

Parish:	Northwold	
Proposal:	Conversion and extension of barn to create a dwelling	
Location:	Waterfall Barn 49 Hovells Lane Northwold THETFORD IP26 5LX	
Applicant:	Michelle Lee	
Case No:	23/01545/F (Full Application)	
Case Officer:	Bradley Downes	Date for Determination: 9 November 2023 Extension of Time Expiry Date: 12 April 2024

Reason for Referral to Planning Committee – Referred to Planning Committee by Sifting Panel

Neighbourhood Plan: No

Case Summary

The application is for conversion and extension to the existing barn to create a dwelling. Permission has previously been granted under 16/00795/F for conversion of the barn without extension and this permission is extant as development was lawfully commenced. The site lies outside of the development boundary of Northwold with a curtilage approximately 764sqm agreed under the extant planning permission. The site is surrounded by open countryside. A strip of approximately 2.5m high hedging lies along the site frontage of Hovells Lane which provides some visual screening from the north-west.

Key Issues

- Principle of development
- Form and character
- Ecology
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

The application is for conversion and extension to the existing barn to create a dwelling. Permission has previously been granted under 16/00795/F for conversion of the barn without extension and this permission is extant as development had lawfully commenced. The site lies outside of the development boundary of Northwold with a curtilage approximately 764sqm.

The site benefits from an existing access onto Hovells Lane to the north-west. The site lies approximately 190m to the southwest of the main built-up edge of Northwold. Buildings can be seen on the site on the tithe map dated approximately 1837 to 1845. As such the building is considered to be a non-designated heritage asset. The site is surrounded by open countryside. A strip of hedging with a height exceeding approximately 2.5m is situated along Hovells Lane to the north-west of the building which provides some visual screening from the north-west.

PLANNING HISTORY

23/01027/F: Application Refused: Delegated Decision: 13/10/23 - RETROSPECTIVE: siting of a static caravan related to the approved barn conversion under planning ref 16/00795/F, residential store, and outbuildings associated with commercial dog breeding.

16/00795/F: Application Permitted: Delegated Decision: 14/07/16 - Conversion of an existing agricultural store (barn) to single storey dwelling

RESPONSE TO CONSULTATION

Parish Council: OBJECT

Is the previous consent extant?

Is lighting compliant with previously agreed ecological mitigation?

Proposal considered to be overbearing and not in keeping with location.

Proposed materials are not suitable for the location.

barn contains bats.

Local Highway Authority (NCC): NO OBJECTION - subject to conditions to implement access, parking and turning provisions prior to occupancy and ensure adequate parallel visibility splay across site frontage

Ecology Officer: NO OBJECTION - subject to condition requiring works outside of stone curlew breeding season, and additional information in relation to external lighting and internal light spill particularly from the glazed link. In addition, stronger boundary hedgerows should be provided.

King's Lynn Internal Drainage Board: NO OBJECTION - advice offered on Byelaw issues.

Natural England: NO OBJECTION - standing advice in relation to GIRAMS

Environmental Health & Housing - Environmental Quality: NO OBJECTION - suggest condition regarding unexpected contamination.

Conservation Officer: OBJECT (verbal)

Due to its age and traditional materials the existing building is considered a non-designated heritage asset. Would not object to the principle of a conversion with some form of extension as there is merit in retention of the traditional barn. However, the current scheme does not respect the characteristics of the existing building. Proposed materials are not appropriate, particularly composite cladding. In addition, the large footprint of the extension would dominate views from the north-west and does not let the original barn take precedent.

If committee are minded to approve, it is recommended that conditions to secure suitable materials and a schedule of repairs to the building are imposed on any decision.

