

BOROUGH OF KETTERING

Committee	Full Planning Committee - 12/02/2019	Item No: 5.2
Report Originator	Louisa Johnson Development Officer	Application No: KET/2018/0885
Wards Affected	Slade	
Location	The Old Chicken Farm, Broughton Hill, Cransley	
Proposal	Full Application: Conversion of agricultural building to single dwelling with associated garage, workshop, and car parking	
Applicant	Mr J Perkins	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as follows:

External Walls - Timber cladding to be retained and where necessary replaced with matching timber cladding

Roof - Metal roofing

REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. No development above building slab level shall commence on site until details of the types and colours of all windows and doors to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenity and protecting the privacy of the neighbouring property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. The parking spaces hereby approved shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles.

REASON: To ensure adequate on-site parking provision for the approved building in the interests of local amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No other development shall commence until visibility splays of 2 metres by 2 metres have been provided at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Any gates provided shall be set back a distance of 5 metres from the edge of the vehicular carriageway of the adjoining highway and shall be hung so as to open inwards into the site only.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

REASON: The details are required prior to commencement of development because the CMP needs to be in place and in force throughout the construction period and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy

10. No development shall commence on site until details of measures to be taken to prevent spoil or mud being deposited on the public highway from vehicles leaving the site during the construction works have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be fully implemented before the development commences and shall be retained for the duration of the construction period.

REASON: Details of measures to prevent spoil or mud being deposited on the highway are necessary prior to the commencement of development in the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

12. Any portion of the window/s serving bathrooms / WCs that is within 1.7m of the floor of the rooms where the window is installed shall be glazed with obscured glass and shall be non openable. The window shall thereafter be maintained in that form.

REASON: To protect the privacy of future occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, D and E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

REASON: To protect the character and appearance of the conservation area and to prevent the proliferation of buildings in the open countryside in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

14. No development above slab level shall take place on site until a drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved strategy, and the building shall not be occupied or the use commence, whichever is the sooner, until the approved strategy has been fully implemented.

REASON: A drainage strategy is necessary prior to commencement of development to ensure that drainage is assessed in a holistic manner and because drainage needs to be constructed early in the development process in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0885

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2015 – Conversion of agricultural building to 1 no. dwelling (under Permitted Development Rights) - Refused

KET/2017/0774 - Change of use from agricultural building to residential – Refused 26/02/2018

Site Visit

Officer's site inspection was carried out on 20/10/2017 and 08/01/2019.

Site Description

The site comprises a former poultry rearing shed, located adjacent to two further sheds which are subject of a separate planning application KET/2018/0895. The remainder of the land contains a stable block, paddock and lower field which are used for equestrian purposes. The site is accessed off Broughton Hill, just outside the Great Cransley Village.

To the north of the site is the village of Great Cransley, to the west of the site is the listed Cransley Hall, to the south and east (on the other side of the road) is agricultural land.

Proposed Development

The application seeks permission for the conversion of an existing shed, previously used for poultry rearing, to a three bed dwelling with associated garden space and parking.

Any Constraints Affecting the Site

Within the open countryside
C Road

4.0 Consultation and Customer Impact

Cransley Parish Council

None

Environmental Health

No objection subject to contaminated land condition and radon informative.

Highways

Presently the LHA cannot support the application and require further information to fully assess the proposals. The access drawing does not show enough detail regarding the access.

The access is shared with the existing agricultural uses; therefore it should be no less than 6m wide for the first 15m from the highway boundary.

Vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m* to the north and 215m* to the south measured from the centre of the vehicular access along the carriageway edge. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access.

Turning must be provided within the domestic site and separately within the agricultural site to eradicate as far as possible, the possibility of vehicles reversing amongst each other and vehicles must enter and exit the highway in a forward gear. This is not shown near the domestic parking area. The only turning area detailed is too far from the domestic parking.

