

Conversion of barn to form residential dwelling including raising the roof to provide first floor living accommodation

**Report Item No
A3**

**Barn Adjoining Renira Aqueduct Road Coleorton Coalville
Leicestershire LE67 8JA**

**Application Reference
18/00624/FUL**

**Grid Reference (E) 440567
Grid Reference (N) 317983**

**Date Registered:
9 May 2018
Consultation Expiry:
21 September 2018
8 Week Date:
4 July 2018**

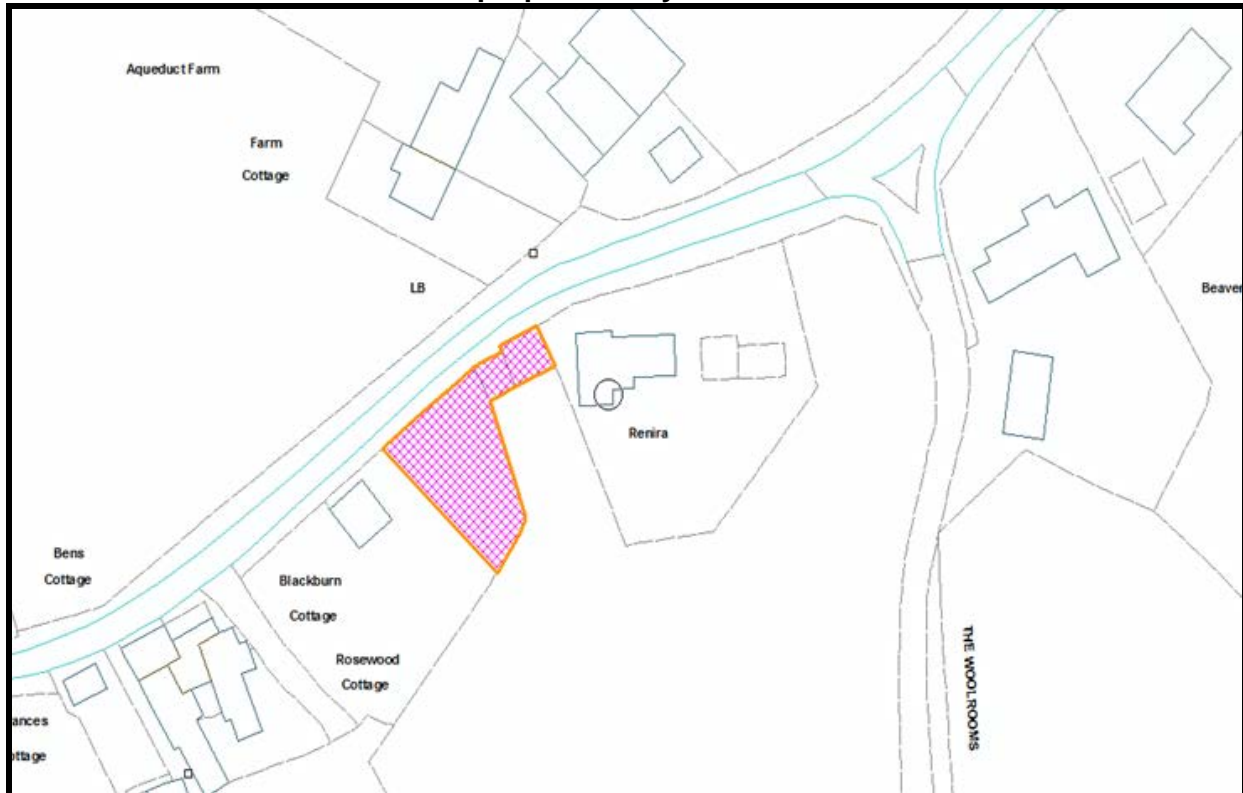
**Applicant:
Mr & Mrs Michael Richards**

**Extension of Time:
9 August 2017**

**Case Officer:
Hannah Exley**

**Recommendation:
PERMIT**

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Recommendation

Call In

The application is brought to the Planning Committee as the planning agent is related to a serving councillor (Councillor Blunt) and contrary representations to the recommendation to permit the application have been received.

Proposal

Planning permission is sought for the conversion of an existing barn to form a residential dwelling. The proposals also include the raising of the existing roof of part of the building to provide first floor living accommodation. The 0.04 of a hectare site is located on the south eastern side of Aqueduct Road and was last used for agricultural and residential storage.

Consultations

A total of 12 letters of representation have been received, 9 stating support for and 3 raising objection to the proposals. No comments have been received from Worthington Parish Council and all statutory consultees have raised no objections.

Planning Policy

The site is located outside the Limits to Development on the Policy Map to the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The application site lies outside the defined Limits to Development within the part of Coleorton identified as a 'small village', where the conversion of existing buildings is considered acceptable. The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, visual amenity and the character of the area, highway safety or ecology. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION:-

PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the conversion of an existing barn to form a residential dwelling. The proposals also include the raising of the existing roof of part of the building to provide first floor living accommodation. The 0.04 of a hectare site is located on the south eastern side of Aqueduct Road and was last used for agricultural and residential storage.

The site is identified as being outside the defined Limits to Development in the adopted Local Plan, with the surrounding area comprising mainly open agricultural fields as well as residential properties of varying designs and scales which are predominantly located on the southern side of Aqueduct road.

During the course of the application amended plans have been secured following officer concerns about the visibility available at the access and the loss of hedgerow.

The application submission was accompanied by a Design and Access Statement and Bat Survey.

Relevant planning history:

17/01354/PDNALO - Prior approval of a change of use of agricultural building for storage (Refused)

In considering this application it was noted that: 'On the balance of the evidence, it is considered that it has not been adequately demonstrated that the subject building has been used solely for an agricultural use as part of an established agricultural unit in accordance with the time periods specified.'

2. Publicity

5 Neighbours have been notified.

Site Notice displayed 31 May 2018.

3. Summary of Consultations and Representations Received

Worthington Parish Council - no response received.

Leicestershire County Council - Ecology recommends that any permission be subject to conditions.

Leicestershire County Council - Highway Authority advise that the residual cumulative impacts of development can be mitigated and are not considered severe, subject to conditions.

NWLDC - Environmental Protection has no environmental observations, subject to contaminated land conditions.

Severn Trent Water no comments received.

Third Party Representations

12 letters of neighbour representation have been raised raising both support and objection for the proposals.

9 letters provide support for the application for the following reasons:

- There is a need for additional housing in this area;
- The proposal will provide a much needed smaller dwelling that would be suitable for an

existing resident who wishes to downsize;

- The proposal would help support local services;
- The proposal would be a sensitive conversion scheme and would improve the appearance of Aqueduct Road;
- It is important to support local people who want to stay in the area;
- The proposal would prevent an important old building going into disrepair and being pulled down and would not be detrimental to the area;
- Re-use of an existing building.

3 letters raise objection to the application for the following reasons:

- Increase in traffic on a busy single track road with no footways and where on-street parking further narrows the width of the road;
- Other developments permitted along the road will also generate additional traffic along the road and therefore, the proposal will only add to this;
- New vehicular access onto a single track road creates a highway hazard;
- Concern about parking on the road due to inadequate parking being provided;
- The character of Aqueduct Road is being eroded by new residential development;
- A previous planning permission was refused on highway safety grounds and therefore, the safe concerns should apply to the current proposal;
- There have been 2 vehicle accidents on Aqueduct Road in the last 8 months and near misses;
- Raising of the roof would result in loss of light to neighbouring windows in side elevation of Renira resulting in loss of neighbouring amenities;
- No objection to the principle of converting the barn but raise highway safety concerns for all road users.

4. Relevant Planning Policy National Planning Policy Framework (2018)

The policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF. The following paragraphs of the NPPF are considered relevant to the determination of this application:

Paragraphs 7, 8, 9, 10, (Achieving sustainable development);
Paragraphs 11, 12 (The Presumption in Favour of Sustainable Development);
Paragraph 55 (Planning conditions and obligations);
Paragraph 79 (Delivery of a sufficient supply of homes)
Paragraph 109 (Promoting sustainable transport);
Paragraphs 127 (Achieving well-designed places);
Paragraph 175, 178 (Conserving and enhancing the natural environment);

Adopted North West Leicestershire Local Plan (2017)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S3 - Countryside
D1 - Design of New Development
D2 - Amenity
IF4 - Transport Infrastructure and New Development
IF7 - Parking Provision and New Development
En1 - Nature Conservation
En3 - The National Forest
Cc2 - Floodrisk
Cc3 - Sustainable Drainage Systems

Other Policies/Guidance

National Planning Practice Guidance

Leicestershire Highways Design Guide

Good Design for North West Leicestershire SPD - April 2017

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System)

5. Assessment

Principle of Development

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2017).

The application site lies outside the defined Limits to Development and is in the countryside and therefore, Policy S3 of the adopted Local Plan applies. This policy stipulates that only certain types of development (including the re-use and adaptation of buildings for appropriate purposes including housing) are permitted and they must conform to certain criteria whilst aiming to preserve and enhance the environment. With regard to criteria (i) and (iv), the suitability of the proposal in relation to the character and appearance of the landscape and the integration of the proposal within existing development, these are covered below in the 'design and impact on the character of the area' section of this report. As for criteria (ii) and (iii), the proposal would not result in the joining of settlements or ribbon development. With regard to criterion (v), the site is located between existing residential development and re-uses an existing building. Furthermore, Policy S2 of the adopted Local Plan allows for the conversion of existing buildings within this part of Coloerton which is identified as a small village.

Therefore, it is considered that the proposed conversion of the building for residential purposes, would be acceptable in principle, for the purposes of Policies S2 and S3 of the adopted Local Plan and paragraph 79 of the NPPF.

Highway Safety and Access

Concern has been raised by local residents about the development leading to an increase in on-street parking and an increase in traffic on adjoining single track roads, along with concerns about the suitability of the proposed access.

The application falls to be considered under Highways Standing Advice. There is currently no vehicular access to the wider site apart from the access to the building and the proposal would require a new access to be formed off an unclassified road with a 30mph speed limit where splays of 43m in both directions would be required. The original submission showed a new access at the western end of the site frontage with substandard visibility splays of 14.6m in a westerly direction and 36m in an easterly direction. The plans have since been amended to provide a more centrally positioned vehicular access with visibility splays of 25m in both directions shown on the plans, although the northern splay is not achievable as it is shown to extend through the barn. The visibility would be substandard and therefore, the formal comments of the County Highways Authority have been sought.

The County Highways Authority notes that Aqueduct Road is a predominately rural, single carriageway road subject to a 30mph speed limit. However, when having regard to the existing use of the barn and with Aqueduct Road being an unclassified road, County Highways Authority advise that a new vehicular crossover could be provided at the site, without having the benefit of turning/parking provision and visibility splays scrutinised. Therefore, whilst the visibility splays

may be less than typically desired for a 30mph speed limit road, by virtue of the development proposal being detailed under a planning application, the design of the access can be controlled and the majority is in accordance with the Leicestershire Highways Design Guide (LHDG). The proposal also makes provision for off-street parking and turning provision in connection with proposed dwelling and pedestrian access between the parking area and the dwelling is available within the site. Additionally, the County Highways Authority notes that the cessation of the potential use of the existing substandard access between the building and the highway is considered to be a highway gain.

In light of the above, and taking into consideration the available visibility, the scale of the proposal and the likely traffic generation, and other existing accesses onto Aqueduct Road, that are restricted in terms of visibility, the County Highways Authority considers the proposal is acceptable. Notwithstanding comments by local residents, there have been no recorded personal injury collisions (PIC's) on Aqueduct Road within the last five years. Subject to conditions, the County Highways Authority has no existing safety concerns regarding the site.

Overall, therefore, the highway safety aspects of the scheme are considered acceptable. The proposal is considered acceptable in relation adopted IF4 and IF7 of the adopted Local Plan and paragraph 109 of the NPPF.

Impact on Residential Amenities

The properties most immediately affected by the proposal would be Renira and Blackburn Cottage. Renira is located to the east of the converted building which forms the boundary line to the garden to this property. The application property is orientated north west to south east and Renira is orientated north to south and as a result, Renira is located between 2.8m and 4.2m from the converted dwelling. This neighbouring property has two windows in its side elevation facing the proposed dwelling. At the ground floor level there is a secondary window to a lounge (habitable room) and at first floor level there is a window serving a bathroom.