REPRESENTATIONS

SIXTEEN items of correspondence received raising **OBJECTION** on the following summarised grounds:

- Existing barn is derelict
- no compliance with conditions 5 and 6 of original permission requiring ecological mitigation prior to commencement
- Application form ticked no for protected and priority species on the site which is contrary to previous assessments.
- potential for lighting to deter bats and other wildlife.
- Development would degrade the local biodiversity.
- Proposal would not be masked from the SPA by existing development as required by Policy CS12 of the Core Strategy 2011.
- extension would be dominant rather than subordinate to the barn.
- Design would not be in-keeping with the surrounding area.
- Large extension would adversely affect the setting of the Conservation Area.
- Proposal will spoil the open landscape.
- Proposal materials are inappropriate.
- Original conversion specified red clay pantiles whereas the new application proposed slate. this is worse in terms of appearance and ecology.
- Extensive compound has been established without planning permission to the rear.
- Inappropriate development on greenfield land.
- Hovells Lane cannot accommodate additional traffic.
- Concerned over lack of foul drainage at present.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in determining this application are as follows:

Principle of development

Form and character

Ecology

Other material impacts

Principle of development:

The land use principle for the development of a dwelling on this site has already been established by previous planning application ref: 16/00795/F, which has lawfully commenced and is therefore considered to be a part implemented and extant planning permission, which carries weight as a realistic fallback consideration. This proposal is an amended design for conversion and extension of the barn to create a larger dwelling. As such, the proposals will be considered against the extant and realistic fallback position with the principle of development being already established.

Form and character:

The key Development Plan policies involved in assessing this application are as follows:

Policy CS06: Development in Rural Areas requires development to maintain local character and a high-quality environment, and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty.

Policy DM5: Enlargement or Replacement of Dwellings in the Countryside - applies to the enlargement of dwellings in the countryside which states proposals will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused. This policy is considered relevant as the extant permission allows for a dwelling to be created by conversion of the barn.

The existing barn can be seen on the tithe map and is considered a non-designated heritage asset. The approved application which was lawfully commenced: (16/00795/F) retained the single storey barn and utilised the footprint of the original building (approximately 97sqm), without extension. The existing chalk walls were retained with replacement of the corrugated metal roof with a traditional red clay pantile roof. The conversion and extension proposed remains single-storey, but extends the footprint of the dwelling by more than double the original floor space to approximately 200sqm. Furthermore, proposed materials including a slate roof and composite plastic cladding are unacceptable in the context of the Non-Designated Heritage Asset and its setting in the surrounding landscape.

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The design of the proposed dwelling is contemporary utilitarian style with composite cladding to the elevations and a slate roof. The glazed link contributes to a contemporary aesthetic. The site benefits from limited vegetation screening views from the north-west. However, the majority of the building is prominent in views to the South / South East of Northwold within the 'Settled Farmland with Plantations' Landscape Character Area as set out in the Kings Lynn and West Norfolk Landscape Character Assessment dated 2007. Policy CS12 of the Core Strategy 2011 states that development should demonstrate that their location, scale, design and materials will protect, conserve and where possible, enhance the special qualities and local distinctiveness of the area.

Paragraph 140 of the NPPF states that Local Planning Authorities should ensure the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme. Officers consider that the extant permission under 16/00795/F is policy compliant and preferable as a fallback to the unacceptable harm created under the current proposals. The excessive scale of the proposed extension, doubling floorspace, together with the inappropriate use of cladding and slate roof tiles would cause irreparable damage the character of the simple chalk barn. This harm is exacerbated by the prominence of the application site and unacceptable impact of an expansive roofscape and inappropriate contemporary materials in the approaches to Northwold. By contrast, the approved extant planning permission retains and converts the barn utilising historically appropriate roofing materials and appropriately retains the intrinsic character of the Non-Designated Heritage Asset. The landscape impact of the extant scheme is therefore limited and appropriate to the context its setting. As such the fallback position given by the extant permission is preferred to the current inappropriate and harmful proposals.

Irrespective of any fallback position, the proposed development is considered at odds with the non-designated Heritage Asset in terms of materials, scale and would result in an unacceptable harm to the character of the undesignated heritage asset and local landscape character. Third party correspondence has raised concern that the proposal would adversely affect the setting of the Northwold Conservation Area. The boundary of the Conservation Area is approximately 200m to the north of the site and due to this separation distance it is considered the development would not have any significant impact on the setting of the Conservation Area. However, it is considered the proposal would be easily visible from the public realm and would have an adverse impact upon the rural setting of the building. The development would be contrary to Policies CS06, CS12 and DM5 & DM15 of the Development Plan which seek to preserve or enhance the character of areas and would be contrary to the NPPF.

Ecology:

The European Habitats Directive (as amended) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2017 (as amended) and any derogation is regulated and overseen by a system of licensing administered by Natural England.

The Local Planning Authority is required to have regard to the requirements of the Habitats Directive in the exercise of its functions. The previously approved application 16/00795/F provided bat surveys dated September 2018 which concluded that bats were making use of the building as part of a commute or for foraging, however evidence of roosting was limited. It was concluded the barn was of low value to local bat populations. These bat surveys are

now considered out of date, but as set out below, it is considered no further survey is required for the purposes of this planning application.

While development had commenced approximately June 2019, the site has remained relatively untouched since, with the exception of the siting of mobile homes and various outbuildings to the rear of the site. Notwithstanding, development could lawfully recommence any time and therefore it is considered a substantial fallback position exists in relation to impacts on bats such that it would not be reasonable to insist on further surveys for this application. This does not alleviate the developer of their responsibilities under the Countryside & Wildlife Act or the Habitats Directive and as a worst case scenario, a bat license is likely to be required by Natural England in advance of works being undertaken.

The site lies in relatively close proximity to the Breckland SPA/SAC, however given the small scale of the development it is considered subject to conditions to ensure appropriate lighting, provide additional soft landscaping and construction hours outside of stone curlew breeding season there would be no significant direct impacts on the integrity of the habitats site. The proposed development would result in some increased recreational disturbance as set out within the GIRAMS guidance which is considered to be mitigated by having secured the appropriate mitigation fee.

Overall, it is considered the proposed development would not give rise to any significant issues in relation to impacts on protected species to the extent that is relevant to planning control given the established fallback position. The proposal would therefore comply with Policy CS12 of the Core Strategy 2011 with respect to biodiversity.

Any other material considerations:

The site benefits from an existing access onto Hovells Lane. It is considered the development would not result in any significant adverse impact on highway safety subject to conditions recommended by the Local Highway Authority to provide on-site parking and turning areas prior to occupancy and adequate visibility splays across the site frontage.

A mobile home has been situated on land to the rear of the site which falls within the remit of permitted development while the extant permission is being carried out. Remaining outbuildings to the rear are unlawful and subject to potential enforcement action following refusal of planning permission under 23/01027/F.

There are no nearby residential neighbours who would experience any significant impacts as a result of this development.

Third party correspondence and the comments received by the Parish Council have raised concern that mitigation measures set out within the ecology survey submitted as part of the discharge of pre-commencement conditions under 16/00795/F have not been implemented, in particular the lighting strategy. The agent has clarified that since commencement of development, no further works have taken place to the building and no lighting has been set up. As such, the mitigation measures may still yet be implemented in accordance with the approved scheme prior to works re-commencing. Any works including mobile home and outbuildings taking place to the rear of the barn are not subject to the ecological mitigation measures and these unauthorised elements are being dealt with by planning enforcement.

A third party has also raised concern regarding foul drainage. While the application is recommended for refusal, in the event of approval there would be a condition to ensure adequate foul drainage is provided.

CONCLUSION

The proposed dwelling is considered to be significantly larger than the extant conversion approved under 16/00795/F and its design and appearance is out of context with the character and appearance of the existing building and its countryside setting. The fallback position of converting the existing barn without extension is considered to be a sympathetic development and the proposal would represent a materially diminished scheme in terms of its design quality. The proposal therefore fails to accord with the provisions of the NPPF, Policies CS06, CS08 & CS12 of the Core Strategy (2011) and Policies DM5 & DM15 of the SADMPP (2016). It is duly recommended for refusal for the reason stated below.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed conversion and extension of the barn is considered to be significantly larger and unsympathetic compared with that previously approved and its design and appearance is out of context with the historic traditional chalk barn and its landscape setting. The extant planning permission 16/00795/F provides a preferred and policy compliant development as set against the current non-compliant and harmful proposals. The proposal therefore conflicts with Policies CS06, CS08 & CS12 of the Core Strategy (2011) and Policy DM5 & DM15 of the SADMPP (2016). The quality of the proposal would also be materially diminished from the approved development contrary to Paragraph 140 of the NPPF.