Vehicular accesses over 45m in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles may be required. As this may affect the layout or arrangement of a development this potential constraint should not be over looked.

A minimum of 2 car parking spaces plus 1 visitor space should be provided; spaces should be a minimum of 2.5m wide by 5m long. Cycle parking should be supplied at one space per bedroom.

Neighbours

Six letters of support have been received.

Three letters of objection have been received, the following issues were raised:

- The site is outside the village envelope and would set a precedent
- The proposal would be detrimental to the character of the area
- The site is part of the curtilage of Cransley Hall and grounds when it was listed and is therefore curtilage listed
- The buildings should be demolished and the land returned to agriculture
- An area off Loddington Road was identified for future development as part of the Neighbourhood Plan
- The building is not appropriate for conversion as it is not a 'traditional' building.

5.0 Planning Policy

National Planning Policy Framework (NPPF) 2018:

Policy 2: Achieving a sustainable development

Policy 5: Delivering a sufficient supply of homes

Policy 12: Achieving well-designed places

Policy 15: Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS) Policies:

1: Presumption in favour of sustainable development

2: Historic Environment

3: Landscape Character

6: Development on brownfield land and land affected by contamination

8: Place shaping

9: Sustainable buildings

11: The network of urban and rural areas

13: Rural exceptions

25: Rural Economic Development and Diversification

28: Housing requirements

29: Distribution of new homes

30: Housing mix and tenure

Saved Policies in the Local Plan (LP) for Kettering Borough:

7 – Environment: Protection of the open countryside

RA3: Rural Area – Restraint and Scattered Villages

RA5: Rural Area - Housing in the open countryside

RA14: Rural Area – Reuse and Conversion of Rural Buildings

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The principle of the development
2. Suitability of building for conversion
3. Impact on the character and appearance of the area
4. Amenity of future occupiers
5. Impact on residential amenities

6. Access and Parking
7. Impact on flooding and sewerage provision
8. Impact on ecology
9. Conclusion

1. The principle of the development

The National Planning Policy Framework sets out the principles for sustainable development which seek to ensure that places to live are created in locations which make the best and most efficient use of land, adopt high quality design standards respecting and enhancing the character of their surroundings, not result in unacceptable impact on the amenities of neighbouring properties or the wider area and not adversely impact on highway safety or the highway network.

Policy 8 of the NNJC seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area.

Saved Policy RA5 of the Local Plan states that: Planning permission will not normally be granted for residential development in the open countryside. Exceptions may include: ii reuse/conversion, retention and/or reinstatement of a suitable rural building (see Policy RA14)

Saved Policy RA14 of the Local Plan states that: Planning permission will be granted for the reuse or conversion of existing buildings in the Restricted Infill Villages, Restraint Villages, Scattered Villages and in the open countryside, where:

- i the building is physically suitable for conversion or retention and is suitable for its proposed use without extensive alteration, rebuilding, or extension. In the case of conversion to residential use, in particular, it should be demonstrated that the proposal will not have a detrimental effect on the character of the building and that the creation of a residential curtilage is not harmful to the character of the countryside;
- ii the new use(s) is compatible with any adjacent land uses or ongoing farm practices;
- iii any proposed extensions are small in scale and subordinate in size and form to the original building and are of complementary materials;
- iv any proposed alterations are in keeping with the original design and provide, where appropriate, for the retention of original features including, for example, openings or roof structure;

v proposals provide, where appropriate, for the retention or reinstatement of the original walls and roof finishes;

vi walls, hedges and trees are provided to achieve screening (especially of ancillary buildings and outdoor car parking areas), privacy and an adequate area of useable curtilage, unobtrusively sited in relation to the building's main aspect. Walls should be of materials complementary to the building; and vii where the building is, or has recently been, inhabited by wildlife species protected by the Wildlife and Countryside Act 1981, the proposals provide for their continued habitation or make appropriate provision for their habitation in another suitable location in accordance with any formal consent issued by English Nature.

