

AGENDA ITEM NO: 8/3(f)

Parish:	Tilney St Lawrence	
Proposal:	Proposed stable/barn conversion (re-application following refusal 09/01175/F and appeal dismissal APP/V2635/A/2124630)	
Location:	Land North of Salgate Farm Islington Road Tilney All Saints Norfolk	
Applicant:	J Goodley & Sons Ltd	
Case No:	16/01352/F (Full Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 28 October 2016

Reason for Referral to Planning Committee – The views of Tilney All Saints Parish Council are contrary to the Officer recommendation.

Case Summary

The application is made for the conversion of an existing barn and stable block to residential use on land at Salgate Farm, Islington Road, Tilney All Saints.

The submission states that it is a resubmission following an application in 2009 and a subsequent dismissal at appeal.

Key Issues

The overall sustainability of the location and proposal having regard to the planning history of the site and material policy;

The acceptability of the design and its impact on the locality.

Recommendation

REFUSE

THE APPLICATION

The application site is located within a complex of barns within a former farmyard to the east of Islington Road which lie within the open countryside some 1.2 km south east of the village of Tilney High End and 2km south of Tilney All Saints.

SUPPORTING CASE

The application was supported by a brief Design and Access Statement which contends that the proposal is acceptable by virtue of its relationship to the adjacent barns which were granted planning permission for a change of use to residential under ref 15/01870/F in February 2016.

PLANNING HISTORY

A previous application was made in 2009 for the conversion of the application barns to a single dwelling ref; 09/01175/F. This application was refused by the Borough Council and a subsequent appeal was dismissed in 2010 as the development was not considered to constitute sustainable development. Also the proposal was found to be harmful to the character and appearance of the existing building and surrounding area.

In 2016 planning permission was granted for the change of use of the adjacent barn to residential 15/01870/F.

Matters in relation to both the appeal and the recent permission on the adjacent barn are considered in detail below.

RESPONSE TO CONSULTATION

Parish Council: Tilney St Lawrence Parish Council **SUPPORT** the proposal as it makes appropriate use of redundant buildings.

Highways Authority: **NO OBJECTION** in terms of highway safety.

Internal Drainage Board: No Comment received

Environmental Health & Housing - Environmental Quality: **NO OBJECTION** in principle subject to six conditions in relation to potential contamination on site and remediation.

District Emergency Planning Officer: Note the flood risk and suggest a flood evacuation condition be imposed if permission is granted.

Norfolk Constabulary: No Comment received

Natural England - No Comment

Environment Agency: Note that the site is within flood zone 3 and refers the LPA to carry out a sequential test and exception tests as necessary. The comments also note the proposal to raise the floor level and that there is no sleeping accommodation on the ground floor. Subject to the proposal passing the exception test the EA recommend a condition be applied and an informative added to any approval.

REPRESENTATIONS

ONE third party email received seeking clarification in respect to the conditions recommended by Environmental Quality in its consultation response.

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

The principle of this development has already been sought by application reference: 09/01175/F which was refused and dismissed on appeal. The appeal decision (APP/V2635/A/10/2124630) appended to this report for ease of reference.

Geographically the site remains isolated from local facilities and services and this is unlikely to change. Both the NPPF and the new development plan are predicated on achieving sustainable development and given the location of the site and the Inspectors forthright comments it remains the case that the site is not in a sustainable location and as such is contrary to paragraph 9 and 55 of the NPPF as well as Policies CS01, CS06 and CS08 of the Core Strategy.

It is acknowledged that the neighbouring office building was granted a change of use to residential earlier this year (reference: 15/01870/F). The decision was predicated on the difficulties faced by the office user in running an office from such an isolated location and the wish to relocate to an urban area.

The decision to permit the change of use was a balance between the continued office use with the associated trip generation and sustainability impacts and the use as a single residential unit. On balance it was considered that a residential use was acceptable in those circumstances. In the particular circumstances of the current application there is no existing use and therefore the introduction of a residential use will introduce new trip generation into this isolated location.

This application although based on the conversion of an existing range of barns and stables, does involve significant conversion and extension to the buildings and as such is considered to go beyond a conversion to the point whereby it can be considered as essentially a new dwelling in the countryside.

The conversion of the stables and barn proposed involves substantial alteration and the extension of one of the wings of the buildings to incorporate a first floor area which is to be used as bedrooms and refuge in case of extreme flooding, this increases the height of the wing from 3.8m to 5.8m and the extent of this alteration is considered to substantially alter the character of the site and cause harm to the amenity of the area.

The application submission proposes high quality brick and tile, fenestration and rainwater goods, with new joinery in Oak. In addition the proposed cart shed type garage would be of Oak with a pantile roof. To this extent the materials are appropriate for the rural location and the immediate setting.

As referred to above the Planning Inspector (paragraph 9-10) found the design and impact of the proposal unacceptable and this has not materially changed in the interim. It is still considered that the design and layout are contrary to CS06 and DM15 as well as NPPF paragraph 64.

Flood risk

The site lies within defined Flood Zone 3 and the EA, having considered the flood risk appraisals note the provision of the first floor refuge and raise no objection in principle subject to the LPA undertaking a sequential and exceptions test as required by NPPF para 100.

It is considered that there are no areas within the parish that are subject to a lesser flood risk and as such the site passes the sequential test, however having regard to the harm caused by the design of the proposal the benefits offered in terms of a new home are not considered to outweigh the increase in harm through adverse visual impact and flood risk. Therefore the proposal is not considered to pass the exception test.

CONCLUSION

The proposal involves the conversion and extension of existing barns and stables within a group of buildings to the north of Salgate farm. The site lies in an isolated location within the open countryside; and planning policy at both local and national levels seeks to direct new residential development to defined settlements which are in general more accessible and sustainable locations.

The current submission is the same as a previous submission that was refused by the Council and subsequently dismissed at appeal with the inspector refusing permission in terms of being unsustainable development due to the isolated location and the design being 'harmful to the character and appearance of existing buildings and the surrounding area'

The site lies with a flood zone and is not considered to pass the exception test.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The site is located in open countryside some distance from services and facilities within surrounding settlements and the introduction of a residential use would be contrary to the provisions of sustainable development advocated within the NPPF, CS01 of the Core Strategy and Policy DM2 of the SADMPD.
- 2 The proposal by virtue of its location isolated from employment and local facilities, and the extent of new build is considered to take it beyond that which is appropriate for a conversion is not compliant with the provisions of CS06 which can permit conversion of existing agricultural buildings to residential use within accessible locations as an exception to Core Strategy Policies CS01 and CS02.
- 3 The proposal by virtue of the extensive extension and alteration involved and in particular the raising of the roofline by 2m would cause harm to the character and appearance of the existing building and the surrounding area contrary to the provision of the NPPF and DM15 of the adopted SADMPD.