

Unrestricted Report

ITEM NO: 5

Application No.
13/00156/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
6 March 2013

Target Decision Date:
1 May 2013

Site Address:

**Nuptown Piggeries Hawthorn Lane Warfield
Bracknell Berkshire RG42 6HU**

Proposal:

**Change of use of existing agricultural barn to form 1 no. 4 bed
detached dwelling and erection of detached garage following
demolition of existing derelict buildings.**

Applicant:

Mr J Perkins

Agent:

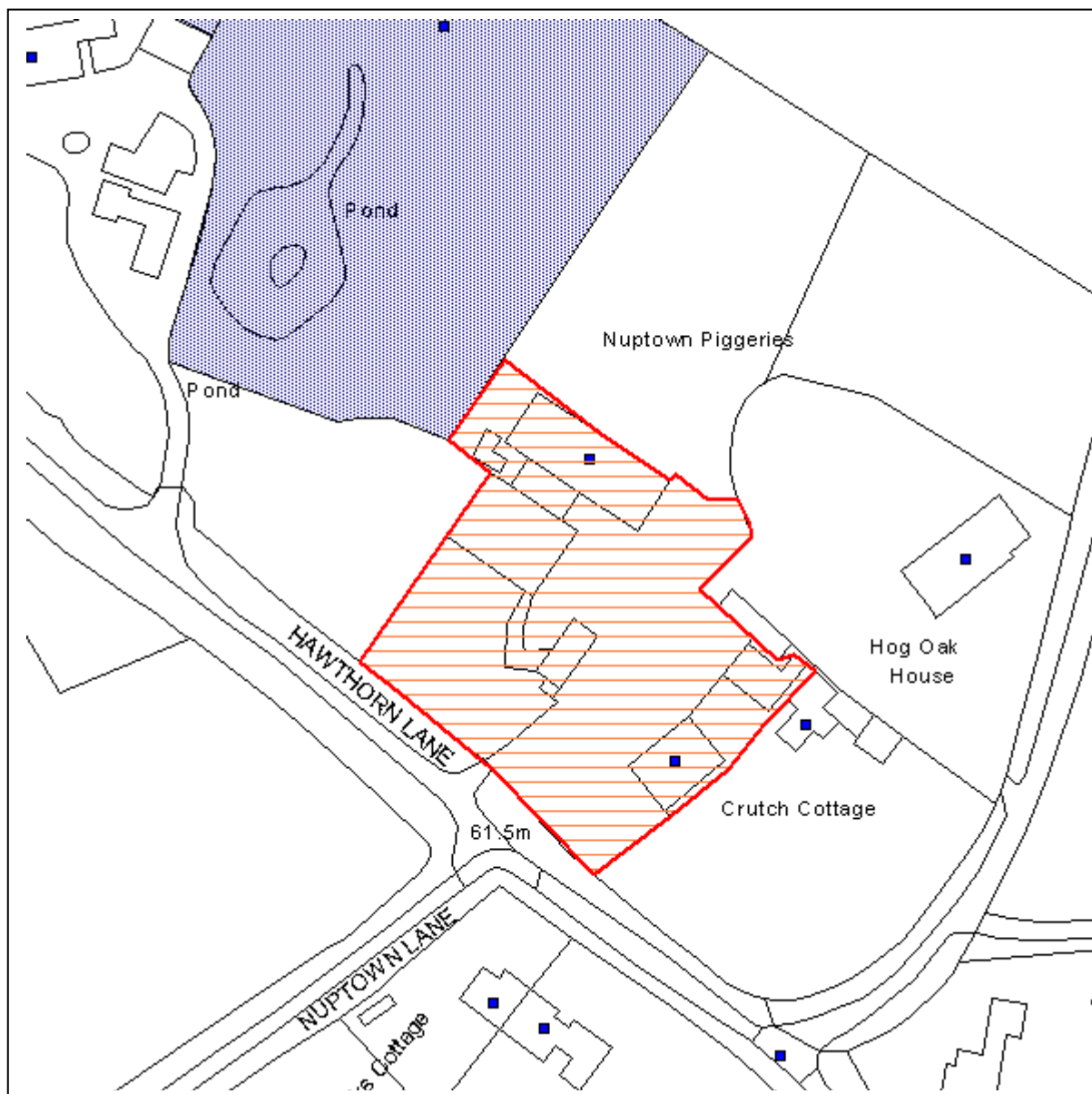
CSK Architects

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)