The site forms a former agricultural building on the Old Chicken Farm fronting onto Broughton Hill. The site is located in the open countryside as defined by the Local Plan adjacent to Great Cransley which is designated as a Restricted Infill Village by saved policy RA3 of the Local Plan. The proposal involves the conversion of an existing building previously used for poultry rearing.

It is noted that an objection has been received on the grounds that the site is outside the village envelope and that the building is not appropriate for conversion as it is not a 'traditional' building.

Whilst it is acknowledged that the site is outside the village boundary, saved Policy RA14 of the Local Plan allows development involving the reuse or conversion of existing buildings in the open countryside in certain circumstances (set out above). Furthermore, the policy states that existing buildings will be considered for reuse or conversion and does not make reference to 'traditional' buildings; therefore modern buildings are not excluded by the policy.

A further objection has been received on the grounds that a site in or adjacent to the village has been allocated for development. However, this does not prevent other sites coming forward.

Therefore the proposal falls to be considered under saved policies 7, RA3, RA5 and RA14 of the Local plan and other relevant policies, which are assessed below.

2. Suitability of the building for conversion

Saved Policy RA14 of the Local Plan states that: Planning permission will be granted for the reuse or conversion of existing buildings in the Restricted Infill Villages, Restraint Villages, Scattered Villages and in the open countryside, where:

i the building is physically suitable for conversion or retention and is suitable for its proposed use without extensive alteration, rebuilding, or extension. In the case of conversion to residential use, in particular, it should be demonstrated that the proposal will not have a detrimental effect on the character of the building and that the creation of a residential curtilage is not harmful to the character of the countryside.

The applicant has submitted the following documents in support of their application:

- A Preliminary Structural Report ref 171208 Rev B dated December 2017;
- A letter from Groundworks Contractor Andy Nourish dated 17/07/2018;
- A letter from professional Coded Welder Cecil Rhodes dated 24/07/2018;
- Feasibility study on the Conversion of the Old Poultry Barn into a Domestic Residence by David French Partnership Civil & Structural Engineers dated 09/08/2018;
- Letter setting additional information from David French Partnership Civil & Structural Engineers dated 14/01/2019.
- Certificate of Bulk Analysis for Asbestiform Materials dated 03/04/2017.

The initial Preliminary Structural Report document submitted with the previous application KET/2017/0774 raised a number of issues regarding the structure and whether it could be converted without extensive rebuilding or repair. The additional reports submitted with the current submission seek to address these issues.

The report and additional information provided by David French Partnership Civil & Structural Engineers assesses the feasibility of converting the building and addresses the points raised in the preliminary report as follows:

- A full structural analysis of the existing portal frames has been carried out to ascertain their suitability for the proposed loadings.
- Exposing the existing footings to the perimeter wall so that they can be assessed for adequacy for the proposed enhanced loading.
- Assessment of the details of the foot of each portal frame to ensure an adequate bearing capacity under the new walling specification.

The David French report states that the small trial hole was dug and showed there is a 700mm wide strip for footings, based on the proposed building methods and materials, this is considered to be more than adequate.

- Repair or replacement of the dwarf wall to suit the new architectural proposals.

The David French report states that the majority of the wall is in excellent condition and needs no work other than a small amount of re-pointing. Where the wall extends above the slab there are a small number of missing bricks which could be replaced but this is not necessary as the wall is not structural.

- Replacement of asbestos roof.

It is necessary for the asbestos roof to be replaced whether or not the building is converted; therefore it is considered reasonable to allow these works. In addition, it is noted that the roofs on the other buildings on the site have already been replaced to remove asbestos.

The Certificate of Bulk Analysis for Asbestiform Materials raised another issue as it states that the walls are lined with cement containing asbestos. However, after further discussions with the applicant, it has been confirmed that the cement lining can be removed without removing the external wood cladding. The removal of asbestos where possible is considered to be the most appropriate solution to ensure that there are no health or safety issues in the future.

The Council's Building Control Officer has reviewed all the submitted information and has confirmed that it appears from the submissions that the building can be converted in accordance with relevant building regulations.

Therefore it is considered that the submitted information does demonstrate that the existing building could be converted without extensive alteration or rebuilding as required by Saved Policy RA14 of the Local Plan.

3. Impact on the character and appearance of the area

The site is located in the open countryside, adjacent to the village of Great Cransley and forms part of an existing cluster of agricultural / equestrian buildings.

The site is adjacent to but is not within the listed curtilage of Cransley Hall and the Cransley Conservation Area. The boundary of the site is approximately 63m from the edge of the Conservation Area and listed curtilage of Cransley Hall. The boundary of the Conservation Area is tree'd which would largely screen views of the site from the Conservation Area.

It is noted that objections have been received on the grounds that the site is within the curtilage of the listed Cransley Hall, however our mapping shows a clear boundary between the poultry farm and Cransley Hall. The Hall was listed in 1951 and was built in 1677 with 18th and 19th Century additions the curtilage is not mentioned in the listing, our mapping shows that the poultry farm was split off from the hall between 1945–1970 and it has been separate since. The boundary between the Hall and the poultry farm is a heavily tree'd boundary which provides a clear visual separation between the two sites and the Hall is not visible from the poultry farm or Broughton Hill.

It is noted that an objection has been raised on the grounds that the proposal would be detrimental to the character of the area. However, the proposed design largely leaves the existing building envelope unchanged with the insertion of windows and doors in the existing elevations and the removal of part of the roof to provide an internal garden. As such, long views of the building are unlikely to significantly change; the proposal includes a rear garden which would be closest to the Conservation Area, however appropriate screening, to be secured by condition, would ensure that the garden does not intrude into the open countryside or views from the Conservation Area.

Therefore it is considered that subject to appropriate conditions, the proposal would not have a detrimental impact on the open green aspect of this area of open countryside, the Conservation Area or the listed Cransley Hall.

Therefore it is considered that the proposal would not have a detrimental impact on the character or appearance of this area of the open countryside, Conservation Area or the listed Cransley Hall and accords with the relevant parts of Policy 7 (NPPF) and Policies 2, 3 and 8 (NNJCS).

4. Amenity of Future Occupiers

The proposal would provide a three bed, single storey dwelling. The proposed dwelling would be approximately 269sqm in area with three double bedrooms and a large living space. The garden would be split over two areas with a courtyard at one end of the building measuring approximately 67sqm and another area at the other end measuring approximately 287sqm in area.

The proposed dwelling would meet the requirements of policy 30 of the NNJCS and the Technical Housing Standards – nationally described space standards.

The proposed dwelling would provide adequate private amenity space, which would provide adequate space for refuse / recycling bins, cycle storage and laundry rotary along with space for relaxing and playing.

The current lawful use of the site and the adjacent land and buildings is agricultural with the site formerly being used for poultry rearing.

The applicant has confirmed that the adjacent land is in use for equestrian purposes and the other two buildings are currently used for B1 purposes including the storage of classic cars and a workshop for the applicant. There is currently an application KET/2018/0895 under consideration for the change of use of these buildings to mixed B1, B2 and B8.

The applicant has confirmed that the site and adjacent buildings have not been in use for poultry rearing in excess of 10 years and that it would not be viable for the site to be put back into use for poultry rearing.

The proposed use of the adjacent buildings is as follows:

Building One

Units 1, 2 and 3 - B1c (Light Industrial);

Unit 4 - Agricultural (to support horses being stabled on the land);

Building Two

Unit 6 - B2 (General Industrial) to be used by the applicant as a furniture workshop

Units 5, 6 and 8 - B8 (Storage and Distribution).

A separate unit at the end of building two (unnumbered) would be for farm use.

Building two is the closest building to the site with building one on the other side of building two away from the site. It is considered that the proposed uses in building two for farm use, a B2 workshop for the applicant and B8 uses would be acceptable adjacent to the proposed residential dwelling. The uses proposed for building one for B1c and agricultural uses would be separated from the proposed dwelling by building two.

Therefore it is considered that the proposal would be acceptable in terms of the amenity of future occupiers and in accordance with saved policy RA14 of the Local Plan and policy 8 of the North Northamptonshire Joint Core Strategy.

5. Impact on residential amenities

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The site is located in the open countryside with the nearest residential property being 7 Church Lane which is approximately 76m away with large agricultural sheds in between the site and no. 7. Given this separation distance, the reuse of an existing building and the other agricultural buildings in between, it is considered that the proposal would not have a detrimental impact on 7 Church Lane or any other residential properties.

There will be no unacceptable impact on the amenity of neighbouring residents, subject to conditions removing permitted development rights relating to extensions and outbuildings, through this proposal and it is therefore considered that the development is in accordance with policy 8 of the NNJCS.

6. Access and Parking

Policy 8 (b) of the JCS seeks to ensure that development has a satisfactory means of access and resist development that prejudices highway safety.

The Local Highway Authority (LHA) have stated that they cannot support the application due to inadequate information, they have requested the following:

- The access is shared with the existing agricultural uses; therefore it should be no less than 6m wide for the first 15m from the highway boundary.
- Vehicular and pedestrian visibility splays.
- Turning space within the domestic site and separately within the agricultural site
- A minimum of 2 car parking spaces plus 1 visitor space should be provided; spaces should be a minimum of 2.5m wide by 5m long.
- Cycle parking should be supplied at one space per bedroom

However, the submitted plans show that the access is a minimum of 6m wide at the entrance widening into the site. The required vehicular and pedestrian splays are shown and were considered acceptable by the LHA on the previous application KET/2017/0774. The drive to the residential property is a minimum of 9m wide and so is adequate for turning cars, there is also turning space for larger vehicles in the shared access and turning area adjacent to the main access for the site. The proposal shows two parking spaces with space for at least one more space and whilst cycle parking is not shown it is considered that there is adequate space for cycle parking, should it be required.

As such it is considered that subject to appropriate conditions, the proposal complies with the requirements of the LHA. Therefore the proposal is considered to be acceptable in terms of access and parking in accordance with policy 8 of the NNJCS.

7. Impact on flooding and sewerage provision

Policy 5 of the JCS, amongst other things, seeks development to reduce flood risk and contribute toward flood risk management. This approach is consistent with Chapter 10 of the NPPF, which says that proposals should not result in an increased chance of flooding on site or elsewhere.

As the site is under 1ha, located in flood zone 1 (least likely to flood) and as there is no watercourse within or in close proximity to the site the application does not meet the criteria that would trigger the requirement for a flood risk assessment to be undertaken and therefore the relevant flood authority is not a consultee. As such and with no reason to believe otherwise subject to the proposal be carried out in accordance with recognised modern drainage practices (including the provision of soakaways), which can be ensured via condition the proposal would not have an adverse impact to flooding on site or elsewhere.

In addition the ability of the existing foul water arrangements to cope with the development is a third party concern. There is also no reason to believe that the local sewerage network does not have capacity or that there is a wastewater problem in the area. As such and in the absence of evidence that would support a different view, the proposal is acceptable in this respect.

8. Impact on ecology

Paragraph 99 of Circular 06/05 states that: *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.* Likewise section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: *every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity.*

Policy 4 of the JCS, consistent with Chapter 15 of the NPPF seeks to protect biodiversity and promote ecological enhancement.

The County Ecologist has raised no objections to the proposals and considers that the proposal is unlikely to impact on any protected species. Therefore the proposal is acceptable in this regard.

9. Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area, residential amenity and parking. Subject to conditions the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: