

Item No. 15

APPLICATION NUMBER	CB/17/03030/FULL
LOCATION	6 The Old Dairy, Speedsdairy Farm Road, Beadlow
PROPOSAL	Conversion of existing outbuilding to annexe
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Donna Lavender
DATE REGISTERED	06 July 2017
EXPIRY DATE	31 August 2017
APPLICANT	Mr J Lines
AGENT	AP Consulting Engineers
REASON FOR COMMITTEE TO DETERMINE	Applicant is related to a Development Management Officer
RECOMMENDED DECISION	Full Application - Approval, subject to the completion of a 106 agreement

Reason for Recommendation

The proposed development is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document 2009, however as an annexe, the use will be restricted to ancillary to the host dwellinghouse and it will not be harmful to the character and appearance of the area as the proposal would result in the conversion of an existing building. The proposal would also be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014).

Site Location:

The application site lies to the rear of 6 The Old Dairy, which forms part of a barn complex formerly belonging to Speedsdairy Farm, Beadlow. To the south east of the barn complex are residential gardens with paddock areas beyond, of which the application site is part. The site is outside the Settlement Envelope on the eastern outskirts of Clophill village and falls within the Parishes of Campton and Chicksands. Speedsdairy Farmhouse and Units 2 and 3 are Grade II Listed Buildings. Units 1, 6 and 7 are curtilage listed.

The Application:

Permission is sought for the conversion of an extended storage barn which was allowed at appeal under planning reference CB/10/1171/FULL, to a residential self contained annex to be used ancillary to 6 The Old Dairy.

External alterations are limited to the replacement of ground floor double doorways within windows and the addition of rooflights into both roofslopes. The annex would be accessed by a separate shared access which gains access to the rear of the

application site and appropriate parking and turning provision exists due to its pre-existing use.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 6 -Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11- Conserving and enhancing the Natural Environment

Section 12 - Conserving and enhancing the Historic Environment

Core Strategy and Development Management Policies - North 2009

CS2 - Developer Contributions

CS14 - High Quality Design

DM3 - High Quality Design

DM4 - Development Within and Beyond Settlement Envelopes

DM12 - Horticulture & Redundant Agricultural Sites

DM14 - Landscape and Woodland

DM15 - Biodiversity

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

1. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number CB/10/01171/FULL

Description Erection of extension to stable building under construction, for storage with associated hardstanding.(Revised application CB/09/07032/FULL)

Decision Full Application - Refused (Allowed at appeal)

Decision Date 27/05/2010

Application Number MB/09/00560/FULL

Description Full: Amendment to planning permission 08/00455/FULL dated 09/05/08 for the erection of stable with ancillary works - to increase roof pitch from 40 to 45 degrees.

Decision Full Application - Granted

Decision Date 15/05/2009

Application Number MB/08/00455/FULL

Description Full: Erection of stable along with ancillary works.

Decision Full Application - Granted

Decision Date 09/05/2008

Application Number MB/07/01794/FULL

Description Full: Erection of stable along with ancillary works. Door to existing car port. Change of use of land from agricultural to residential garden and paddock. Retention of access track.

Decision Full Application - Granted

Decision Date 26/02/2008

Consultees:

1. Internal Drainage Board (10/07/17)- No Comments
2. CBC Archaeology (20/07/17)- No Objection
3. CBC Highways Officer (25/07/17)- No Objection
4. CBC SuDs Engineer (24/07/17)- No Comments
5. CBC Ecology (31/07/17)- No Objection, subject to the imposition of a condition to secure a net gain in biodiversity through the installation of a bird brick or box.
6. CBC Conservation Officer (21/08/17)- No Objection, less than substantial harm to the significance of the listed building and its setting.

Other Representations:

1. 7 The Old Dairy (19/07/17)- Objects on the following grounds (in summary):
 - Concerns were raised in previous application that this building would be converted to residential
 - Annex is self sufficient and essentially a dwellinghouse
 - Traffic generation
 - Concerns if annex is allowed that independent residential property would be next proposal

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area including the Historic Environment
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Principle
 - 1.1 The site lies outside of any prescribed settlement envelope and is located in land regarded as open countryside. The adopted policies within the Core strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4).

On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with this Policy.

- 1.2 Policy DM12 of the Core Strategy for the North supports proposals for the re-development or conversion of redundant or disused buildings within agricultural sites providing that the scale, layout and design of the proposal are reflective of their setting, and whereby they have a suitable relationship with the existing local facilities and road network. The building was originally constructed for equestrian storage for a previous owner however since the site's new ownership, the building has remained dis-used and as such redundant for its original purpose. In addition, as the building will be used for purposes ancillary to the function of the main dwellinghouse and as such used by the current occupiers, it is acknowledged that the occupiers have accepted the site's relationship to existing services or facilities and the proposal would not have an adverse impact on this pre-existing relationship.
- 1.3 The NPPF goes further to support schemes for the conversion of disused buildings providing that they would lead to an enhancement of their immediate setting or whereby there are special circumstances. The proposal herein will bring back into use this building within the setting of a listed building, without significant external alteration and the statement of circumstances for the proposed annex including caring responsibility and accommodation for ageing parents with ill health within their homes which will require teenage childrens to take residence in the annex during these periods of care.
- 1.4 Whilst concerns are expressed by local residents that the proposal would lead to the future potential of an independently dwellinghouse, the application before us is for annex purposes only, incidental to the main dwellinghouse and as such, it should be treated on its own merits. Notwithstanding this, as the unit itself, as clarified by the inspectorate at the appeal for the extension to the building in 2010, is not within the curtilage of the host dwellinghouse, a legal agreement restricting the use of the annex to ancillary would be required to be entered into by the applicant in order to prevent this and the applicant has readily agreed to this restriction. As such, this would prevent any fully independent dwellinghouse occupation separated from the host dwellinghouse.
- 1.5 The National Planning Policy Framework carries a presumption in favour of Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.6 As stated previously, this application is not for an independently dwellinghouse but for annex purposes which is seen as an extension to the existing dwellinghouse to provide ancillary occupation. As such, it is not considered that the proposal would put any further pressure on existing services.
- 1.7 In summary, the proposed development would result in the appropriate re-use of a redundant building for ancillary purposes to the existing dwellinghouse without

