

Application No: W 12 / 1186

Registration Date: 24/09/12

Town/Parish Council: Beausale, Haseley, Honiley & Wroxall **Expiry Date:** 19/11/12

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Fernwood Farm, Rouncil Lane, Beausale, Warwick

Conversion of redundant agricultural barn to live / work unit FOR Mr Collier

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

RECOMMENDATION

Planning Committee are recommended to refuse planning permission.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to change the use of a agricultural barn building to a live/work unit. The existing barn measures 32.3 metres long by up to 19.2 metres deep by 5.4 metres high. A car port located to the front (south) elevation measures 14 metres long by 4.8 metres deep by 5 metres high. The barn is constructed of exposed steel columns, with a mix of blockwork, metal cladding, timber cladding with open elements and a corrugated sheet roof.

The supporting information indicates that in order to enable the use of the building as a live/work unit the following alterations are proposed:

- northwest (rear) elevation - retention of existing blockwork but with vertical timber cladding and the insertion of glazed opening doors.
- southwest (end) elevation - retention of existing block and render wall but replacement of the timber boarding close to the apex of the roof with structural frameless glazing.
- south-east (front) elevation - fixing vertical timber boarding to blockwork under the car port, with insertion of vertical timber boarding and oak frame windows and doors within partially open side.
- north-east (end) elevation - replacement of blockwork with structural frameless glazing.

A glazed roof ridge lantern is proposed to increase the level of natural light entering the unit. It is also proposed to reduce the footprint of the property by removing part of the covered area within the front elevation and removing the roof of what is currently a covered store within the rear elevation. Solar panels are proposed to provide on-site renewable energy. The applicant advises that the workspace element would comprise 51% of the total floorspace with the residential element providing three bedrooms, a kitchen and living area. The property would have access to a large area of private curtilage to the rear of the unit.

The supporting statement highlights the success of the existing business on site and that live/work units are recognised as a sustainable form of development. The proposal is considered to attract significant weight from the provisions of the NPPF as a form of economic development that will directly facilitate the growth of existing and new high-tech companies.

The application is accompanied by a Sustainable Buildings Assessment and a Structural Feasibility Report. The applicant has also provided a similar Appeal decision allowed in August 2012 relating to a site in Cheshire.

THE SITE AND ITS LOCATION

The application site relates to a barn building located on the northern side of Rouncil Lane within a cluster of former farm buildings, some converted to live/work units and the farm house. The site is surrounded by fields and located within the Green Belt and Arden Special Landscape Area.

PLANNING HISTORY

Since the farm was sold in c.2003, there have been 12 applications for development of different parts of the site. 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. The last three applications, which were for the conversion of an adjacent barn building into a live/work unit, were refused on 4th November 2005 (W2005/1266) and 3rd February 2006 (W2005/2092) and granted against officer advice by Planning Committee on 6th November 2006 (W/06/1444) as it was held the building was of permanent and substantial construction for conversion.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- Distance Separation (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Agricultural Buildings and Conversion - Barns (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Beausale, Haseley, Honiley & Wroxall Parish Council - No Objection

Councillor Gallagher: Support for the following reasons:

- Live/work units are a sustainable form of development as they avoid the need to commute to the workplace.
- It will directly facilitate the growth of three high-tech companies working closely with Warwick University, at a time when economic growth is of paramount importance.
- The need for the unit is specific, local and justified.
- The building is of permanent and substantial construction, as evidenced by the submitted structural report.
- The proposed re-use will find a long term viable future for the redundant building and significantly improve both its appearance and the setting of adjacent properties.
- The application will actually increase the openness of the Green Belt due to the removal of the front canopy.
- No objections and local support.

WCC Highways: No objection.

WCC Ecology: No objection.

Public response: No representations received.

ASSESSMENT

The main factors relevant to the consideration of the application are: the principle for development within the Green Belt; the design/visual impact and sustainability.

Principle

The National Planning Policy Framework 2012, paragraph 90 states that certain forms of development are not inappropriate within the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

Local Policy RAP7 states proposals to re-use and adapt existing rural buildings will be permitted where: a) the building is of permanent and substantial construction; b) the condition of the building and its nature and situation makes it suitable for re-use/adaptation; c) the proposed use can be accommodated without extensive re-building or alteration to the external appearance of the building; d) the proposal retains and respects the special qualities and features of listed or other traditional buildings; e) the appearance and setting of the building following conversion protects, and where possible enhances, the character and appearance of the countryside; and f) the proposed use would not give rise to legitimate planning objections which would otherwise outweigh the benefits of re-use or adaptation.

The principal issue in this case is whether the barn building can be considered of permanent and substantial construction in the context of the aims and objectives of Green Belt Policy. The submitted Structural Feasibility report demonstrates that the existing building is in sound condition, however the definitions of the words/terms "permanent" and "substantial" (in terms of the building, and the alterations) are identified the following:

"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 building is a post war construction and, therefore, should be considered as "permanent" since it could have continued to be used for its original agricultural purpose (or similar) if the farm had not been split up or sold.

"Substantial" has to be considered in three different contexts, namely (1) the quality of the structure itself (not its size), (2) the amount of alterations proposed/needed for the proposed new use, (3) and the amount of reconstruction/rebuilding needed.

(1) 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 (part blockwork) walls and roof, are not "substantial", particularly if one or more of the sides are open to the elements.

(2) 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).

(3) 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.

While the building can be reasonably considered as permanent it is not a substantial structure in itself capable of conversion without significant alteration. This is highlighted by the fact that no part of the existing barn structure would be evident on the resulting conversion. Local Policy RAP7 states that the proposed use should be accommodated without extensive re-building or alteration to the external appearance of the building. Although the requirement in previous national policy PPG2 to ensure that a conversion can be carried out without major or complete reconstruction was not replicated in the NPPF 2012 the Government's intentions are clear that rural buildings seeking re-use must be of permanent and substantial construction and with this caveat there remains a necessity to make an assessment on the suitability of the building being converted.

The scheme also includes a significant residential curtilage encroaching some 70 metres to the rear (northwest) of the barn. This change of use of land to residential curtilage would impact upon the openness of the Green Belt by changing the physical appearance and character of the land to that of a residential nature with potential manicured lawns, flowerbeds and associated domestic paraphernalia.

The NPPF does clearly support a prosperous rural economy and suitable buildings can be considered for new uses, as indicated in local Policy RAP6. Nevertheless such benefits should only be considered if the conversion first accords with Policy RAP7. In this case the building is not considered suitable for conversion and any merits of a live/work unit are not considered to represent very special circumstances that outweigh the harm to the openness of the Green Belt.

Design

Agricultural buildings are a common site within Warwick District's Green Belt and these typically utilitarian structures, such as the agricultural barn subject to this application, generally assimilate well into the landscape when viewed in their context as a agricultural building within a rural location. There is no requirement to find a new purpose for such utilitarian agricultural buildings, which have served their purpose and are no longer needed as part of a commercial farm operation. While it may be desirable to retain and convert historic and characterful timber framed or brick and tile barn buildings of more substantial form, this is rarely the case with larger scale utilitarian structures of low architectural quality.

In this case the conversion is considered to create a highly contrived conversion, radically altering the barns existing visual appearance and introducing large scale fenestration and highly contemporary glazed gable walls and a glazed ridge lantern, which would create a visually incongruous and disproportionately scaled structure within the landscape, bearing little resemblance to an agricultural building and thus defeating the aims of re-using a rural building, and the aims of NPPF to ensure that conversions preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

Sustainability

The scheme is accompanied by a Sustainable Buildings Statement which states that renewable technology will be used in the form of solar panels. The details of renewables can be agreed and secured by condition to ensure that the development meets the 10% renewable energy requirement set in the Sustainable Buildings SPD.

Other Matters

The site has an existing vehicular access and ample space for vehicles to park and turn to exit the site in a forward gear. WCC Highways have raised no objection to the scheme.

Given the open nature of the barn the scheme raises no bat roost issues and Ecology have raised no objection to the scheme.

The barn building is set away from adjoining neighbours and the proposed conversion and new large fenestration details, high level to the flank wall facing the adjoining converted barn, are unlikely to result in any significant loss of light, outlook or amenity to the occupiers of surrounding buildings.

CONCLUSION/SUMMARY OF DECISION

In the opinion of the Local Planning Authority, the development represents inappropriate development and is therefore contrary to established Green Belt

policy. No very special circumstances are considered to exist to outweigh harm and justify the development.

REFUSAL REASONS

- 1 Policy RAP7 of the Warwick District 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, or alteration to the external appearance of the building. Policy RAP7 also reflects the requirement set in National Planning Policy Framework 2012 for buildings seeking re-use to be of permanent and substantial construction. In the present case, the creation of a live/work unit would require significant alteration to the agricultural building owing to its unsubstantial, highly utilitarian construction. The scheme is therefore considered to be contrary to the aims and objectives of both local development plan and national policy guidance. There are no very special circumstances sufficient to outweigh such harm.

 - 2 The application site lies within the Green Belt where strict policies of restraint apply. The scheme proposes a contemporary design solution that bears little relation to an agricultural building, appearing incongruous within its rural setting, exacerbated by its disproportionate scale. Furthermore the scheme proposes an excessive residential curtilage that encroaches into Green Belt land. The development proposed would cause serious harm to the Green Belt as it:
 - 1) is inappropriate;
 - 2) diminishes openness;
 - 3) conflicts with the purpose of including land in the Green Belt by encroaching upon the countryside and is harmful to the maintenance of its character;whilst failing to contribute to the achievement of any of the objectives for the use of land in the Green Belt. There are no very special circumstances sufficient to outweigh such harm. In consequence the application is contrary to Policies DP1 and RAP7 of the Warwick District Local Plan 1996-2011 and the aims and objectives of National Planning Policy Framework 2012 and is not justified by any other material considerations.
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