

**Planning Committee:** 25 April 2016

**Item Number:** 5

**Application No:** [W 14 / 0944](#)

**Town/Parish Council:** Barford

**Registration Date:** 01/02/16

**Case Officer:** Liam D'Onofrio

**Expiry Date:** 28/03/16

01926 456527 liam.donofrio@warwickdc.gov.uk

**Barn 1, Plestowes House, Hareway Lane, Barford, Warwick, CV35 8DD**

Change of use from office (Use Class B1) to residential dwelling with minor alterations including erection of previously permitted garaging to form additional living accommodation, parking spaces and domestic storage space 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 grant planning permission, subject to conditions.

**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 minimal alterations including the removal of several existing roof lights with their re-introduction to another roof plane facing away from the farmyard, a flue and the infilling of one bay of an open fronted triple garage, which has not been constructed but for which permission remains extant under planning permission W/02/0822, which has been previously implemented. A small garden area will be provided to the south of the building.

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 Long Barn from office to residential use under planning application W/14/0945.

**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 Barn 1, which is of brick construction with a clay tile roof and located to the southwest of the office barn complex. Barn 2 is located to the east and Plestowes House and Long Barn located to the north and northeast respectively. The site is bounded by open countryside to the south. To the east of the complex are more modern agricultural buildings and yard associated with Plestowes Farm.

## **PLANNING HISTORY**

### Plestowes House

- 1987 - Planning permission for change of use of existing barns and outbuildings to holiday accommodation (Ref W/86/0582)
- 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 - (W/88/0852 & W/93/0735). Not implemented.
- 1999 - Planning permission granted for conversion of barn to offices (class B1)- 'Long Barn' - (W/99/0220). 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. (W/02/0822)
- 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 Health:** No objection, subject to condition.

**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 are identified below:

- 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 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;
- Neighbouring 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 rural 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 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.

In terms of sustainability Section 55 of the NPPF 2012 seeks to promote sustainable development in rural areas and states that LPAs should avoid new isolated homes. Given the existing office use of the building and the fact that the proposed dwelling 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 agricultural building or the character of the rural area.

### **Neighbouring 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 Barn 1 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 farmer, who is objecting to the scheme. The EHO raises no objection to the conversion of Barn 1 to a residential use, subject to conditions to protect the amenity of future residents of the development against noise and odour. The EHO considers that residential occupiers may experience noise and odour from the adjacent farm yard. The building referred to on the plans as Barn 2, which is owned by the applicant, lies between the application site and the neighbouring farm yard and provides a degree of shielding and further suitable mitigation measures can be incorporated within the proposed development to protect amenity. The EHO notes that Barn 1 is situated within the application site and it does not share a boundary with the farmyard. It is partially shielded from the farmyard by Barn 2 which forms part of the boundary. In terms of the key issues the EHO has commented as follows:

#### Noise

There are 2 grain dryers within the objector's farm and close to the application site. One is internally situated within a shed and operates all year round. The second grain dryer is external. There is currently a line of sight from the front door of Barn 1 to the shed housing the internal grain dryer. The EHO considers that the noise from either grain dryer as experienced at Barn 1 would not amount to a statutory nuisance, although the external grain dryer is more noisy and could have the potential to adversely affect the amenity of residents of Barn 1 if not mitigated. Furthermore if the cattle shed and yard were used for cattle there is the potential for the amenity of Barn 1 to be affected by cattle noise without mitigation measures being implemented.

The EHO therefore recommends a condition to require the applicant to retain Barn 2 to provide a noise screen and a condition to provide acoustic fencing. The condition proposed will ensure that Barn 2 is not removed, should this ever become necessary in the future, without consultation with the LPA to ensure a suitable replacement noise screen can be secured. Given the large bulk and massing of existing and former farm buildings it is considered that an appropriate acoustic fence solution can be achieved that will not affect the visual amenity of the rural locality or the amenities of the adjoining farm.

### Odour

The EHO notes that the owner of the adjacent farm may house cattle in the cattle shed currently used for storage and cattle would also use the cattle yard adjacent to the application site, which could introduce a source of offensive odour that is not currently present.

