

Unrestricted Report

ITEM NO: 7

Application No.
13/00303/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
23 April 2013

Target Decision Date:
18 June 2013

**Church Farm House Church Lane Warfield Bracknell
Berkshire RG42 6EG**

Proposal:

Change of use of agricultural barn to form 1no. two bedroom dwelling with associated parking and landscaping (re-submission of expired planning permission 623586).

Applicant:

Mr R. Boag

Agent:

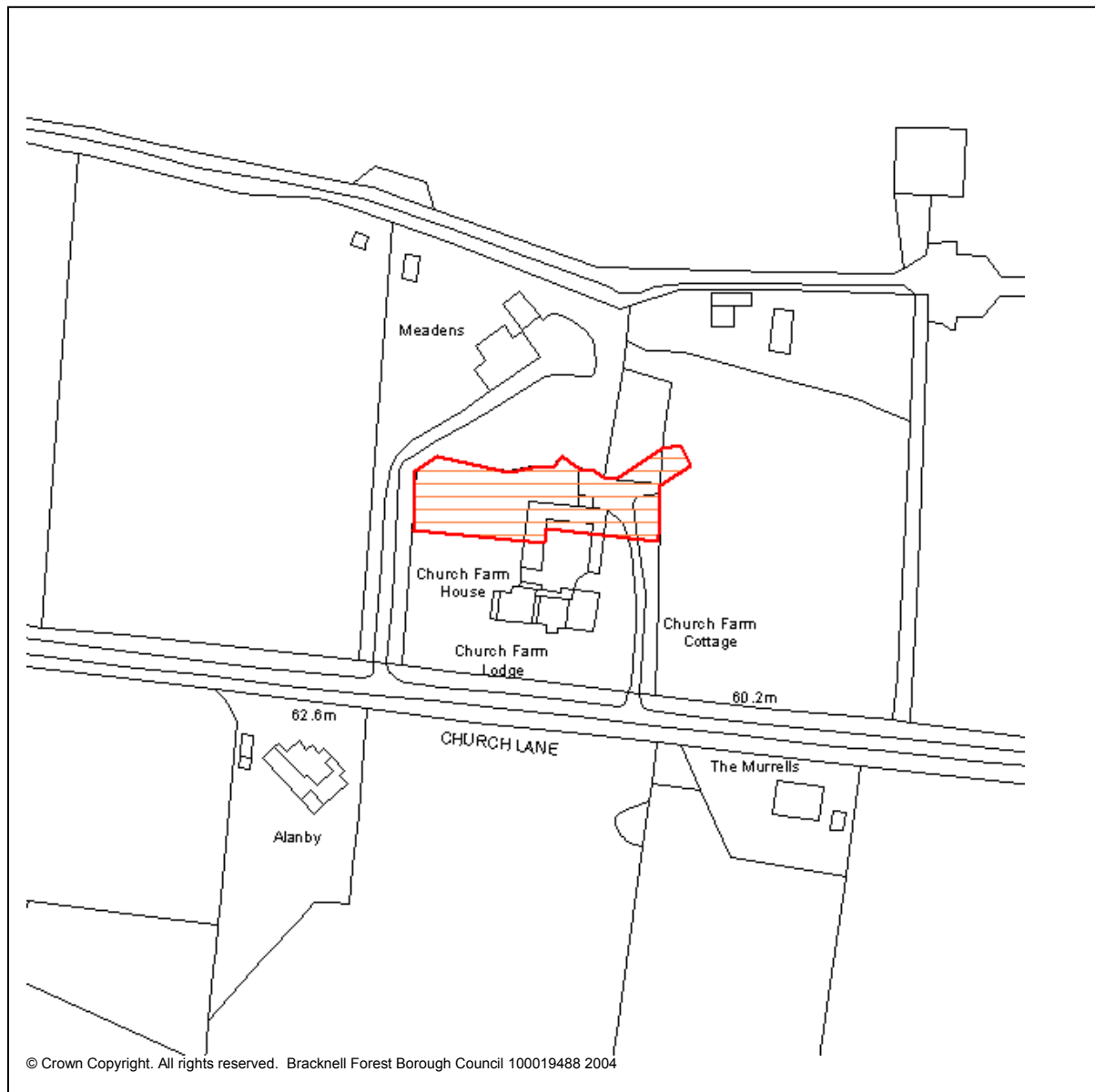
CSK Architects

Case Officer:

Laura Rain, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 **RELEVANT PLANNING HISTORY** (If Any)

622623 Validation Date: 02.05.1997

Alterations to and conversion of barn and adjoining outbuildings, to form three bedroomed dwelling with associated garaging and garden area.

Refused

623586 Validation Date: 23.03.1998

Alterations to and conversion of barn to form two bedroomed dwelling with associated parking and garden area.

Approved

03/00216/FUL Validation Date: 03.03.2003

Section 73 application to extend for a further 5 years the period of time during which conversion of barn to form two bedroomed dwelling with associated parking and garden area should be begun, without compliance with condition 01 of planning permission 623586.

PART PD REMOVED

Approved

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</i>
<i>SALP</i>	<i>Site Allocations Local Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	M4L	Highway Measures New Development
BFBLP	GB2	Changes Of Use Of Land Within The GB
BFBLP	GB4	Reuse and COU Of Buildings Within GB
BFBLP	EN20	Design Considerations In New Development
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design
BFBCS	CS9	Development on Land Outside Settlements
SALP	CP1	Presumption in Favour of Sustainable Development

3 **CONSULTATIONS**

(Comments may be abbreviated)

Warfield Parish Council

Warfield Parish Council Recommend refusal:

1. The proposal represents inappropriate development in the Green Belt where approval should not be given, except in very special circumstances, for the change of use of an existing building.

Transportation Officer

No objection subject to adequate car parking being secured by condition.

4 REPRESENTATIONS

No letters of objection have been received.

5 OFFICER REPORT

This application is reported to the Planning Committee as it represents a departure from the Development Plan and has been advertised as such.

i) PROPOSAL

Number of New Units: Houses: 1
Number of New Units: Flats: 0
Number of New Units: Bungalows: 0
Number of New Units: Sheltered Residences: 0
Total New Residential Units: 1
Number Demolished: 0
Net Gain: 1

Housing Density in New Units/Hectare: 8.3

The proposal is for the change of use of a disused agricultural barn to form a two bedroom dwelling with associated parking and landscaping (re-submission of expired planning permission 623586).

At ground floor the following would be provided:

- a living room
- hall
- kitchen
- shower room

At first floor the following would be provided

- two bedrooms
- a bathroom

External alterations would involve:

- Removing the lean to area and replacing the boarding on the south elevation.
- Insertion of 2 roof lights, 1 first floor window and 1 ground floor window in the south elevation.
- Glazing of existing double door opening in south elevation and north elevation.
- 1 roof light in north elevation.
- Insertion of double doors and first floor window on west elevation.

An associated curtilage is also proposed. The proposed dwelling would be accessed via an existing driveway and car parking is proposed on existing areas of hardstanding for both the proposed and existing dwellings on site.

ii) SITE

Church Farm House is a large detached dwelling set well back from Church Lane.

The barn is a brick and timber boarded structure sited at the rear of the existing old farm house. The building is used for storage of residential items. There are two large outbuildings attached to the barn extending into the curtilage and making a courtyard of the existing lawned area.

The site is accessed via a track along the side of the building to a single garage behind the barn.

Open fields lie to the east and a detached property "Meadens" lies to the north.

Site history:

623586 Alterations to and conversion of barn to form two bedroomed dwelling with associated parking and garden area. Approved

03/00216/FUL Section 73 application to extend for a further 5 years the period of time during which conversion of barn to form two bedroomed dwelling with associated parking and garden area should be begun, without compliance with condition 01 of planning permission 623586. Approved. Expired 13.06.2008.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site lies in the Green Belt as shown on the approved policies plan. Relevant Development Plan policies include the following:

Site Allocations Local Plan Policy CP1 states: "A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework."

Core Strategy Development Plan Policy CS9 - Development on Land Outside Settlements seeks to protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land and to protect the Green Belt from inappropriate development.

Bracknell Forest Local Plan Policy GB2 covers the change of use of land within the Green Belt and states that 'There will be a general presumption against changes of use of land in the Green Belt.' Some possible exceptions are however listed, including: 'iii) other uses which protect the open, rural and undeveloped character of the Green Belt.'

This is 'Provided that the change of use would not cause material permanent or temporary harm to the living conditions of those people residing in or close to the Green Belt.'