The height of the converted barn is currently asymmetrical and the ridge would be raised by 0.8m to create a symmetrical gable with an overall ridge height of 6.2m. When having regard to the secondary nature of the lounge window and the fact that the bathroom window serves a non-habitable room and the location of the building to the west of the neighbouring property, it is not considered that the proposed raising of the roof would give rise to any significant overbearing or overshadowing impact on this neighbouring property. No windows are proposed in the side gable facing Renira and the roof lights serving first floor accommodation in the rear elevation would directly overlook fields to the rear. It is not considered that the proposal would result in any significant overlooking of Renira.

Blackburn Cottage is located to south west of the garden area to the proposed dwelling and has a detached garage occupying the north eastern corner of the property, which would abut the application site. The garden area to the proposed dwelling along with the garage to the neighbouring dwelling would provide sufficient distance between the proposal and Blackburn Cottage in order to prevent any significant overbearing, overshadowing or overlooking of this neighbouring property.

There are properties on the opposite side of the road but these are sited at sufficient distance from the highway to prevent any adverse impact by means of overbearing, overshadowing or overlooking impacts.

Overall, the proposal is not considered to result in significant impacts upon surrounding residential amenities. Therefore, the proposed development is considered to be in accordance

with Policy D2 of the adopted Local Plan and the Council's Good Design SPD.

Design and Impact on Character of Area

The need for good design in new residential development is outlined not only in adopted Local Plan Policy D1, but also Paragraph 127 of the NPPF.

The proposed conversion of the existing building would result in the raising of the roof of the larger section of the existing building which would provide symmetrical gables to the building. There are no new openings within the front elevation with existing openings being utilised, to the garden facing side elevation a new door is proposed in place of an existing window opening and these changes are considered sympathetic. However, to the rear elevation it is proposed to install three identical two light casement windows which are both large window units for this modest building and have a domestic appearance and would appear incongruous and out of keeping with the simple character of the barn. At the time of writing this report, the agent advised that amended plans would be provided to overcome officer concerns. Members will be advised of the suitability of the amended details via the update sheet.

Overall, and subject to suitable amended plans being received, it is considered that the proposal would respect the scale and character of existing development in the locality and would be compliant with Paragraph 127 of the NPPF as well as Policy D1 of the adopted Local Plan.

Ecology

The application site is situated within the National Forest (Policy En3) and Policy En1 of the adopted Local Plan seeks to ensure existing vegetation is retained and enhanced. The landscaping on the site consists of hedgerows along the boundaries with three small trees within the site.

The new vehicular access and provision of visibility splays would result in the loss of hedgerow along the site frontage and would require the remove of one of the existing trees within the site. At the time of writing this report, the agent had agreed to provide an amended plan showing the retention of existing hedgerows along the rear/side boundaries and the replanting of a hedgerow behind splay lines along the front boundary of the site. Members will be advised of the suitability of the amended landscape details via the update sheet.

Overall, the development would be compliant with the aims of Policies En1 and En3 of the adopted Local Plan.

The proposal relates to the conversion of a rural building including the raising of the roof and therefore, protected species information has been provided as part of the application. The County Ecologist has been consulted and advises that the bat survey accompanying the application is satisfactory. It concludes that minor evidence of a bat roosting was found with a bat seen emerging from the building. The consulting ecologist has proposed mitigation including the exclusion of bats before work commences and the provision of a temporary bat box roost and a permanent ridge roost unit in the converted dwelling, which is considered acceptable to the County Ecologist, subject to conditions.

On the basis of these conclusions it is considered that the proposal is unlikely to adversely affect protected species and therefore it complies within the aims of Paragraph 175 of the NPPF, Circular 06/05 and Policy En1 of the adopted Local Plan.

Other

The Council's Environmental Protection team have raised no objections with regards to ground

contamination subject to the imposition of conditions. Subject to conditions, it is considered that the proposal would comply with Paragraph 178 of the NPPF.

Conclusion

The application site lies outside the defined Limits to Development within the part of Coleorton identified as a 'small village', where the conversion of existing buildings is considered acceptable. The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, visual amenity and the character of the area, highway safety or ecology. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION - PERMIT, subject the following condition(s):

1. Standard time limit
2. Approved plans
3. Materials, details and finishes
4. Definition of residential curtilage
5. Land contamination
6. Access
7. Provision of visibility splays
8. Provision of off street car parking and turning
9. Landscaping and boundary treatments
10. Window/door details
11. Removal of permitted development rights
12. Ecological mitigation scheme