The EHO has questioned the Air Quality survey submitted by the adjoining farmer and the analysis of odour intensity at Barn 1. Without doubt the close proximity of Long Barn (considered under the concurrent planning application W/14/0945) on the boundary of the cattle yard means that it will be adversely affected by smell however the EHO has concerns as to how the consultants have arrived at the odour distribution set out in the odour concentration maps which form part of their report in relation to Barn 1. The EHO has concluded that whilst it is accepted that there may be occasional periods of unpleasant odour (should cattle be introduced at the neighbouring farm), on balance it is not considered that there will be a serious adverse effect on the amenity of occupiers of Barn 1. To address the uncertainty the EHO has suggested the re-positioning of the existing roof lights to the roof pitch facing away from the farm in order to reduce the likelihood of high concentrations of odour entering the building. The applicant has amended the plans accordingly.

### Dust

The EHO does not believe that dust and debris from the farm would adversely affect amenity at Barn 1 to a significant degree and the erection of the acoustic fence would likely eliminate this entirely.

### **Renewable Energy**

The scheme will require the provision of either renewable technology to meet 10% of the predicted energy requirements for the dwellinghouse or 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 should require 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 (two garage 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 is acceptable in principle and does not adversely affect the amenity of nearby residents or highway safety. The scheme, subject to conditions, is considered to achieve an appropriate level of amenity to the future occupiers of the building. The proposal is therefore considered to comply with the policies listed.

### **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) ra152/04A, ra152/05A, 413/3A, and specification contained therein, submitted on 31/03/16. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 Prior to the commencement of development a scheme shall be

submitted to and approved in writing by the Local Planning Authority providing full details and specification of the acoustic fencing, the location of which is shown on the approved plans. The approved scheme shall be implemented in full prior to first occupation of the dwelling house hereby approved and retained in perpetuity thereafter. **Reason:** To ensure that an unacceptable disturbance is not created to the detriment of the amenities of the future occupiers of the property in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

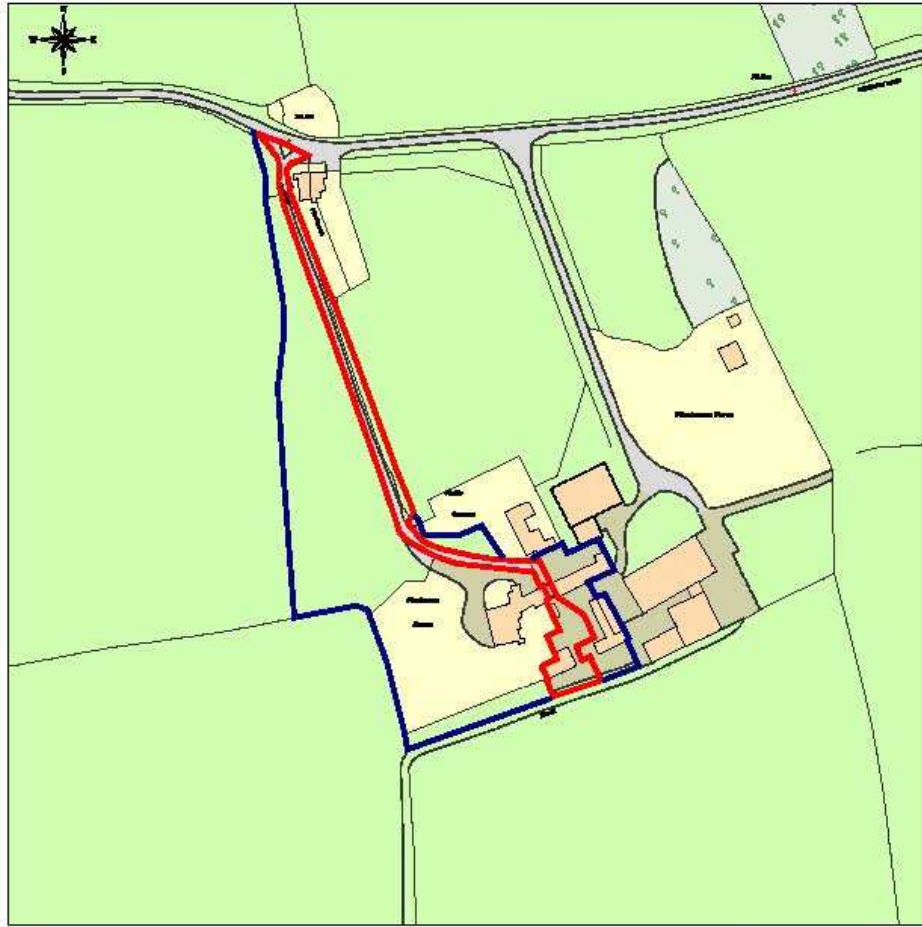
- 4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO<sup>2</sup> emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellinghouse hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local



Plan 1996-2011.

- 6 Should the office building identified as Barn 2 on the approved layout plan "413/3 rev A" be removed then prior to its removal details of an alternative scheme to mitigate the effects of noise nuisance to occupants of Barn 1 shall be submitted to and approved in writing by the Local Planning Authority along with timescales for its implementation. The approved scheme shall be implemented in full and in accordance with the approved timescales. **Reason:** Barn 2 forms a noise screen to Barn 1 and without alternative noise screen solution there would likely be an adverse impact to the detriment of the amenities of the future occupiers of the property contrary to Policy DP2 of the Warwick District Local Plan 1996-2011.
- 7 All external facing materials for alterations to facilitate the change of use hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 8 Any new or replacement window and door frames shall be constructed in timber and shall be colour coated to match the existing. New roof lights shall match the existing. **REASON:** To ensure an appropriate standard of design and appearance for the converted (former) agricultural building and to satisfy Policy RAP7 of the Warwick District Local Plan 1996-2011.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any dwellinghouse hereby permitted without the prior written approval of the local planning authority. **REASON:** To ensure that the openness of the rural area and the scale, character and appearance of the dwellinghouse is not altered by further extensions, in accordance with Policy RAP2 of the Warwick District Local Plan 1996-2011.
- 10 The development shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.

## Site Plan of CV35 8DD



This Plan includes the following Licensed Data: OS MasterMap Colour PDF Site Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2014. Ordnance Survey 100021673

0m 20m 40m 60m 80m 100m 120m 140m 160m 180m 200m

Scale: 1:2500, paper size: A4

Location plan

Barn 1, Plestowes House, Hareway Lane, Barford CV35 8DD

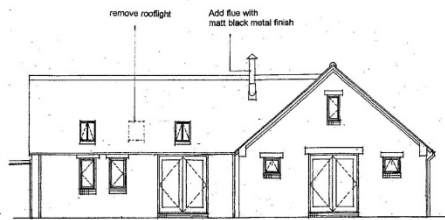
**plans ahead** by emapsite™

Prepared by: Lee Greenwood, 18-06-2014

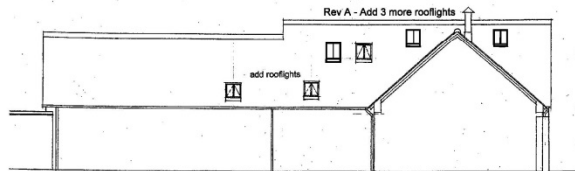




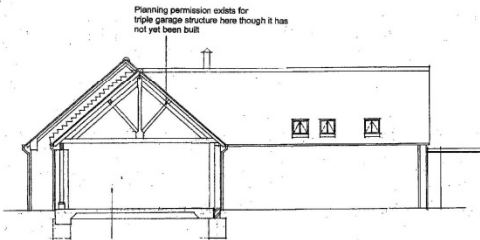
East Elevation



South Elevation



West Elevation



North Elevation

External Materials:  
 Walls ..... Red stock brick  
 Roof ..... Plain tile  
 Windows/doors ..... Stained timber frame

ra

roger abbott riba chartered architect

64 west street, shellford-upon-avon, CV37 0DR  
 tel: 01789 414553 - fax: 01789 414554 - email: roger.abbott@telcom.co.uk

Change of use of 'Barn' 1  
 Plestowes House, Barford, for Mr and Mrs Murdoch  
 'Barn' 1: Proposed Elevations  
 Scale 1:100. January 2011. Drawing ra152.05 Rev A  
 at AS Revised March 2016