major alteration that would be significantly and/or demonstrably harmful and as such would comply with Policy DM12 of the Core Strategy and the NPPF, subject to compliance with other material considerations such as design, amenity impact and highways matters, which will be considered in the consecutive sections of this report.

2. Affect on the Character and Appearance of the Area including the Historic Environment

- 2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.
- 2.2 The unit is not significantly visible from surrounding vantages due to the fact that it is obscured by existing dwellings and outbuildings. Notwithstanding this, only additional openings by way of relocation of doors with windows at the ground floor and rooflights are proposed as changes to the external appearance of the building to allow for the additional residential annex accommodation conversion to take place, which is considered modest and unobtrusive. No boundary treatment is proposed to provide any demarcation between the annex and the existing dwellinghouse as it is proposed to serve an ancillary function and existing landscaping surrounding the site would remain unchanged.
- 2.3 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposed dwellinghouse is not located directly within the curtilage of the Grade II Listed, Speeds Farmhouse and therefore the Council's Conservation Officer has raised no objection to the proposal as it would not adversely affect the setting of the Listed Building and therefore the proposal would result in less than substantial harm to the historical asset. Paragraph 134 of the NPPF states that where proposals would result in less than significant harm to an historical asset, the harm should be weighted against the public benefits of the proposal. The proposal herein would result in improved accommodation for the existing occupiers and would further result in the economic benefits inherent to the conversion works which is considered to outweigh the less than significant harm to the Listed building.
- 2.4 As such, it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Sections 7 and 12 of the NPPF.

3. Neighbouring Amenity

- 3.1 With regards impact on residential amenity, the building would still maintain its position with an adequate separation distance from the residential dwellings such that no harm would be caused to the amenities of the occupiers of these properties in terms of noise or disturbance.
- 3.2 Velux windows are proposed to be installed into both sides of the roofslope to provide light into the first floor accommodation. However there is a distance in

excess of 20 metres from the building to the closest residential property of 5 The Old Dairy and the windows are proposed to be installed above 1.7 metres from floor level as such would not provide outlook and therefore would not give rise to overlooking concerns.

- 3.3 The level of vehicular movement generated by the annex would not likely be considered to generate a degree of noise and disturbance that would be harmful to any residential amenities. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highways Considerations

- 4.1 The existing is a storage barn with car port parking provision. Access is taken from a private road. The proposal is to convert the building into a 2 bedroom annex, with kitchen, gym and home office. The office should be for personal use and not B1 business and the Councils Highways Officers has recommend that if permission is granted that a condition be imposed in that regard.
- 4.2 The proposal does not affect the public highway, is accessible by vehicle and has adequate parking. As such, the proposal is not considered to be prejudicial to highway safety and no objections have been raised by the Councils Highways Officer in this regard. The proposal therefore is considered to be in accordance with DM3 of the Core Strategy for the North and Section 4 of the NPPF.

5. Other Considerations

5.1 Archaeology

The proposed development site lies within the historic complex of Speeds Farm and specifically the grounds associated with an 18th century barn (number 6) (HER 151512) now converted to a residential dwelling. Under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest or has the potential to disturbed undesignated archaeological remains. However, the nature of the proposals are such that they are unlikely have a major impact upon any surviving archaeological remains. As such, no objection has been raised by the Councils Archaeologist to this application on archaeological grounds and therefore the proposal would accord with Section 12 of the NPPF.

5.2 Ecology

As the site lies in the Greensand Ridge Nature Improvement Area, the proposal should incorporate 1 integrated bird nest brick or bird box to support net gains for biodiversity which has been shown on the plans supplied and can be secured through condition for compliance. As such, it is considered that the proposal would accord with Policy DM15 of the Core Strategy and section 11 of the NPPF.

5.3 106/Obligations

As explored in the principle section of this report, as the unit is not located within the curtilage of the host dwellinghouse (as defined for planning purposes) in order to ensure that the unit is utilised for annex purposes only and not used as an independent dwellinghouse, a legal agreement will need to be entered into with an appropriate restriction of use imposed.

5.4 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no Equality issues.

Recommendation:

That Planning Permission be APPROVED subject to completion of a Section 106 Agreement and the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external windows and doors of the proposed building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.**

Reason: This condition is pre-commencement as materials are required to be ordered prior to construction and to ensure that the development is in keeping with the historical setting. (Section 12, NPPF)

- 3 The office accommodation proposed within the building shall only be used for purposes incidental to the host dwellinghouse.

Reason: To prevent the introduction of an inappropriate use harmful to the residential character of the area.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16.372-P2 (Site and Block plan) & 16.372-P1 (Elevations & Floor Plans).

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. If bats are found during the course of any work to buildings or trees where not previously anticipated, then works should immediately stop and Natural England notified for appropriate advice.
4. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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