Bracknell Forest Local Plan Policy GB4 deals with Re-use and change of use of buildings within the Green Belt. It states that within the Green Belt, the change of use and adaptation of existing buildings will only be acceptable where:

- i) the impact of the proposal on the existing open, rural, and undeveloped character of the Green Belt will not be materially greater than that of the present use; and
- ii) strict control is exercised over the extension of re-used buildings, and the associated land around them which might conflict with the existing open, rural and undeveloped character of the Green Belt; and
- iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings; and
- iv) the proposed change of use or adaptation would not be detrimental to the character of the building, its surroundings and landscape setting; and
- v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 sqm of business, industrial, distribution or storage (Use classes B1 to B8) floorspace; and
- vi) the proposal would not cause significant environmental, road safety or traffic generation problems; and
- vii) the proposed change of use of the building is small scale and appropriate to a rural area.

The National Planning Policy Framework (NPPF) was adopted in March 2012. Core planning principles set out in para 17 that are relevant to this proposal are: Proactively driving and supporting sustainable economic development through the delivery of, for example, new homes, protecting the Green Belt and actively managing patterns of growth.

The following paragraphs of the NPPF relating to the Green Belt are of relevance to this application:

Para 79 - the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para 80 Green Belt serves five purposes:

- o To check the unrestricted sprawl of large built-up areas;
- o To prevent neighbouring towns merging into one another;
- o To assist in safeguarding the countryside from encroachment;
- o To preserve the setting and special character of historic towns; and
- o To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Para 87 - makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Para 88 - substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Para 90 lists certain other forms of development (in addition to those specified in para 89) that are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt. These include:

- o The re-use of buildings provided that the buildings are of permanent and substantial construction;

- Assessment:

The application proposes the re-use of an existing agricultural building as a dwelling. It is noted that the proposal received planning permission in 1998 and 2003 and these permissions are a material planning consideration. The proposal can be tested against the criteria contained in the Bracknell Forest Local Plan Policy GB4 and more recent policies in the Core Strategy Development Plan Document and the NPPF to assess if it is still acceptable development in the Green Belt.

Policy GB4 states that development is acceptable where:

i) the impact of the proposal on the existing open, rural, and undeveloped character of the Green Belt will not be materially greater than that of the present use. As the proposal does not increase the built form on site it is considered that there is no greater impact upon the open undeveloped character of the Green Belt than at present.

ii) strict control is exercised over the extension of re-used buildings, and the associated land around them which might conflict with the existing open, rural and undeveloped character of the Green Belt. There are no extensions proposed and the curtilage area proposed is not considered to be excessive.

iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings. The case officer site visit confirmed that the building is in good condition and appears to be structurally sound.

iv) the proposed change of use or adaptation would not be detrimental to the character of the building, its surroundings and landscape setting. The alterations to the external elevations are sympathetic with the agricultural character and design of the barn. The fenestration has been kept to a minimum. As such the proposed changes would not have a detrimental impact upon the rural character of the area.

v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 sqm of business, industrial, distribution or storage (Use classes B1 to B8) floorspace. The proposal does not incorporate any business uses.

vi) the proposal would not cause significant environmental, road safety or traffic generation problems. Adequate car parking for the proposed and existing dwellings can be provided on site and the driveway access exists. Therefore there would not be any traffic or highway safety issues.

vii) the proposed change of use of the building is small scale and appropriate to a rural area. It is considered that the proposed change of use to a two bedroomed dwelling is of a scale that would not result in harm to the Green Belt

Core Strategy Policy CS9 seeks to protect land outside the defined settlements for its own sake, particularly from development that would harm the character, appearance or function of the land. It is considered that the scale of the development proposed and the fact that no extensions or additions are proposed ensures that the proposal would not harm the open undeveloped character of the green belt.

The NPPF states that certain forms of development are not inappropriate in the Green Belt provided that they preserve the openness. The NPPF lists development of this kind and includes: "the re-use of buildings provided that the buildings are of permanent and substantial construction."

The proposed barn has not been in agricultural use for over 30 years and is currently used for residential storage. The site visit indicates that the barn itself is a permanent structure and was considered to be structurally sound under the previous consents. The proposed conversion of the barn itself therefore accords with both policy GB4 and the NPPF.

The change of use of agricultural land to associated residential curtilage is not consistent with policy and as such this element is contrary to the development plan. However given that the area is currently a mown lawn it at present has no agricultural merit. In addition the land is used for the parking of residential vehicles in the single detached garage and access track and the barn is used as a walk through from the garage to the rear of the existing dwelling.

Weight must also be given to the two previous consents for the same proposal.

Therefore on balance it is considered that in this instance, and given the previous consents, the proposal is acceptable although partly contrary to policy.

(2) Impact upon the character and appearance of the area

The proposal involves minimal changes to the external elevations of the barn and it is not considered that the glazing is excessive or obtrusive. As such the proposal would not have a detrimental impact upon the barn itself.