17244 Validation Date: 03.03.1972
Erection of one house in connection with piggeries and agricultural land
(Sec. 16 undertaking)
Approved

20382 Validation Date: 01.01.1973
Outline Application for the erection of a single storey dwelling, improvement of iron
shed to form a garage and improvement of existing entrance.
Refused

623777 Validation Date: 01.06.1998
Erection of replacement dwelling and garage.
Approved

624510 Validation Date: 09.02.1999
Erection of replacement dwelling and garage (variation to design of house approved
under 623777 to provide for 3 no. front facing dormers and 2 no. roof lights).
Approved

624538 Validation Date: 01.02.1999
Erection of 5 bedroomed detached house and stable block containing 4 stables
following demolition of existing buildings.
Refused

01/00662/FUL Validation Date: 06.07.2001
Erection of 1no. five bedroomed house and building containing 4no. stables following
demolition of existing buildings.
Refused

10/00792/OUT Validation Date: 25.11.2010
Outline application with all matters reserved, for the erection of 1no. detached dwelling
and garage following demolition of all existing buildings.
Refused. Appeal Dismissed.

Appeal Continued use of agricultural buildings (total floor space 402
Validation Date: 01.09.2005 sq.m.) for storage purposes with ancillary offices.
Appeal Dismissed

Reference:
05/00052/IHRG

Appeal Appeal against refusal to grant planning permission.
Validation Date: 08.02.2007 **Appeal Dismissed**

Reference:
07/00017/ENF

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	EN20	Design Considerations In New Development
BFBLP	GB2	Changes Of Use Of Land Within The GB
BFBLP	GB4	Reuse and COU Of Buildings Within GB
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

4 **REPRESENTATIONS**

2 letters of support have been received. These raise the following issues:

- The proposal would enhance and open up the Green Belt.
- The proposal would enhance local visual amenity.
- The site has no beneficial use.

4 letters of objection has been received which raises the following issues:

- The proposal is contrary to green belt policy.
- Other barn conversions in the area have been refused.
- The proposal is not in keeping with the character and appearance of the area.
- There is a S106 on the land.
- This would set a dangerous precedent.

5 OFFICER REPORT

This application is reported to the Planning Committee as the proposal represents a departure from the Development Plan.

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: 2.4

The proposal is for the change of use of existing agricultural barn to form 1 no. 4 bed detached dwelling and erection of detached garage following demolition of existing derelict buildings.

At ground floor the following would be provided:

- An open plan living room, kitchen and dining area.
- A playroom
- A shower room
- 3 bedrooms (two with en-suites)

At first floor the following would be provided:

- 3 bedrooms (one with dressing room and ensuite)
- A gallery area
- A family bathroom

The cladding would be replaced with new corrugated metal cladding and glazing would be introduced.

A number of buildings would be removed. These have the floor areas as follows:

Building B - 77.35m²
Building C - 151.58m²
Building D - 70.86m²
Building E - 268.04m²
Building F - 69.17m²
Building ST - 27.69m²

TOTAL - 664.69sqm

In addition 1,944 sqm of hardstanding would be removed

A detached barrel garage 7.9m x 6.5m is proposed with a maximum height of 4m. This is of the same design and material as the barn.

An area of 25m x 51m (1,275 sqm) is proposed to be laid to paddock.

ii) SITE

The application site (0.41ha) is located in Hawthorne Lane which is an unmade road close to its junction with Nuptown Lane. The site contains a number of buildings and barns that are now vacant but were formerly in an agricultural use. Much of the site has a hard surface. There are some trees and hedges around the perimeter of the site.

Site history:

624538 - Erection of 5 bedroomed detached house and stable block containing 4 stables following demolition of existing buildings. REFUSED 2000.

01/00662/FUL - Erection of 1no. five bedroomed house and building containing 4no. stables following demolition of existing buildings. REFUSED

01/00776/T - Application for a change of use of agricultural land & building for use as a compound for storage of pipes and road repair equipment for a temporary period of one year. REFUSED. Subsequent appeal dismissed. The Inspector considered the proposal represented a material reduction in the openness of the site and therefore should not be approved unless there were very special circumstances. The additional traffic movements generated by the use were also considered to be harmful to the rural character of the area.

03/00418/FUL - Continued use of agricultural buildings (total floor space 402 sq.m.) for storage purposes with ancillary offices. REFUSED.

10/00792/OUT - Outline application with all matters reserved, for the erection of 1no. detached dwelling and garage following demolition of all existing buildings. REFUSED.

A subsequent appeal against the refusal of 10/00792/OUT was dismissed. The Inspector considered that the main issues were:

- (a) whether the proposal constitutes inappropriate development in the Green Belt,*
- (b) its effect on the openness of the Green Belt and on the character and appearance of the area,*
- (c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances to justify the development, and*
- (d) whether it makes satisfactory provision to meet the additional services and infrastructure needs arising from the development.*

The Inspector accepted that the removal of the existing buildings at the Nuptown Piggery site and their replacement with a single dwelling would to some extent improve the openness of the Green Belt by concentrating all the built form in one place. However, she considered the existing buildings blend in with the rural character of the area whereas the proposed dwelling and its associated domestic curtilage would introduce a somewhat urban element and result in an unacceptable encroachment into the open countryside.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site lies in the Green Belt as shown on the adopted Policies Map. 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 published 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. 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 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 of the barn on site it is considered that there is little impact upon the open undeveloped character of the Green Belt than at present. In addition a number of buildings are to be demolished and hardstanding removed for paddock.

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 structural report concludes that the building is capable of conversion.

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 dwelling 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 single 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."

In this instance the structural report concludes that, as in the Brook Hill, Essex appeal the frame can be retained. This is confirmed by the Council's Building Regulations Section. 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 hard standing and out buildings at present it has no agricultural merit. A total of 664.69sqm of buildings are to be removed and 1,944 sqm of hardstanding is to be removed and a large area is to be converted to paddock. It is considered that this would have a significantly positive impact upon the open and rural character of the green belt.

It is not considered that the glazing is excessive to the point that the internal lighting would affect the character of the green belt. Whilst it is noted that a residential use may be more evident than an agricultural use, it should be noted that the use was for a piggeries where the level of on site activity would be more evident than for an arable use.

Weight must also be given to the appeal decisions detailed below for similar proposals and it is concluded that given the improvement that the proposal will have on the site in terms of the removal of hardstanding and buildings that special circumstances exist in this instance.

PINS APP/A3655/A/12/2178517 Bennets Farm - Erection of single detached dwelling following demolition of all building and hard-standing areas on a Green Belt site. APPEAL ALLOWED. The Inspector stated:

- "Para 87 of the framework states that inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances. Para 88 adds that such circumstances will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Para 89 states that the construction of new buildings is inappropriate, but with a number of exceptions, including (6th and last bullet point) "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land),

whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. I note that the appellant company has taken the view that the proposed development would represent inappropriate development in the GB, as is stated in the Council's reason for refusal. However in my opinion it would not in principle be inappropriate, by virtue of previously cited Framework Policy. Indeed that policy seems to fit exactly with the site circumstances in this appeal. It follows that any need to demonstrate "very special circumstances" does not arise in this appeal."

- "The proposed development would include the demolition and clearance of all these buildings, structures and hard standings, which in itself would do much to improve the existing character and appearance of the site. The footprint of the proposed dwelling would be significantly smaller than the aggregated footprint of the existing buildings etc....it would on balance have less impact on the overall openness of the site, and hence that of the GB. This would be a positive merit of the scheme, in accordance with national and development plan policies."

PINS APP/W1525/A/12/2183872 Land south of North End Place, Brook Hill, Essex.
APPEAL ALLOWED.

The barns consisted of a series of arched metal supports linked by purlins and mounted on a low brick wall located within the countryside. Externally they were clad in asbestos or metal sheeting. The appellant proposed to retain the frame and the external covering would be removed and replaced with new insulation and a zinc roof. The Inspector decided that the most important aspect was retaining the frames and their structural stability would not be compromised. Consequently, although the external cladding would be removed entirely, this did not involve extensive demolition or replacement and in his opinion the scheme involved a re-use and conversion of two rural buildings.

Further, three other barns would be demolished and this would reduce the amount of built development on the land. Although there was criticism that the two retained structures would look like "tube trains" perched on a hillside, they would not be dissimilar to other agricultural buildings in the area. Their residential curtilages would be extensive and domestic paraphernalia would have a suburbanising effect. This had to be offset against the ability to remove three unsightly buildings which were classed by some local residents as being an "eyesore".

The Inspector stated:

- "The principle structural elements comprise the frames and these would be kept. There is no evidence that the buildings would have to be dismantled or re-constructed to undertake the proposed works. The metal supports would be subsumed within the converted buildings but they would be the primary means of support to the roofs. Whilst the individual elements may be slim that does not mean that they are insubstantial."

- "the residential curtilages associated with the new units would be extensive. Conditions could control further buildings such as sheds but it is likely that over time domestic paraphernalia would accrue such as patios, decking, washing lines, play equipment and garden furniture. This would have a suburbanising effect that would contrast unfavourable with the intrinsic character and beauty of the countryside. However this drawback needs to be considered against the advantages of the proposal..."

- "the glazing in the west elevation of Barn 2 would be noticeable but the proposed alterations would not lead to the buildings becoming significantly more intrusive in the countryside."

- "the 'domestication' of the proposed external areas would be harmful and would not accord with the criteria of Policy DC2. That conflict is nevertheless outweighed by the

visual advantages that would occur and also due to the broad support offered by the provisions of the Framework."

PINS APP/T0355/A/12/2177774 Belmont Farm Sturt Green Holyport Maidenhead Change of Use of Belmont Farm House, a house in multiple occupation as 9 units, to provide 8 flats (1 x 1 bed and 7 x 2-bed) including a three storey and two storey extension and roof alterations. Conversion of 2 existing barns to create 2 detached dwellings (1 x 2 bed and 1 x 3 bed) with single storey extension to Barn 2. Alterations to landscaping to include the formation of private gardens and the retention of a field as a wildflower meadow, and new driveway and parking. It is situated in a Green Belt location.

The only component at issue was the conversion of the barns, not the conversion of the farmhouse. The Inspector found the barns to be of permanent and substantial construction. There would be no conflict with GB8 (5), as the works are not necessary to facilitate the change of use of the barns. In summary he was unable to agree that the proposed scheme of works would comprise extensive reconstruction of the barns. The alterations would not result in disproportionate additions, and accords with paragraph 89 of the NPPF. He allowed the appeal on the basis of a revised plan submitted in connection with the extant planning permission for the farmhouse which utilized the existing driveway, instead of the bridge proposed. The proposed domestic curtilages around the barns are allowed, with the removal of permitted development rights by condition to maintain openness.

Therefore it is considered that in this instance, and given the previous appeal decisions; the proposal is acceptable although partly contrary to policy.

There is an existing historic S106 which ties part of the application site to neighbouring residential property, Hog Oak House. A request to release this S106 has been submitted to the Council and it is considered to be acceptable subject to this application being approved and implemented.

(2) Effect on character and appearance of the area

The surrounding properties on all sides are residential set within fairly substantial plots. The proposed dwelling and curtilage would fit into the pattern of residential development within the area.

The proposal results in the demolition of 664.69 sqm of buildings and 1,944 sqm of hardstanding. Therefore the level of built form on site would be significantly reduced. A double garage is proposed however this is of a modest scale and design and would not have a detrimental impact upon the open and undeveloped character of the area.

The alterations to the design of the barn are fairly limited and as such there is no detrimental impact in terms of increased bulk and massing. It is not considered that the introduction of glazing would have such a detrimental impact upon the area as to warrant refusal.

In terms of the domestic paraphernalia, it is noted that this would have an urbanising impact upon the site. However it is considered that the harm created by this would be outweighed by the benefits of removing vacant buildings, hardstanding and providing 1,275 sqm of paddock. It is not considered that the removal of permitted development rights of out buildings would be necessary as the main area of curtilage proposed is to the front and therefore forward of the principal elevation and therefore PD rights to build in this area is limited.

On balance it is considered that the positive impacts upon the green belt outweigh the harmful urbanising impact.

In addition it should also be noted that under the current permitted development rights the agricultural unit could be changed by prior approval under Class M to A1 (shops), A2 (financial and professional services), A3 (restaurants), B1 (business), B8 (storage), C1 (hotels) or D2 (assembly and leisure.)

The proposed garage would be set back from the front boundary by 41m and as such would not be visually prominent within the street scene.

(3) Effect on the amenity of neighbouring residential property

- Loss of privacy:

There are no properties to the north that would be affected. To the east there would be over 10m to the boundary with Hog Oak House and to the south there are no properties to be affected. To the west the proposed glazing would be 9.5m from the boundary and 70m from the closest dwelling. As such it is not considered that there would be an unacceptable loss of privacy.

- Loss of light and overbearing impact:

The only additional building would be the proposed garage. This would be set in from the boundary to the west by 9.5m and the east by 38m. As such there would be no loss of light or overbearing impact created by this single storey structure.

There are no additions proposed to the barn and as such no detrimental impacts in terms of loss of light or overbearing impact.

(4) Effect on highway safety

The Parking Standards (July 2007) SPD sets a requirement for the provision of 3 off-street parking spaces. Whilst it is acknowledged that there is sufficient space within the curtilage to provide parking and turning the layout submitted is unacceptable. The site currently has a large area of hardstanding but the majority of this is to be removed and a new internal access road constructed and the area landscaped. The proposed new double garage is substandard in size and should have clear internal dimensions of 6m by 6m with sufficient space to the front of it to accommodate a third parking space and enable vehicles to turn. Garage doors are required to have an opening width of 2.4m and be 2.1m high as set out in the Street scene (April 2011) SPD. The proposal for a single residential property on this site will create a similar level of daily traffic compared to the previous use as piggery. The plans indicate that the existing access will be used and thus there should be no change in the amount of activity using the access and thus contributions will not be required.

An amended plan has been submitted which increases the internal dimensions of the garage to 6m by 6m in accordance with the Council's standards. An additional space to the front has been shown on the amended plans and a turning circle has been provided. Therefore adequate parking and turning can be provided.

(5) Thames Basin Heath SPA

The site lies outside the buffer zones for the SPA.

(6) Sustainability

Due to the vary nature of the proposed change of use the majority of the barn would have to be removed and rebuilt in-order to accommodate the proposed residential use. As the proposal is considered to form a new build residential property both policies CS10 and CS2 apply.

Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, i.e. Code for Sustainable Homes Level 3. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

No Sustainability Statement and no Pre-assessment Estimator have been submitted and therefore this can be secured by condition.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

No Energy Demand Assessment has been submitted. This can be secured by condition.

(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.

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

Transport - The Transportation Officer has confirmed "Vehicle Movements / per day: The proposal for a single residential property on this site will create a similar level of daily traffic compared to the previous use as piggery." Therefore no contributions towards transport are required.

Open space - £2,000

Primary Education - £4,330

These can be secured by a S106 agreement, a draft for which has been submitted.

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.

(8) Biodiversity

The Great Crested Newts (GCN) protection plan report sets out a protection plan for Great Crested Newts on site. The plans if carried out as described should reduce the likelihood of GCN being harmed in the course of the development.

The Nocturnal bat surveys confirm a transitional roost for bats in one of the buildings on site and also show that bats use the site to forage and commute. As such a bat mitigation plan should be produced in the course of an application for a Natural England licence.

The Biodiversity Officer therefore raises no objection subject to conditions.

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 dwelling house would be acceptable due to the existing 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 currently hardstanding or contains buildings the change of use would not result in an unduly urbanising impact and would in fact improve the character of the site. As such it is considered that in this instances very special circumstances apply to the proposal that would justify recommending approval contrary to polices within the Development Plan.

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 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. 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 1447/P/06A received by LPA 11.06.2013
Drg no 1447/P/07 received by LPA 06.03.2013
Drg no 1447/P/08 received by LPA 06.03.2013
Drg no 1447/P/09 received by LPA 06.03.2013
Drg no 1447/P/10 received by LPA 06.03.2013
Drg no 1447/P/11A received by LPA 11.06.2013
Drg no 1447/P/12 received by LPA 06.03.2013
Drg no 1447/P/13A received by LPA 11.06.2013
Drg no 1447/P/14 received by LPA 06.03.2013
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. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
05. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10% unless otherwise agreed in writing by the Local Planning Authority). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
06. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been

constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

07. The dwelling hereby approved shall not be occupied until the the existing outbuildings on site, as shown on plan reference 1447/P/06, have been demolished and the land made good in accordance with a landscaping scheme which shall have been submitted to and approved in writing by the local planning authority prior to demolition commencing.
REASON: To ensure that the works are carried out as approved in the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP GB1]
08. The area lying to the south east of the site and detailed as "area of site to be used as paddock" on Drawing Number 1447/P/06 Received 06.03.13, shall be restored to paddock prior to the occupation of the dwelling hereby permitted.
REASON: In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP GB1]
09. The dwelling hereby approved shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing 1447/P/06A. The spaces shall thereafter be kept available for parking at all times.
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]
10. 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]
11. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
12. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in Great Crested Newt protection plan. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
13. The development shall not be begun until a scheme for the installation of refugia and the creation of the wildlife corridor has been submitted to and approved in writing by the local planning authority. This scheme shall include details of the management of the wildlife corridor.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

14. The areas shown for ecological mitigation/bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
15. The development shall not commence until a bat mitigation plan has been submitted to and approved by the Local Planning Authority. This mitigation plan will include plans and drawings of the location of replacement roosts.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.
[Relevant Policies: BFBLP EN15, EN20 and EN25]
17. The habitat features identified as being valuable in the ecological survey (hedgerows, mature trees) shall be retained.
Reason: To ensure habitat connectivity and support local wildlife populations.
18. If more than 1 year elapses between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.
Reason: To ensure the status of bats on site has not changed since the last survey.

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. With regard to water supply, this comes within the area covered by the Mid Southern Water Company. For your information the address to write to is - Mid Southern Water Company, Frimley Green, Camberley, Surrey GU16 6HZ.

03. The applicant is advised that the following conditions require discharging prior to commencement of development:
- 05. Boundary treatment
 - 15. Bat mitigation plan.
 - 17. Habitat features.

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.
- 11. Site clearance
- 14. Bat roosts.
- 16. No external lighting
- 18. Updated bat survey.

The applicant is advised that the following conditions require discharging prior to commencement of development:

- 04. Sustainability Statement.
- 05. Energy Demand.
- 10. Boundary treatment

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

- 07. Demolition
- 08. Paddock restoration
- 09. Vehicle parking

The following conditions require discharging after occupation of the dwelling:

- 06. Post Construction Report.
- 12. Ecological site inspection

In the event of the S106 planning obligation(s) not being completed by 10th January 2014 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 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 open space and educational facilities, the proposal is contrary to CS6 and CS8 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