

Planning Committee: 25 April 2016

Item Number: **6**

Application No: [W 14 / 0945](#)

Town/Parish Council: Barford

Registration Date: 01/02/16

Case Officer: Liam D'Onofrio

Expiry Date: 28/03/16

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**Long Barn, Plestowes House, Hareway Lane, Barford, Warwick, CV35
8DD**

Change of use from offices (Use Class B1) to residential dwelling with minor alterations, plus the change of use of 2 existing garage spaces to use for domestic storage FOR Mr Murdoch

This item is being brought to Committee because Officers consider it to be appropriate in the circumstances of the case.

RECOMMENDATION

Planning Committee are recommended to refuse planning permission.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the change of use of the (former) agricultural barn building from offices (B1 Use Class) to a residential dwellinghouse (C3 Use Class). The scheme will provide three bedrooms and requires minor internal alterations and no external alterations to facilitate the change of use. A small garden area will be provided to the north of the building with a further garden to the south.

The application is accompanied by a Planning Statement, Sustainable Buildings Statement and Noise Report.

There is a concurrent application for the change of use of Barn 1 from office to residential use under planning application W/14/0944.

THE SITE AND ITS LOCATION

Plestowes House and the adjacent Plestowes Farm are located broadly 1.5 km to the east of Barford and the same distance to the west of Bishops Tachbrook within open countryside. Both sites which are in separate ownership and control are served by separate private drives accessed from the southern side of Hareway Lane.

The application site relates to Long Barn, which is of brick construction with a clay tile roof and physically linked to Plestowes House to the west. Barns 1 and 2, also within office use are located to the south, with open countryside beyond.

The eastern boundary of the site abuts the farm yard and more modern agricultural buildings associated with Plestowes Farm and Long Barn physically projects into this adjoining farm yard with the south and eastern walls of the building forming the boundary.

The adjoining farm is a working environment with livestock, farm yard machinery and grain dryers. There is an existing cattle yard and cattle barn in close proximity and whilst these are currently unused for this purpose the Farmer has confirmed their intention to re-introduce cattle to the site.

PLANNING HISTORY

Plestowes House

- 1987 - Planning permission for change of use of existing barns and outbuildings to holiday accommodation (Ref W86/0582)
- 1987 - Planning permission for change of use of barns to provide six holiday cottages and laundry/ storage rooms. (W86/1043)
- 1988 and 1993 - Planning permission granted for conversion of barns and piggery to four dwellings and 7 garages - (W88/0852 & W93/0735). Not implemented.
- 1999 - Planning permission granted for conversion of barn to offices (class B1)- 'Long Barn' - (W99/0220). Inherent in the permission was use of much of the courtyard for office parking.
- 2002 - Planning permission granted for change of use of partially converted farm building to offices. (W02/0822)
- W/11/0193 Proposed change of use from offices (Use Class B1) to 2 houses (Class C3) with minor alterations including erection of previously permitted garaging and infilling of garaging to form additional living accommodation: Refused 09/01/12 as there was insufficient evidence provided to demonstrate that other non-residential uses were appropriate and concern regarding the disturbance to residents from the adjoining farm.
- W/12/1022 Change of use from offices (Use Class B1) to 2 live/work units (sui generis) with minor alterations including erection of previously permitted garaging and conversion of garaging to form additional living accommodation: Withdrawn 19/10/12
- W/13/0778 Change of use of Barns 1 & 2 from offices to residential (prior notification):Refused 30/07/13 as buildings are restricted to a B1 Use Class only preventing their conversion to residential under Class J permitted development rights.

Plestowes Farm:

- 1992 - Agricultural notification for the erection of an agricultural building to store machinery - accepted as agricultural permitted development. (Ref W92/0151/AG)
- 1999 - Agricultural notification for the erection of a Dutch barn - permitted development (00/0713/AG)

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Barford Sherbourne & Wasperton Joint Parish Council: No observations received.

Environmental Protection: Objection due to the likely noise and odour impact to future occupiers from the adjacent farm yard at a level that would have a significantly adverse effect on amenity.

WCC Highways: No objection.

Public response:

The adjoining neighbour (who operates a working farm) has raised extensive comments and objections to the proposed change of use. The key issues identified are as follows:

- Strongest possible objection to the proposals, on the grounds that if planning consent is granted and the subsequent Environmental Health complaints are made this has the potential to severely impact on the ability to successfully operate the organic farming business at Plestowes Farm.
- Expert advice submitted by the farmer sets out various reasons why the applications should be refused, with specific reference to noise, odour and dust.
- As part of the organic expansion of the farm there is a greater requirement for grassland compared to other arable use and as such moving an organic suckler herd into the cattle buildings is a very real possibility within a relatively short timeframe. The farmer retains the right to keep livestock in these buildings and adjoining yard at any time and this is a very real possibility which should be attributed great weight in the planning balance.
- The applicant states that no complaints have currently been received from the previous occupiers of the offices within the barns, but the adjoining farmer notes that there are some very distinct and important differences in the expectations of office occupiers and residential building occupiers and their requirements.
- No viability assessment has been provided to demonstrate that the offices are not viable.
- The location is unsustainable and contrary to paragraph 55 of the NPPF.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle of development;
- Design;
- Amenity;
- Renewable energy;
- Ecology;
- Health and Wellbeing;
- Other matters.

The Principle of the Development

The applicant has previously identified that the building is not economically viable as an office, primarily as there is inconsistent broadband access at the site, and has satisfied criteria (b) such that the proposed development would accord with Local Plan Policy SC2, which seeks to protect employment land and buildings.

The conversion would partially accord with the aims and objectives of Local Plan Policy RAP7 and the aims and objectives of the NPPF 2012 in that the building is of substantial and permanent construction, the use can be accommodated without extensive rebuilding or alteration to the external appearance of the building and will retain/respect the special qualities/features of the traditional rural building. As the building has already been converted to an office use minimal alterations are required. The conversion is considered to fail to accord to Policy RAP7 (b) in that the building's situation does not make it suitable for re-use as a residential property and (f) the proposed use could give rise to legitimate planning objections.

In terms of sustainability Section 55 of the NPPF 2012 seeks to promote sustainable development in rural areas and states that LPA's should avoid new isolated homes. Given the existing office use of the building and the fact that the proposed dwellings will be located within a small cluster of several dwellings no issues are raised relating to the sustainability of the proposed use in this particular case relative to the existing/permitted use.

Design/amenity

The building has already been converted to an office and will therefore require minimal changes to convert to a dwellinghouse. The scheme is not therefore considered to harm the original character of the building or the visual amenity of the cluster of (former) farm buildings.

The buildings are largely screened from the public highway to the north. The proposed curtilage is modest in scale and, as with any conversion of a traditional farm building, it will be reasonable and necessary to remove permitted development rights to ensure that no further development takes place that would erode the agricultural character of the former barn buildings or the character of the rural area.

Amenity

The proposed change of use will not result in any significant impact upon the amenities of surrounding occupiers in terms of outlook, privacy or disturbance compared to the existing office use. The amenities of the future occupiers of the Long Barn must also be considered and the concerns raised by the adjoining working farm have been carefully noted.

The Environmental Health Officer (EHO) has visited the application site and adjoining farm and assessed the individual reports submitted by the applicant and adjoining neighbour, who is objecting to the scheme. The EHO considers that residential occupiers are likely to suffer noise and odour from the adjacent farm yard at a level that would have a significantly adverse effect upon amenity. It is the EHO's view that this effect would be apparent even should the farmer follow best practicable means to control noise and odour from the farm yard activity. Suitable mitigation measures cannot be incorporated within the development without adversely affecting residential amenity. The Long Barn is situated on the boundary with the farm yard and the south and eastern walls

project into the cattle yard and form part of the boundary. There is a first floor window facing the cattle yard and windows and garden to the north facing the Dutch barn. The EHO has identified the following key concerns:

Noise

Noise sources include grain dryers, livestock and farmyard machinery. There is one external grain dryer and one internal grain dryer that can operate all year round. The EHO considers that the noise from the external grain dryer, when in use, has the potential to produce a level of noise that would significantly affect the amenity of the residents of Long Barn.

Although the cattle barn and cattle yard do not currently house livestock the EHO notes that there is no constraint on the farmer doing so, which would produce a level of noise that would significantly adversely affect the amenity of residents of Long Barn.

The applicant has suggested mitigation measures in terms of mechanical ventilation, suitable glazing and acoustic fencing, however the EHO does not consider these solutions to overcome the concerns raised.

Odour

The cattle barn and cattle yard may be used for cattle and the objector has produced an odour report that indicates that the predicted odour concentration at Long Barn would have a substantially adverse effect on residents amenity. Whilst the EHO has some concerns about the report and does not consider that odour concentrations would be as high as projected he agrees that it would be at a level that would cause nuisance. The EHO considers that this could not be adequately mitigated using ventilation systems and would have concerns that the air drawn into Long Barn is likely to be tainted by the odour of cattle/livestock and associated activities and waste due to the close proximity.

Dust

The EHO does not consider that dust and debris from the farm would adversely affect amenity to any significant degree.

Based on the EHO's detailed consideration of the scheme officers consider that the given the building's proximity to the adjoining working farm its proposed change of use to residential would result in a significant adverse impact upon the amenities of the future occupiers of Long Barn and would be contrary to Policies DP2 and elements of RAP7 of the Warwick District Local Plan 1996-2011.

Renewable Energy

The scheme will require the provision of either renewable technology to meet 10% of the predicted energy requirements for the dwellinghouse or through improved insulation to reduce the energy demand of the property. This can be secured through condition.

Ecology

The building has already been converted and the change to a residential use requires minimal external changes. The scheme is not therefore considered to result in any significant impact upon protected species.

Health and wellbeing

The application is not considered to raise any health and wellbeing issues.

Other matters

The scheme will use an existing and established access and there will be ample parking within the site with three allocated parking spaces that can be retained by condition. The Highway Authority have raised no objection to the scheme.

No drainage issues are raised, given that the building already exists.

There is no public open space within the locality and no contributions are therefore sought.

Summary/Conclusion

In the opinion of the Local Planning Authority, the development will have an adverse impact upon the amenities of the future occupiers of the proposed residential property by reason of noise and odour from the adjoining working farm contrary to Policies DP2 and RAP7 of the Warwick District Local Plan 1996-2011. It is therefore recommended that planning permission is refused.

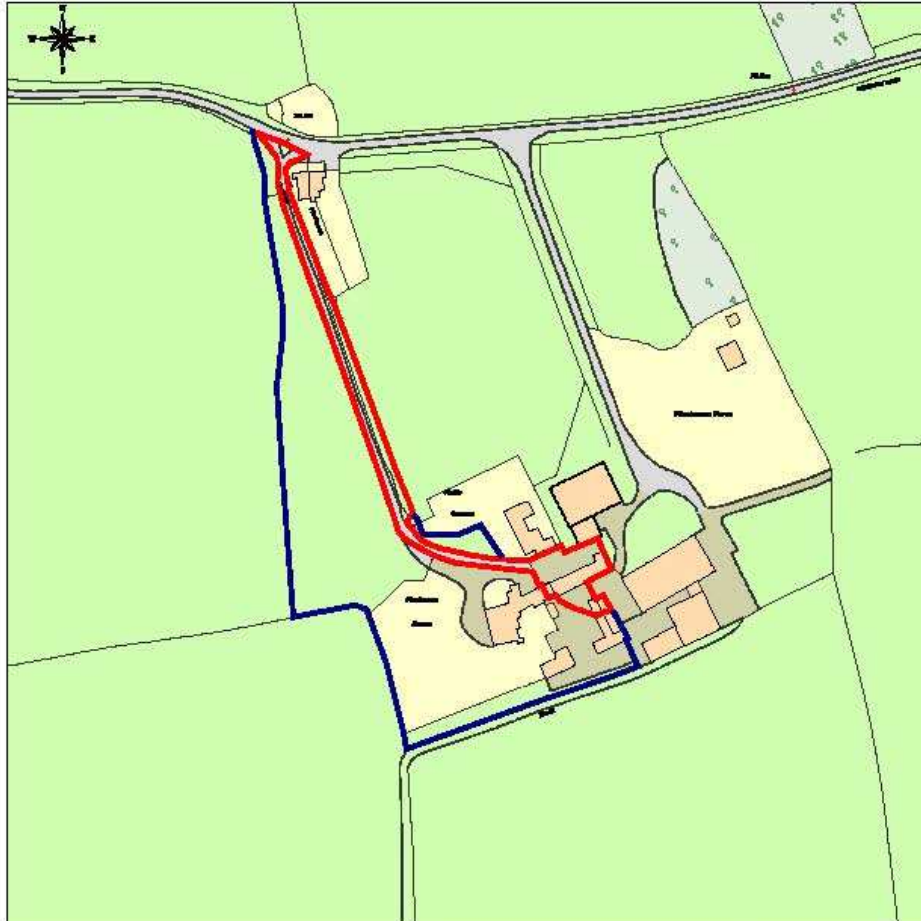
REFUSAL REASONS

Policy DP2 of the Warwick District Local Plan 1996-2011 states (inter alia) that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Policy RAP7 seeks to ensure that the re-use of rural buildings are situated in locations that make their re-use suitable and do not give rise to legitimate planning objections.

The proposed development will be located in close proximity to a working farm and future occupiers of the proposed development are therefore likely to suffer noise and odour issues that cannot be otherwise mitigated by condition.

The proposal is thereby considered to be unneighbourly and contrary to the aforementioned policy.

Site Plan of CV35 8DD



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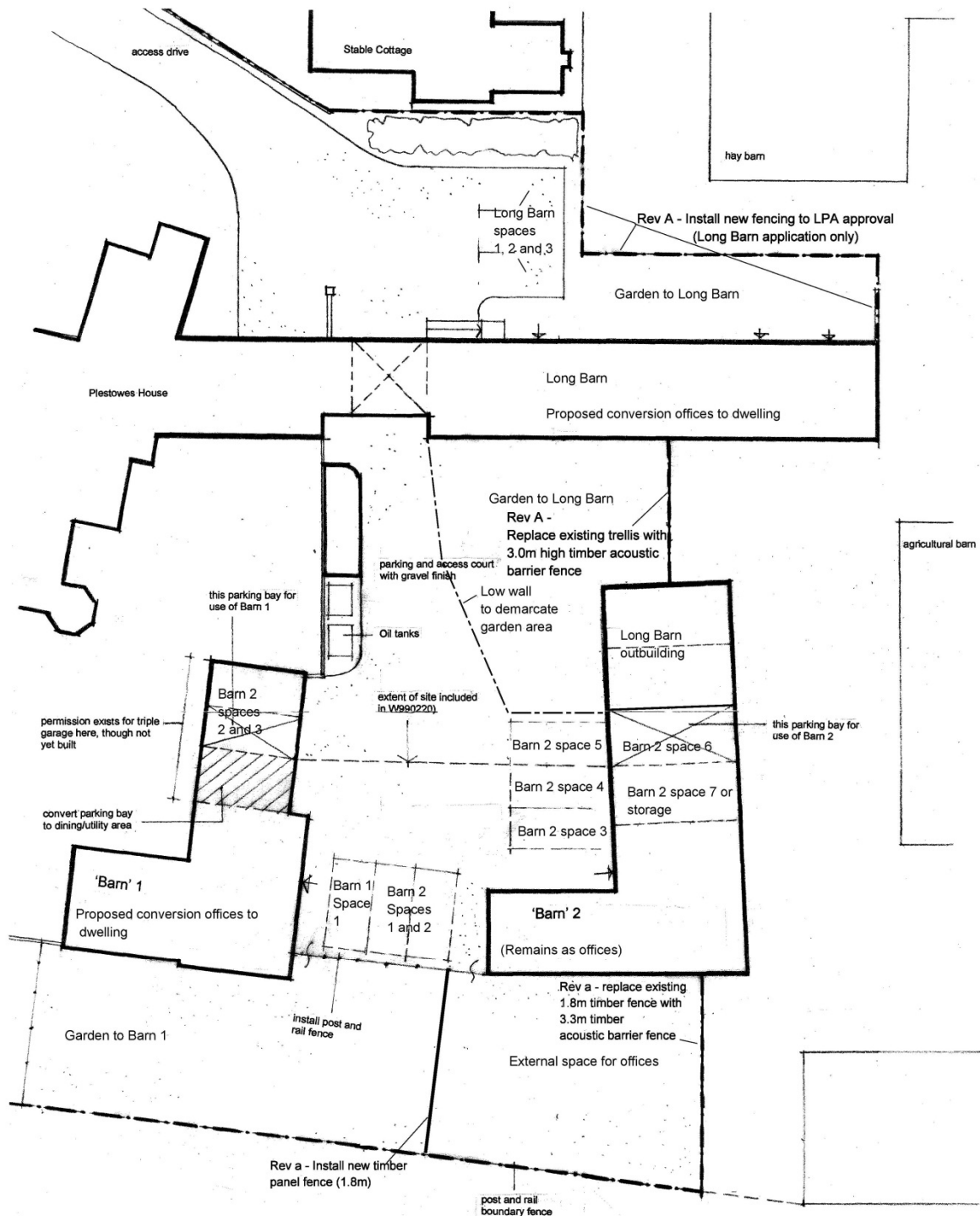
Scale: 1:2500, paper size: A4

Location plan

Long Barn, Pleatowes House, Haraway Lane, Barford CV35 8DD

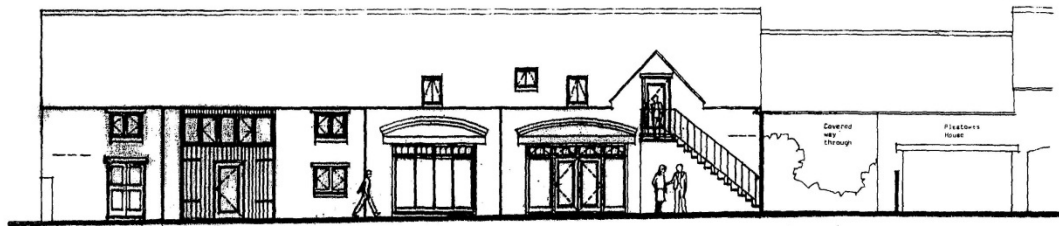
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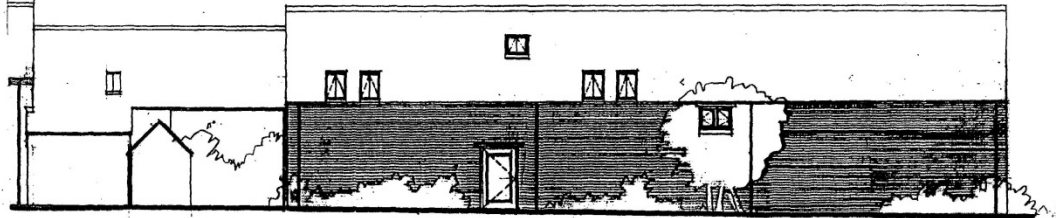


Change of use of Barn 1 and Long Barn from offices to dwellings
 Plestowes Barns, Barford, for Mr and Mrs Murdoch
Proposed site plan
 Scale 1:200 @A3
 Drawing no. 413/3 Rev A
 April 2014 (Revised March 2016)

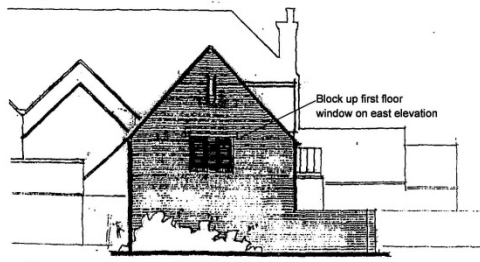




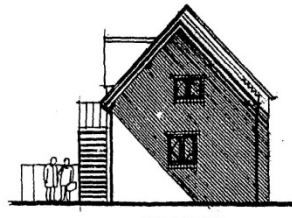
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

CONVERSION OF OFFICES TO DWELLINGS
 PINELOWS HOUSE, BERFORD
 FOR MR AND MRS A. E. MURDOCH

PROPOSED ELEVATIONS

Scale 1:100 *MARCH 2016*
 Drawing no 4-Rev A (March 2016)

Rev A - block up first floor window in east elevation