The area of proposed curtilage is currently laid to lawn and car parking as such the use for residential curtilage is not considered in this instance to have an urbanising impact upon the green belt location.

It is therefore considered that the proposal would not have a detrimental impact upon the character and appearance of the area.

(3) Effect on the amenity of neighbouring residential property

There are no first floor windows facing south towards Church Farm House and as such there would be no overlooking into the rear garden of this property. The east and west facing bedroom windows would not overlook any neighbouring properties. To the north the landing window at first floor would be over 10m from the boundary with neighbouring property Meadens.

There are no extensions or additions proposed and as such there would be no loss of light or overbearing impact.

(4) Transport

The proposal provides car parking for the existing and the proposed dwelling.

(5) Thames Basin Heath SPA

The site lies outside the 5km buffer zone of the Thames Basin Heath SPA. As such no mitigation methods are required.

(6) Sustainability

Page 15, paragraph 2.6 of the Sustainable Resource Management SPD confirms that change of use applications are excluded, therefore no sustainability or energy demand conditions are required.

(7) Limiting the impact of development

A Supplementary Planning Document entitled 'Limiting the Impact Upon Development' was adopted in July 2007. This document recommends that contributions are sought for any net gain in dwelling depending upon their impact upon the local services and infrastructure. The document forms part of the Councils ongoing Local Development Framework process.

As set out in the Limited the Impact Upon Development SPD the following contributions are sought for the proposal:-

Transport - £1600
Open Space - £2000
Primary School - £750

It is considered that the obligations in the S106 are necessary to make the development acceptable in planning terms and are directly, fairly and reasonably related to the proposed development.

iv) CONCLUSION

The proposal has been assessed against the Bracknell Forest Borough Local Plan, Core Strategy and the NPPF. It is considered that on balance the change of use of a redundant agricultural barn to dwellinghouse would be acceptable due to the building being of permanent construction. It is not considered that the proposed change of use would have a detrimental impact upon the character and appearance of the land and no extensions are proposed. The proposal is of a scale and nature that would not have a detrimental impact upon the function of the Green Belt.

It is noted that the change of use of agricultural land to residential curtilage would be to be contrary to policy and therefore represents a departure to the Development Plan. It is considered that in this instance as the land is mown lawn the change of use would not result in an unduly urbanising impact.

The site has previously been granted planning permission twice for the same scheme. There are no material changes in terms of the situation on site or in policy terms that would result in a recommendation for refusal.

In conclusion it is considered that there would be no detrimental impact upon the character and appearance of the area as a result of the change of use and there would be no harm to the function of the Green Belt.

The use of the barn as a two bedroomed dwelling would not result in a loss of privacy or light to the neighbouring properties. As the proposal does not include any extension to the building there would be no overbearing impact upon the neighbouring properties.

It is considered that the application is acceptable subject to the successful completion of a S106.

6 **RECOMMENDATION**

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. Transport infrastructure
Open space
Primary Education

That the Head of Development Management be authorised to **APPROVE** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on :
Drg no 1464/P/01 received by LPA 17.04.2013
Drg no 1464/PL02 received by LPA 17.04.2013
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C and D of Part 1 of the Second Schedule of the 1995 Order shall be carried out.
REASON: The site is located outside of a settlement where strict controls over the form, scale and nature of development apply.
[Relevant Policies: BFBLP EN9, Core Strategy DPD CS9]
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the south elevation of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
05. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the building approved in this permission.
REASON: In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
06. The dwelling hereby approved shall not be occupied until the associated vehicle parking for the proposed dwelling and the existing dwelling has been drained, surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

07. The development hereby permitted shall not be begun until:-
- 1) a scheme depicting hard and soft landscaping and
 - 2) a three year post planting maintenance scheme
- have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.
- All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
- REASON: In the interests of good landscape design and the visual amenity of the green belt.
- [Relevant Policies: BFBLP GB1, EN2 and EN20, CSDPD CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. Surface water from hard surfaces should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.
03. No soakaways should be constructed to a depth exceeding 3 metres below existing ground level, and under no circumstances shall the water table be intersected.
04. Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.
05. The applicant is advised that the following conditions require discharging prior to commencement of development:

05. Boundary treatment
06. Vehicle parking
07. Landscaping.

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

01. Time limit.
02. Approved plans.
03. Permitted development restrictions
04. Additional windows.

In the event of the S106 planning obligation(s) not being completed by 30th September 2013 the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space and primary educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, open space and educational facilities, the proposal is contrary to Policy M4 of the Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk