

DELEGATED DECISION REPORT

HPK/2018/0073
Valid 07/03/2018

BARN SOUTH OF SILK HILL
BUXWORTH

CONVERSION OF BARN INTO
1 NUMBER C3 DWELLING
HOUSE WITH ASSOCIATED
ACCESS AND CURTILAGE -
RESUBMISSION OF
HPK/2016/0501

(FULL - MINOR)

MAIN ISSUES

- Principle of development / Countryside
- Layout / Design
- Amenity
- Ecology
- Highway safety

DESCRIPTION OF SITE

The site comprises an existing two storey stone building located in a field to the south of Silk Hill Road. The barn is served by an existing access track from Silk Hill Road. The site is situated within the 'Countryside' for the purposes of the Local Plan. The built-up area boundary of Buxworth is approx. 40 metres to the north east.

PROPOSAL

The proposal is for the conversion of the building to a two bedroom dwelling with associated access and domestic curtilage. Existing window and door openings will be used where practical and a single storey extension is proposed on the eastern elevation. The boundaries of the property will be defined with a continuation of the dry stone wall and timber and post fences. Access will be via the existing access track from Silk Hill Road with provision within the domestic curtilage for off road parking and bin storage.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S2 – Settlement Hierarchy
S6 – Central Area Sub Strategy
EQ2 – Landscape Character
EQ3 – Rural Development

EQ5 – Biodiversity
EQ6 – Design and Place Making
EQ7 – Built and Historic Environment
EQ10 – Pollution Control and Unstable Land
EQ11 – Flood Risk Management
H1 – Location of Housing Development
H3 – New Housing Development
CF6 – Accessibility and Transport

National Planning Policy Framework

Paragraph 7, 14, 17, 196-197
Sections 3, 4, 6, 7, 8, 11

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2016/0501- Proposed conversion of barn into one dwelling house, construction of a chimney breast, single storey side extension and detached garage with associated access and curtilage – Withdrawn 11/10/2017.

DET/2015/0012 – The conversion of a existing 2 storey stone built slate roof agricultural storage building on a East / West orientation sited on the edge of a settlement boundary to the South of Silk Hill Road into 1 number C3 Dwelling house with associated access and curtilage. The proposed will be carried out entirely within existing envelope of the existing building with no extension. The Proposals will convert the existing building into a 2 bed dwelling with lounge, kitchen and utility and associated parking and garden space – Prior Approval Granted on 11/11/2015.

HPK/2003/0275 – Conversion of redundant barn to two bedroom cottage – Refused 16/05/2003.

HPK/0003/3410 – Conversion of vacant barn to holiday cottage – Refused 16/05/1994.

CONSULTATIONS

Publicity

Site Notice expiry date: 04/04/2018
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

Chinley, Buxworth and Brownside Parish Council – No objection.

Conservation Officer

A much improved conversion scheme. The conversion works with the majority of openings and retains the character of this prominent barn. The execution of details will be important, such as correctly proportioned stable doors.

The site shows a bin store but no details are given. I assume that the garage details have been submitted in error and should be removed from the application.

Conditions (these could be submitted in advance of the determination):

Joinery details including cills and lintels where appropriate

Rooflights

Facing materials

Vents, cowls and ducts

Rainwater goods

Boundary details and landscaping

Bin Store

Sample panel to be constructed on site to demonstrate block size, coursing and pointing

All ventilation slits to remain externally visible

Remove Permitted Development Rights

Environmental Health

No objection. Recommend condition requiring the applicant to submit a risk assessment in the event that any contamination or evidence of likely contamination is identified that has not previously been identified.

Derbyshire Wildlife Trust

DWT commented on an initial application for this site (HPK/2016/0501). The same bat survey report has been submitted with the new application, detailing the results of hibernation surveys in December 2016, January 2017 and February 2017, along with nocturnal emergence/return surveys in May and June 2017. These surveys are still considered valid and no update surveys are considered necessary.

The Bat Method Statement should be updated in line with the new proposals and submitted to the LPA. Conditions recommended requiring the works to be undertaken in accordance with the Bat Method Statement and a detailed lighting strategy to be submitted for approval.

Following submission of an updated Method Statement during the course of the application, DWT advise that this is sufficient to determine the application. If the proposed lighting is limited to that detailed in Section 4 of the Method Statement, then a separate lighting condition is not considered necessary.

Derbyshire County Council Highways

No objection, subject to conditions.

Silk Hill is a non-classified road and it is steep and its width varies. There are no linking footways and the dwelling would be somewhat remote from local facilities and amenities.

There is an existing barn served by an existing access off Silk Hill and the proposals are to convert it to a dwelling.

Silk Hill appears to be lightly trafficked at present and as a result of its limitations the majority of drivers drive at an appropriately low speed suitable for the nature of the lane. Whilst the existing access does not conform to current design criteria it is not considered that the proposed dwelling would result in any significant increase in traffic movements over and above existing. Additionally the proposals would re-use an existing building and this Authority has taken commensurate use into its consideration of the proposals.

In this instance the Highway Authority is not aware of any existing highway safety issues that would justify a reason for refusal that could be substantiated at appeal. There is sufficient space within the site curtilage to provide an appropriate level of parking. Given the distance from the public highway to the dwelling the applicant should provide an area of at least 9m x 9m or other such turning facility as demonstrated by means of swept paths should be identified on revised drawings, clear of all parking provision.

The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Bin storage should not obstruct the private drive access, parking or turning provision. Additionally a dwell area for bins should be provided, clear of the public highway, for use on refuse collection days.

OFFICER COMMENTS

Planning policies

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.

Other material considerations include the National Planning Policy Framework

(NPPF) and National Planning Policy Guidance (NPPG). Paragraph 14 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Principle of Development

Paragraph 55 of the NPPF promotes sustainable development in rural areas and advises that LPA's should avoid new isolated homes in the countryside unless there are special circumstances. These include rural workers, re use of buildings and exceptional design. Local Plan Policy S2 (Settlement Hierarchy) states, in relation to development outside of the settlement boundary, including those villages, hamlets and isolated groups of buildings in the Green Belt and the Countryside which do not have a settlement boundary as defined on the Policies Maps, that development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policies EQ3 and H5.

Local Plan Policy H1 (Location of Housing Development) identifies that new housing should be provided on allocated housing sites in the Local Plan or a Neighbourhood Plan, promote the effective reuse of land, support housing on unallocated sites within the defined built up area boundaries, encourage housing in mixed use schemes, support development identified by community right to buy or build order and support self build scheme. However, the Council will give consideration to approving sustainable sites outside the defined built up area boundaries, taking into account other policies in this Local Plan, provided that:

- The development would adjoin the built up area boundary and be well related to the existing pattern of development and surrounding land uses and of an appropriate scale for the settlement; and
- The development would not lead to prominent intrusion into the countryside or have a significant adverse impact on the character of the countryside; and
- It would have reasonable access by foot, cycle or public transport to schools, medical services, shops and other community facilities; and
- The local and strategic infrastructure can meet the additional requirements arising from the development.

The site lies outside any built up area boundary within the open countryside and does not adjoin the built up area boundary. The development would not lead to prominent intrusion into the countryside or adversely affect its character. The site is approx. 0.5km from the centre of Buxworth village which is served by a public house, primary school, a church and bus services. Accordingly it is considered that the development would have reasonable access to services and public transport.

Within the rural areas, Policy EQ3 allows certain forms of new residential development including the reuse of redundant and disused buildings and/or the redevelopment of a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside. Where the existing building is in an isolated location the development should lead to an enhancement of the immediate setting.

The building is an attractive field barn which is worthy of retention. The re-use of the building will safeguard its future. It is considered that the scheme is sympathetic to the character and appearance of the building and the surrounding countryside. The scheme works better with existing openings, the detached garage previously proposed has been removed and the extent of the domestic curtilage has been reduced. Given the above, it is considered that this application accords with Policy EQ3.

It should also be noted that prior approval was granted under Class Q of the GPDO for the conversion of the barn to a dwelling in November 2015 (ref DET/2015/0012) and that consent is extant. Overall, the principle of this development is considered acceptable.

Layout / Design

The NPPF highlights that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 58 requires development to function well and add to the overall quality of the area for the lifetime of the development. It should respond to local character and history and reflect the identity of local surroundings and materials whilst reinforcing local distinctiveness.

Local Plan policies S1 and EQ6 expect new development to contribute to a sense of place by taking account of the distinct character, townscape and setting of the area and securing high quality and locally distinctive design and amenity. The adopted Supplementary Planning Document on Residential Design 2005, also provides guidance on the approach to new residential development, and the factors which contribute toward local distinctiveness.

The application seeks permission to convert the building and includes a single storey extension on the eastern elevation. The building appears to be structurally sound with no obvious signs of distress. The proposals include an area of domestic curtilage to the south and east of the building which includes a parking and turning area and bin store. The garden would be bounded by dry stone walls and fencing.

The previous application (HPK/2016/0501) was withdrawn following a number of concerns raised by the Conservation Officer. The Conservation Officer considered that there shouldn't be any need for new openings and the extent of the curtilage should be limited to limit views of domestic activity. A garage was considered overly domestic and unnecessary.

This resubmission seeks to address the previous concerns. The extent of the domestic curtilage has been reduced in size in line with the recommendations of

officers and the detached garage has been removed from the proposals. It is considered that the proposed domestic curtilage will still have some impact on the character of the surrounding countryside due to the presence of parked cars, bin storage and domestic paraphernalia. However, the extent of the curtilage is considered reasonable and does not encroach further into the countryside than the domestic curtilage approved as part of the Class Q Prior Approval (DET/2015/0012). The conversion scheme works better with existing window and door openings and new openings are minimal. A small lean to extension is proposed to the eastern elevation which is of appropriate scale and design. The Conservation Officer does not object, subject to conditions.

A number of conditions are considered necessary including details of joinery, rooflights, facing materials, ventilation, rainwater goods, boundary treatment and landscaping, and bin storage. In this instance it is reasonable to remove permitted development rights for future alterations and additions to the building in order to retain the character of the building.

Overall, it is considered that the development is of a high quality design which will safeguard the future of this building whilst protecting the character of the surrounding countryside. This weighs in favour of the proposal. The application complies with Policies EQ6 and EQ7 of the Local Plan and Section 7 of the NPPF.

Amenity

Local Plan Policy EQ6 requires development to achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The building is relatively remote from neighbouring properties on Silk Hill with the nearest neighbouring dwelling being approx. 60 metres away to the north east. At this distance it is unlikely that the proposed conversion would have any significant adverse impact on the amenities of existing neighbouring residents. The proposed conversion itself, together with provision of a private garden and off road parking, would provide future occupiers of the dwelling with a high standard of amenity.

The proposed development accords with Policy EQ6.

Ecology

The Derbyshire Wildlife Trust has reviewed the Bat and breeding bird survey and Method Statement submitted with the application. DWT consider that these surveys are still valid and no update surveys are considered necessary. Following submission of an updated Precautionary Bat Method Statement during the course of the application, DWT advise that this is sufficient to determine the application. If the proposed lighting is limited to that detailed in Section 4 of the Method Statement, then a separate lighting condition is not considered necessary. Overall, it is considered that the proposals would not be harmful to biodiversity interests and the proposed development therefore accords with Local Plan Policy EQ5 and the provisions of Section 11 of the NPPF.

Highway Safety

The NPPF promotes sustainable transport and recommends that local planning authorities seek to encourage and facilitate where possible sustainable patterns of transport using practical alternatives to private motor vehicles so that people have a real choice about how they travel. Policy CF6 of the Local Plan requires development sites to be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport.

The Highway Authority does not object to this application subject to conditions. The Highway Authority considers that Silk Hill Road is lightly trafficked at present and as a result of its limitations the majority of drivers drive at an appropriately low speed suitable for the nature of the lane. Whilst the existing access does not conform to current design criteria it is not considered that the proposed dwelling would result in any significant increase in traffic movements over and above existing. There is sufficient space within the site curtilage to provide an appropriate level of parking. The Highway Authority has requested that the applicant provide a turning area of at least 9m x 9m or other such turning facility as demonstrated by means of swept paths, clear of all parking provision. It is considered that an appropriate arrangement can be secured by means of a condition.

Subject to conditions, therefore, it is considered that the proposed development complies with Local Plan Policy CF6.

Flood risk / Drainage

Policy EQ11 relates to Flood Risk Management and supports development proposals that avoid areas of current or future flood risk and do not increase flooding elsewhere. The site lies within Flood Zone 1 (the Zone at lowest risk of flooding). The use of the site for residential development accords with the general advice in section 10 the NPPF in that this is land with the lowest probability of flooding. Overall there is no objection to the proposed development on flood risk or drainage grounds.

CONCLUSION / PLANNING BALANCE

The starting point for the determination of any planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) states that planning applications should be determined in accordance with the development plan, unless there are material considerations which indicate otherwise. In this instance the High Peak Local Plan 2016 is the adopted Development Plan for the area.

The site is within the Open Countryside. Local Plan Policies EQ3 and H1 apply. The NPPF requires consideration of the social, economic and environment aspects of sustainable development. The proposed conversion would make a social and economic contribution through the provision of an additional dwelling to the Council's housing supply, as well as spending in the local economy by future residents and employment opportunities during the construction phase. In environmental terms, the

development is of a size, scale, form and design which is acceptable and would not adversely affect the character of the open countryside. Furthermore the proposed re-use of the building will ensure that the future of the building is safeguarded. The proposed change of use will not adversely affect the residential amenity of the occupiers of neighbouring properties nor would it be detrimental to highway safety or ecological interests. A recommendation of conditional approval is therefore made.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw
Recommendation Date: 01/05/2018

X 

Signed by: Jane Colley

On behalf of High Peak Borough Council