

AGENDA ITEM NO: 8/2(c)

Parish:	Fring	
Proposal:	Change of use of barn into a dwellinghouse including raising the roof by 1000 mm. Change of use of part of agricultural field for parking and turning to serve the new dwelling. Minor works to barn to create a refuge for people on foot, or cycle and bin collection area	
Location:	8 the Barns Bircham Road Fring King's Lynn	
Applicant:	Mr & Mrs P Henry	
Case No:	16/02081/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 7 February 2017 Extension of Time Expiry Date: 13 June 2017

Reason for Referral to Planning Committee – Called in by Councillor Mrs Avril Wright.

Case Summary

This application for full planning permission proposes the change of use of an existing barn into a dwellinghouse, including raising the roof to incorporate a first floor. Parking and turning facilities to serve the new dwellinghouse are proposed to be provided in the corner of a field on the opposite side of Bircham Road.

Consequently the application site comprises two components; the barn and garden land on the northern side of Bircham Road and the corner of an agricultural field to the south of Bircham Road.

The site is within the village of Fring, which is a 'Smaller Village and Hamlet'.

Key Issues

Principle of Development;
Form and Character & impact upon the Conservation Area;
Impact upon Neighbour Amenity;
Highway Issues;
Other Matters

Recommendation

REFUSE

THE APPLICATION

This application seeks full planning permission for the change of use of an existing barn into a dwellinghouse, including raising the roof to incorporate a first floor. Parking and turning

facilities to serve the new dwellinghouse are proposed to be provided in the corner of a field on the opposite side of Bircham Road.

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SUPPORTING CASE

The application has been supported by a Design and Access Statement (DAS), a Flood Risk Assessment, a Structural Survey, a Protected Species Survey and a Contamination Questionnaire.

Excerpts from the DAS refer:-

'The 'barn' is a single storey barn with some loft space.

The barn was constructed probably in the early to mid-1800's and has been used in the early part of the twentieth century to a house lavender distilling enterprise as part of the local lavender farming.

Lately the barn has become redundant, as the local lavender processing has been in Heacham for some time now.

The barn's current use is as a garden shed / domestic storage

The barn is in the applicants' ownership they wish to downsize and remain in the village.

As it is the barn is an underused resource

The philosophy behind the proposal is the creation of a dwelling from a redundant building.

The dwelling is for residents who would like to remain within the community yet downsize to a smaller home.

The land surrounding the barn is small, but there is an opportunity to create a small area for parking on the other side of the road opposite the barn. This may seem a bit unusual but given the circumstances it is appropriate and provides a neat safe solution for vehicular access and parking. The parking area has upon it no building or structure and will be surrounded by a newly planted Hawthorne hedge, with the option of two native species of tree, say one Ash, (If and when the resistant strain is available) and one English Sweet Chestnut.

From the side road the parking area will have a five bar field gate being the only access point, and there will be more than sufficient turning space within. This latter point is important, and it has to be noted that Bircham road is very quiet with little traffic, and we are within a 30 MPH zone.

Cars parked within the car parking area will be hardly visible as the hedge will be set at 1.5 metres high growth/ clipping level.

This solution is very apt in the circumstances providing the safest means of parking, entering and exiting the area to the road.

On the barn side of the road the wall is moved to the mid-point of the barn providing a safe refuge for people on foot or cycle and of course a safe place when bins are put out.

There is no demonstrable harm with the car park area, but so many advantages.

As a conversion it fits with Local and National policies, with the NPPF having a presumption for sustainability this proposal fits very well.

This proposal offers a unique opportunity to add another dwelling to a community taking advantage of the services in place already. Its contemporary mix with the older buildings will look well and there are shared materials, it will improve the existing aspect. Limitations are overcome with no detrimental effects to the village.'

PLANNING HISTORY

09/00995/F - Proposed barn conversion - application withdrawn

09/02065/F - Proposed barn conversion - application withdrawn

RESPONSE TO CONSULTATION

Parish Meeting: Initial plans – **OBJECT** - Concerns regarding the increase in ridge height; this stretch of road is hazardous to pedestrians and cyclists; alterations to other properties along this elevation have either been refused or had to be amended in order to protect the heritage of these buildings.

