

Development Management Report

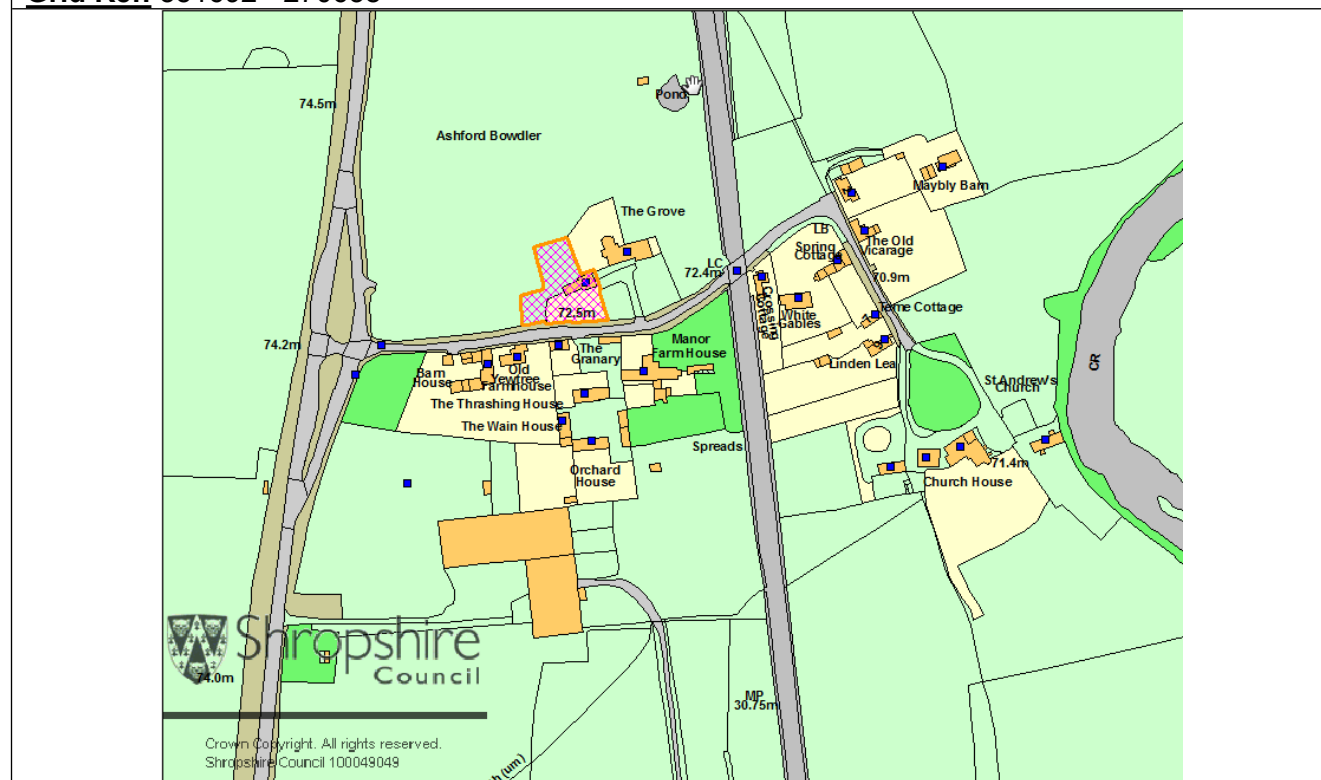
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 18/03586/LBC	<u>Parish:</u>	Ashford Bowdler
<u>Proposal:</u> Conversion and extension to redundant agricultural building to form one dwelling and garage; change of use of agricultural land to form domestic curtilage; formation of vehicular access, and; installation of package treatment plant		
<u>Site Address:</u> Barn South West Of The Grove Ashford Bowdler Shropshire		
<u>Applicant:</u> Mr Rob Bryant		
<u>Case Officer:</u> Cathryn Robinson		<u>email:</u> planningdmc@shropshire.gov.uk

Grid Ref: 351692 - 270638



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Recommendation:- Grant Consent subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1** This application seeks listed building consent for the conversion of a detached brick barn and cart shed to a dwelling; the erection of garage and annexe structure, connected to the main dwelling via glazed 'link' is also proposed alongside the conversion. The formation of a vehicular access, and the installation of package treatment plant are also necessary to facilitate the conversion.
- 1.2** This application is accompanied by a 'sister' application seeking planning permission for the works – 18/03585/FUL which is the subject of a separate report on this agenda.
- 1.3** NOTE: Former applications 12/03758/LBC and 16/00492/LBC approved alterations for the residential conversion of this barn.

2.0 SITE LOCATION/DESCRIPTION

- 2.1** The barn to the south west of The Grove farmhouse is a grade II listed building containing stables, a cart shed and a byre. It dates from the 18th century and is constructed in brick with a dentil course under the eaves and a tiled hipped roof. There is a grass courtyard in front of the building enclosed by a wall constructed partly in brick and partly in modern block work. The barn and farmhouse fall within the Ashford Bowdler Conservation Area.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1** The Parish Council have provided views contrary to the Officers recommendation. This application has been discussed with the Local Member whom concurs with the objection of the Parish Council. The Vice Chair of the South Planning Committee, in consultation with the Principal Officer, considers that the material planning considerations raised warrant determination by Committee in this case.

4.0 Community Representations

4.1 - Consultee Comments

4.1.1 Ashford Bowdler Parish Council – Object:

Ashford Bowdler Parish Meeting would like to register objections to the planning application above. We are broadly supportive of bringing the old coach house back into use but not with the changes and design features shown on the latest drawings. Others in the village have raised a number of points related to planning regulations etc. and we don't propose to repeat them here.

Ashford Bowdler is a conservation village and its occupants desire it to remain as such. The coach house is firmly within the boundaries of the conservation area and

is also listed. The features included in this application turn what was a design of its time, a Victorian agricultural building, into a creation of the 21st century and that adjacent to a largely regency manor house. This would make it out of line with the rest of the village the buildings of which are mostly several hundred years of age. This flies in the face of the concept of having conservation areas. The design as proposed has huge areas of glass, front and back, much of which reaches the ground. These features are totally alien in the village. The original structure of the barn will be hardly recognisable with the design proposed.

When planning approval was requested by the previous owner less than three years ago, there were copious comments from council specialists heavily restricting what could be done with this building. One such comment said that there should be no windows on the rear elevation due to the proximity to The Grove. There appears to be no such comment this time around. Other applications in the village in recent times asking to make relatively minor changes to former agricultural buildings have been met with strong resistance from the Council. I would hope that the same position will be taken for this application.

Another significant issue is that of the garage. It is good to see that the height has been reduced twice since the original design. In our view, that really is not sufficient. The addition of a room above the garage raises its profile too much and it would become quite a dominant feature from the perspective of some neighbouring properties and when approaching along the lane. We recommend eliminating the room above and changing the roof profile to have a hipped end adjacent to the lane.

We do support other comments already made about the disposal of waste water from the building. As has been mentioned, the culvert already has a tendency to overflow after heavy rain so any extra water from the digester would only exacerbate the situation. Other comments made by an expert in water treatment also refer to the technical inadequacy of the Klargestar unit for a small household. It would certainly be unacceptable to have inadequately treated waste being exited into the culvert. Treatment of waste here is a major concern. The comments about the culvert also are relevant to the construction of the bridge forming the main access to the property. This must be done without restriction to flow or we will have even more problems with flooding in that area.

In summary, the design needs a major rethink to better align with the rest of this conservation village; the water treatment plan should be reconsidered to eliminate waste water flowing into the culvert; the garage should be redesigned to avoid it being an eyesore.

4.1.2 SC Conservation – No Objections:

27.09.18

These comments supplement those previously submitted on 24/8/18.

The proposed amended plans are noted where there are two principal amendments:

- Reduction of the proposed outbuilding/garage height; and

- Substitution of proposed window in outbuilding (gable) to a timber shutter (where it is noted that this is a means of a fire escape).

These proposed amendments are supported in principle, where the reduction in height shall aid subserviency to that of the principal listed building.

24.08.18

This proposal follows pre-application advice that was given as part of PREAPP/18/00130, where the principle of the conversion of this listed barn was deemed to be acceptable in principle. There were design concerns with the proposal, where further amended drawings were submitted for consideration by SC Conservation. Also a Structural Survey was requested in accordance with policy MD7a of SAMDev, in order to determine whether the barn is capable of conversion which is provided as part of these applications.

