present case the business element only represents some 25% of the total floor area and to grant consent, therefore, would be contrary to the Development Plan.

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