Highways Authority: NO OBJECTION - conditionally

Environmental Health & Housing - Environmental Quality: No comments re: contaminated land or air quality

Conservation Team: NO OBJECTION - conditionally

REPRESENTATIONS

Comments have been received from 2 addresses referring to the following:-

- We are concerned about the increase in height of the property and the fact this will overshadow our home and garden;
- We are also concerned about the use of grey cladding which we think is out of character with the rest of the area and neighbouring barns;
- If the plans are amended to reduce the height and change the materials we will accept the plans
- Support the proposal as is a shame to see the barn standing empty
- Raising the roof and allowing windows to let in natural light is a good idea
- Having a concealed parking area opposite the barn seems to fit well
- The converted Pond View Barn will continue to enhance the appearance of Bircham Road.
- Fring is an idyllic hamlet to live in, but at the same time it must not completely stand still. Over time it has lost its school, shop, public house, social club and transport so my wife and I feel that this project to convert Pond View Barn into modern home will help to keep Fring moving forward.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM3 - Infill development in the Smaller Villages and Hamlets

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- Principle of Development;
- Form and Character & impact upon the Conservation Area;
- Impact upon Neighbour Amenity;
- Highway Issues;
- Other Matters

Principle of Development

The application site is an existing barn on the northern side of Bircham Road, Fring and the corner of a field on the opposite side of the road. The site is within the village of Fring.

In the hierarchy of villages Fring is defined as a ‘Smaller Village and Hamlet’ in the Council’s LDF Core Strategy where development is limited to specific identified needs only as judged against the range of policies in the Core Strategy and the Development Management Policies (particularly DM3). As such it does not have any site specific allocations or a

development boundary. That said, in this case, the barn exists and the proposal seeks a conversion of an existing building.

One of the key objectives of the NPPF is that the planning system should facilitate and promote sustainable and inclusive patterns of rural development by ensuring that new development is located where it would enhance or maintain the vitality of existing communities.

There have been two previous pre-application enquiries on the site and two withdrawn planning applications (lpa refs: 09/00995/F and 09/02065/F).

These applications raised several key issues: one of overlooking of neighbours from first floor north facing windows; one of the visual impact of the proposed works to the barn required to achieve the conversion; and highway safety concerns relating to the need to provide parking facilities for the site.

In principle the use of the barn for residential purposes is in keeping with the surrounding uses and accords with planning policy for the conversion of barns in a rural area. However, there are practical constraints which have previously prevented support of the scheme, relating to the provision of off-street parking and turning facilities.

Currently there is no land immediately adjacent to the barn able to accommodate parking and turning facilities. Accordingly this current submission proposes to use a corner of a field on the opposite side of the road from the barns for parking and turning facilities to serve the proposed residential unit. This rectangular shaped area is approximately 350m² (18m x 20m at its widest)

Form and Character & impact upon the Conservation Area

The proposal shows the conversion of the existing barn. Previous schemes have proposed the raising of the roof to achieve more workable space to the upper floor. This additional height was not considered appropriate in terms of its impact in the streetscene or impact upon the amenity of the adjoining neighbours.

Initially this current proposal showed the roof raised in height along with an oversized glazed front gabled section to the principal elevation of the barn, facing the road. It was considered that this would adversely affect the character of the building, destroying its existing proportion, and so amended plans have now removed this dominant glazed area, simplifying the proposed works.

The amended scheme now shows the eaves and ridge raised by 1m to achieve head height for a second floor. High level glazed windows are proposed to sit just beneath the eaves on the principal elevation (south) with no rooflights. New rooflights are, however, proposed to the rear roof slope.

The rooflights are in keeping with others in the vicinity and the proposed new windows to the streetscene are of modest scale and do not interrupt the traditional style of the existing barn.

It is considered that the proposed fenestration is now acceptable, and the increase in the height of the barn shown on the plans would no longer have an unduly harmful impact upon the character of the streetscene and the village in general.

The Conservation Officer has confirmed these changes are acceptable and that no harm would be caused to the character of the Conservation Area in terms of the proposed changes to the barn.

However, the introduction of a domestic parking arrangement in the field on the opposite side of the road where no residential use currently exists would have an impact upon the Conservation Area. Although the Conservation Area boundary follows the southern side of Bircham Road so that the parking area is not within the Conservation Area, the change of use would have a harmful impact upon its setting.