The proposed revisions for this proposal are noted, including the retention of the existing timber shutters that shall be pinned back in order to retain the agricultural appearance of the building. New windows have been accommodated by using the existing brick recesses, especially on the rear elevation, along with contrasting oak cladding, where the windows on the principal front elevation utilise existing openings. The main principle issue was how to accommodate the extra bedroom in a sensitive manner, given the existing sensitivity of the existing form of the barn, where any extension would likely to have a detrimental impact. The principle of a contemporary glazed units, supported by green oak, along with a green sedum roof, partially hidden by an existing rubblestone boundary wall to a new outbuilding was considered, where this was deemed to be the least harmful option and therefore retaining the historic legibility of the principal barn building. This also utilises the pleasing curvature of the existing rubblestone wall that contributes towards the setting of the site, along with the significance of the barn building in terms of its historic layout and field pattern. Ashford Bowdler is characterised by ancillary outbuildings on the frontage, where this outbuilding should be clearly ancillary to the principal listed barn, as well as fitting in with the other buildings that are adjacent within the conservation area, as an overall composition. It also affords uninterrupted views and linkage towards the rural hinterland beyond, keeping the outbuilding contained within the site, without causing undue clutter

The conclusion of the Structural Survey is noted, where it is deemed that the existing barn is capable of conversion with some localised repairs, which is not surprising, given the length of time it has remained vacant. This should therefore inform a relevant Schedule of Works in terms of what interventions are required to the building, including the relevant timber roof structure and the existing brickwork that may involve some rebuilding of existing lintels. Conditions are recommended below with regards to the extent of the likely works that may be required to the existing timber roof structure, along with relevant areas of repointing of the brickwork.

Overall, there are no principle objections to this proposal, where the conversion of this vacant listed building is supported in principle, subject to conditions.

4.1.3 SC Archaeology- No Objection:

In accordance with the National Planning Policy Framework (NPPF) Section 199, it is recommended that a programme of archaeological work, to comprise an archaeological watching brief during any ground works associated with the proposed conversion, extension, landscaping and services, be made a condition of any planning permission.

4.2 - Public Comments

4.2.1 This application was advertised via notice at the site. Additionally, the residents of five neighbouring residents were individually notified by way of publication. At the time of writing this report. At the time of writing this report sixteen representations had been received.

4.2.2 Of the five neutral representations, the comments raised are surmised as follows –

- A septic tank should be explored as the preferred drainage option
- Water should not discharge into the existing watercourse since it is prone to overflowing and at cold times of year is dangerous due to ice
- It is unclear whether or not the existing wall shall be sympathetically retained where the new access shall be installed; as a conservation area it is important that changes to buildings and other structures are in keeping with existing materials
- Preference for a hipped roof, to mimic the existing barn, as to lessen prominence from the lane
- Modern design at odds with the Georgian, Grade 2 listed neighbour.

4.2.4

- The eleven objections received are surmised as follows –
- The extension to the existing barn is considered to have a hugely detrimental impact on the character and appearance of the conservation area
- The extension will be visible from many public vantage points, and be obviously visible above the existing boundary wall
- When entering the village from the East property 'The Grove' and this redundant agricultural building dominates the view; the proposed extension will have an obvious impact to this important arrival into the village
- The garden intrudes into open countryside and the associated residential paraphernalia would have a detrimental impact on both the character and appearance of the conservation area
- The proposed green roof above the single storey link extension is also wholly out of character and would result in a new feature that is not present within the conservation area
- The glazing at the front of the link would not have the effect of being a lightweight link between two buildings as there is a solid wall to the rear.
- The partial demolition of the boundary wall, to make way for the new access, does not preserve the character or appearance of the conservation area
- The proposed glazing would destroy the character and appearance of this historic building
- The garden areas are created with new boundary fencing that intrude into the open countryside
- The addition of an extension which would more than double the footprint

- of the existing building clearly has a hugely detrimental impact on the character and appearance of the conservation area
- No physical evidence suggests a building was ever sited at this location; the historic maps do not support this application
- The impact to the conservation area is not duly assessed
- The deeper floor plan and gable ends, along with its prominent position adjacent to the highway give the impression of an incongruous bulky building that would have a dominating impact on the listed building and its setting
- There is a window proposed on the southern elevation on the upper floor of the extension to bedroom 1. 'The Granary' and is only 8.5m away and has two windows on its northern elevation to habitable rooms which would look directly into bedroom one thus resulting in a loss of residential amenity and privacy
- Ground floor windows at 'The Granary' will suffer from loss of light
- Submitted amendments considered insufficient to override issues initially raised

5.0 THE MAIN ISSUES

Special architectural character and historic interest Ecology

NOTE: the impact on the broader planning issues is considered within the officers' report on application 18/03585/FUL

6.0 OFFICER APPRAISAL

6.1 Special architectural character and historic interest

6.1.1 Section 66 of the (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities should pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Consideration of the proposal against Shropshire Council policies CS6 and CS17 and with national policies and guidance including PPS5 Historic Environment Planning Practice Guide and section 16 of the National Planning Policy Framework (NPPF) shall aid the Local Planning Authority in achieving this aim.

6.1.2 The works are accepted in principle, with the increased floor space working to ensure the long term safeguarding of the building through the creation of a modern family home. The establishment of a 'detached' outbuilding, connected to the main barn via single storey glazed 'link', works to protect the overall character of the listed building as a whole by retaining the distinction of its silhouette. The rebuilding of the wall along the lane in stone will also be a positive benefit to the appearance of the area. Suitable conditions attached to the decision notice shall further monitor the development to ensure that no undue harm is caused to the historic buildings fabric. Further conditions shall ensure that the materials used are of a high quality as not to compromise the character of the listed building.

6.1.3 The proposed alterations to the listed barn include the provision of windows and doors in existing openings on the south and east elevation; these alterations are minimal in their nature, making use of and updating existing features rather than proposing the insertion of new. New window openings are proposed on the west and north elevations. It is noted that levels of glazing proposed to the rear (north) elevation is relatively high, thus generally unusual in regards to barn conversions. The North elevation is characterized by recesses in its brickwork; the glazing is proposed to be located within these recesses, as to allow the character and form of this wall to be retained as much as possible rather than randomly placed windows punctuating the rear elevation.

6.2 Ecology

6.2.1 The barn is a maternity roost for a small number of Brown Long-eared bats. These are protected species and a European Protected Species Mitigation Licence will be required from Natural England as the conversion will result in disturbance. A bat loft will be provided as part of a mitigation strategy and an EPS matrix is included as an appendix to the report on planning application 18/03585/FUL, which is also on this agenda.

7.0 CONCLUSION

7.1 The proposed development is not considered to result in the loss of significant historic fabric nor harm the principal special architectural character and historic interest of the listed building. The scheme complies with the main objectives of relevant development plan policies and Government Guidance relating to conserving and enhancing the historic environment. It is recommended that listed building consent is granted.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ **As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.**
- ☐ **The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim**

first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of ‘relevant considerations’ that need to be weighed in Planning Committee members’ minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Shropshire Core Strategy and Site Allocations and Management of Development (SAMDev)
Plan Policies:

CS6 - Sustainable Design and Development Principles
 CS17 - Environmental Networks
 MD2 - Sustainable Design
 MD13 - Historic Environment

RELEVANT PLANNING HISTORY:

12/03444/FUL Conversion of agricultural building to a two-storey dwelling; formation of vehicular access; installation of package treatment plant GRANT 21st February 2013
 12/03758/LBC Alterations in association with conversion of agricultural building to a two storey dwelling GRANT 21st February 2013
 16/00491/FUL Conversion of agricultural building to form one dwelling; formation of vehicular access; installation of package treatment plant GRANT 16th June 2016
 16/00492/LBC Alterations in association with conversion of agricultural building to a two storey dwelling (renewal of planning permission 12/03758/LBC) GRANT 16th June 2016
 HEPRE/16/00290 Proposed general repairs affecting grd II listed building LBCRQ 25th November 2016
 18/03585/FUL Conversion and extension to redundant agricultural building to form one dwelling and garage; change of use of agricultural land to form domestic curtilage; formation of vehicular access, and; installation of package treatment plant PDE
 SS/1/7904/T/ Felling of an Oak tree PERCON 20th August 1997
 SS/1/6041/U/ Felling and lopping of trees OBJECT 24th October 1995
 SS/1/00/11132/TC Felling of Leylandii trees. NOOBJ 27th July 2000

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=PCUI6YTDFFW00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) Design and Access Statement including Heritage Assessment Structural Survey Ecology Report
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Cabinet Member (Portfolio Holder) Cllr R. Macey
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Local Member Cllr Vivienne Parry

Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (As amended)

2. All works shall be carried out in complete accordance with the terms of the application and approved plans.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

3. Work shall be carried out strictly in accordance with the Phase 2 Bat Activity Survey & Mitigation Report conducted by Greenscape Environmental Ltd (July 2018). Bat boxes and bat loft must be permanently retained for the lifetime of the development.

Reason: To ensure the protection of Bats, a European Protected Species

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development, demolition or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to Bats has been obtained and submitted to the local planning authority for the proposed work prior to the commencement of works on the site. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

Reason: To ensure the protection of Bats, a European Protected Species

4. No development approved by this permission shall commence until a photographic survey (Level 1) survey, as defined in English Heritage's guidance 'Understanding Historic Buildings: A Guide to Good Recording Practice') of the interior/ exterior of the buildings has been submitted to and approved in writing by the Local Planning Authority.

Reason: This information is required before development commences to record the historic fabric of the building prior to development.

5. Prior to the commencement of the works a timber-by-timber inspection of the structural frame, its components and joints shall be undertaken. This inspection shall inform a fully detailed scheme of repairs which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the relevant works. The scheme shall include:

- A method statement, having regard to the structural integrity of the frame
- Plans, sections and elevations at a scale of not less than 1:50 showing full details of the components to be repaired or replaced,
- A complete specification for replacement timbers,
- The proposed methods of repair, and
- The type of surface treatments or decorative finishes to be applied.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

6. A schedule of building works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule. All existing original features shall be retained in situ unless it is specifically shown on the approved plans that they are to be removed.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

7. Prior to the above ground works commencing samples and/or details of the timber cladding to be used in the construction of the external walls of the proposed outbuilding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

8. Unless otherwise agreed in writing by the Local Planning Authority, the historic roof structure will be retained and repaired. A method detailing the extent of the repairs and any replacement timbers shall be submitted to and approved in writing by the Local Planning Authority prior to any roofing works on the existing barn commencing. The work shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural interest and character of the Listed Building in accordance with policy CS6 of the Council's Core Strategy.

9. In relation to the new outbuilding and link extension, no roof works shall commence until details of the roof construction including details of eaves, undercloaks ridges, valleys and verges are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

10. The existing blockwork boundary wall shall be removed and the wall rebuilt in natural stone in accordance with the approved plans. The natural stone which shall be geologically compatible with the adjoining walls and shall match it in size, shape, colour and surface finish. Samples of stone for use in the new wall shall be made available to and approved in writing by the Local Planning Authority before the removal of the existing blockwork commences.

Reason: To safeguard the architectural and historic interest and character of the Listed Building.

11. Before the relevant parts of the work are commenced, details of roofing materials, including ridge materials and detailing, together with the method of ventilating the roof voids and the method of fixing these items, shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure satisfactory preservation of the Heritage Asset.

12. Details of exterior soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals, meter boxes, exterior cabling and electrical fittings shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the

aforementioned works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

13. Mortar for bedding and jointing the stonework in the boundary wall shall be a lime mortar unless otherwise agreed by the Local Planning Authority. A sample panel of stonework approximately 1m square shall be erected on site and approved in writing by the Local Planning Authority before the relevant work commences. External stonework shall not be treated with a waterproofing solution.

Reason: To ensure the satisfactory preservation of the Listed Building.

14. No pointing or re-pointing of existing or proposed masonry shall commence until the Local Planning Authority has approved the following items in writing:

- a drawing showing the proposed area(s) of repointing
- the mortar mix
- the method of removing existing mortar, please note that old mortar shall not be removed using any mechanical tool or angle grinder.
- an inconspicuous pointing sample provided on site following approval of the above items

Reason: To safeguard the historic interest and character of the Listed Building and ensure an appropriate external appearance.

15. The roof windows shall be of the traditional low profile metal pattern and details shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the relevant works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural interest and character of the building in accordance with policy CS6 of the Council's Core Strategy.

16. The proposed flues shall have a dark matt finish of a colour which shall first be approved in writing by the local planning authority.

Reason: To safeguard the architectural and historic interest and character of the Listed Building in accordance with policy CS6 of the adopted Core Strategy.

17. The window frames and doors of the proposed development shall be constructed of timber and details of the proposed finishes for all external joinery shall be submitted to and approved in writing by the Local Planning Authority before the relevant work commences.

Reason: To ensure that the development is of a design sympathetic to the character of the Listed Building in accordance with policy CS6 of the Council's Core Strategy.

18. No joinery works shall commence until precise details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings.

Reason: To safeguard the architectural and historic interest and character of the Listed Building.

19. A total of 12 artificial nests suitable for small birds such swallow and wren, as recommended within the Phase 2 Bat Activity Survey & Mitigation Report conducted by Pearce Environment Ltd (January 2012), shall be erected on the site prior to first occupation of the buildings hereby permitted.

Reason: To ensure the provision of nesting opportunities for wild birds

20. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK

Reason: To minimise disturbance to bats, a European Protected Species.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

21. All gutters, downpipes, soil and vent pipes and other external plumbing shall be of cast iron or cast aluminium unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the architectural and historic interest and character of the Listed Building in accordance with policy CS6 of the adopted Core Strategy.

22. All new external work and finishes and work of making good shall match the existing work adjacent, in respect of materials used, detailed execution and finished appearance.

Reason: To ensure satisfactory preservation of the building in accordance with policy CS6 of the Council's Core Strategy.

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