Paragraph 55 of the NPPF advises that isolated new homes in the countryside should be avoided. However it identifies a number of special circumstances in which isolated new homes in the countryside would be justified. One such special circumstance is that it would involve the reuse of a disused building, but this should only be supported where it would lead to an enhancement to the immediate setting.

Policy CS06 confirms that development strategy will be supportive of farm diversification schemes and conversion of existing buildings for business purposes in accordance with Policy CS10. Conversion to residential use will only be considered where the existing building makes a positive contribution to the landscape; a non-residential use is proven to be unviable; the accommodation to be provided is commensurate to the site's relationship to the settlement pattern; and the building is easily accessible to existing housing, employment and services.

Policy DM3 allows for the conversion of existing buildings in appropriate circumstances in accordance with Policy CS06.

Policy DM15 states that development should respond sensitively to the local setting.

In this respect the existing barn can be said to make a positive contribution to the landscape as it is one of a group of barn buildings. However, information on the viability of a non-residential use has not formed part of the application. Whilst the scale of the property can be said to be comparable with the other residential properties in this group of dwellings, the barn is not easily accessible to existing housing, employment or services.

Further, the application proposes the use of the corner of the field on the opposite side of the road from the barn for the parking and turning of vehicles in association with the barn.

It is accepted that the field is lined on two sides by hedgerow and that this goes some way to alleviate direct views of this part of the field from Bircham Road, but the severing off of the corner of a larger field and the introduction of domestic related vehicles would introduce an alien feature into the landscape. There are long, public views of the site across the fields from the west and south west and this would be seen as an extension of domestic use out into open countryside.

The amount of daily activity associated with a domestic use on this field would be noticeably different to the limited activities associated with the current agricultural use.

Further, the use of the site for parking associated with the proposed dwelling would be classed as a domestic use and would have all the benefits associated with garden land. The site could become domesticated through the addition of residential paraphernalia e.g. washing lines, children's' play equipment, bin stores, manicured domestic planting, hanging baskets etc., which would have a very different appearance to the open, grassed field which currently prevails.

Permitted development rights could be removed to prevent the construction of domestic structures on this land by way of planning condition should the application be supported. However, it would not be possible to control all domestic uses on this site as most of the domestic changes referred to above cannot be covered by planning regulation. The

applicant has offered to enter into a legal agreement to reinforce the undertaking that the parking area will not be compromised by domestic elements such as washing lines and other structures, but it is considered this would go beyond the statutory tests for planning obligations. Attempting to prevent such elements, which do not amount to development under planning definitions, would be unreasonable and difficult to enforce.

Consequently, regardless of the intention of the applicant, it is considered that the introduction of the proposed use of part of a field for parking and turning in association with the change of use of the barn to a dwellinghouse would have a harmful effect on the character of the countryside and the setting of the Conservation Area. This would be contrary to national guidance and local plan policy, in particular Policy CS06 which seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all.

Accordingly in this case the proposed conversion of the barn does not accord with development policy for the conversion of buildings to residential use in the countryside. The proposed development would conflict with the main aims and objectives of CS06 and Development Management Policies DM3 and DM15. In addition, it would be contrary to advice contained in paragraphs 55, 131 and 134 of the NPPF as it would not lead to an enhancement to the immediate setting and the public benefits of the proposed scheme would not outweigh the harm to the setting of the Conservation Area.

Impact upon Neighbour Amenity

The main impact on the amenity of neighbours in this case is the potential for overlooking from upper floor windows. Views from ground floor windows can be mitigated by appropriate boundary treatment, but first floor windows can result in overlooking of neighbouring properties.

In this case three rooflights are shown to the northern roof slope facing the gardens of neighbouring properties. A cross section shows that the lowest part of the rooflights would be 2.2m above floor level. This is much higher than eye level so will not result in any significant overlooking.

There are no significant amenity issues as a result of the increased mass from the raising of the roof in this case given the distances and relationship with neighbouring properties.

Highway Issues

The two previous applications for residential use of the site showed parking within the confines of the barn and then parking at an adjoining site within the occupant's ownership.

However, each of these schemes raised objection from the Highways Authority. The first scheme (Ipa ref: 09/00995/F) with the integral parking was rejected due to poor visibility for users of the site and danger to other highway users. This application was withdrawn prior to its determination.

The second scheme (Ipa ref: 09/02065/F) would have resulted in parking on an adjoining site and pedestrians then walking the distance to the residential property. The Highway Authority objected to the lack of pedestrian facilities which would result in residents and visitors to the new dwelling having to walk some 40m along the narrow carriageway.

Additionally, it was considered that any delivery to the dwelling would be likely to result in the vehicles parking on the carriageway outside the property, as it would not be realistic to expect them to park at the neighbouring property and then carry the delivered goods. Due to

the carriageway being narrow at this point at only 3.1- 3.3m wide, parking any vehicle whilst making deliveries would cause a problem to other road users.

As this previous application would have resulted in an intensification of vehicular use of the site via a sub-standard access, a lack of safe means of passage for pedestrians and the potential for service vehicles to obstruct the narrow Bircham Road, the application was recommended for refusal. Ultimately, however, the application was withdrawn prior to determination.

This current application shows parking and turning facilities for the proposed dwelling sited across the road from the barn. In this case the Highways Authority raise no objection on highway safety grounds, subject to a condition that the area be constructed and retained thereafter.

However, for the reasons given above, the siting of the parking facilities to serve the barn conversion on the opposite side of Bircham Road, and the encroachment of a domestic use into the countryside is not supported on visual amenity grounds.

Other matters

The application has been supported by a Protected Species Survey. Due to evidence of bat activity within the barns and possible roosts/feeding stations it was recommended that additional summer emergence and activity surveys be undertaken. These surveys have been conducted and confirmed that no bats were roosting within the barn. Indications are that the barn is not used as a regular hibernation or summer roost site. A small number of foraging and commuting pipistrelle bats were recorded.

In the light of the survey findings some mitigation proposals are proposed on how bats and owls can be given consideration and accommodated within the proposed development. Based on the survey results it is unlikely that a European Protected Species (EPS) license will be required before works commence on the buildings.

The application has also been supported by a Structural Survey and Report which shows that the building is capable of being converted.

Concerns raised by a third party have largely been addressed by the amended plans.

The supporting comments of third parties received are noted.

CONCLUSION

The principle of the conversion of a barn would generally be supported in this area in policy terms, provided it complies with the provisions of Paragraph 55 of the NPPF, Core Strategy Policy CS06 and Development Management Policies DM3 and DM15.

Amended plans have been submitted and, in terms of the proposed changes to the barn, the improved design would no longer have an unduly harmful impact upon the character of the streetscene and the village in general or to the character of the Conservation Area in which it is sited.

However, the conversion would also require off-street parking and in this case the provision of parking facilities in a field opposite the barn is not considered appropriate. It would result in a residential use which would encroach out into open countryside, to the detriment of the

visual appearance and character of the rural area, as well as the setting of the Conservation Area.

Accordingly the proposed development would conflict with the main aims and objectives of CS06 which seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all, Policy DM3 (insofar as it relates to Policy CS06) and Policy DM15 which states that development should respond sensitively to the local setting. In addition, it would be contrary to advice contained in paragraph 55 to the NPPF as it would not lead to an enhancement to the immediate setting.

For these reasons it is recommended that the application is refused.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development, through the introduction of the proposed change of use of part of a field on the opposite (south) side of Bircham Road for parking and turning facilities to serve the new dwelling, would introduce an alien feature into the landscape and would have a harmful effect on the character of the countryside. The proposal is therefore contrary to national guidance and local plan policy, in particular paragraph 55 to the NPPF as it would not lead to an enhancement to the immediate setting, Core Strategy Policy CS06 which seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all, Development Management Policy DM3 (insofar as it relates to Policy CS06) and Development Management Policy DM15 which states that development should respond sensitively to the local setting.
- 2 The proposed change of use of part of a field on the south side of Bircham Road for parking and turning facilities to serve the proposed would introduce vehicle activity and domestication into an area of open countryside which would neither preserve nor enhance the character of the Conservation Area and its setting. The public benefits of the proposed development do not outweigh the harm to the setting of the Conservation Area, contrary to Paragraphs 131 and 134 of the NPPF and the provisions of Core Strategy Policy CS06, CS12.