

BOROUGH OF KETTERING

Committee	Full Planning Committee - 27/03/2012	Item No: 5.12
Report Originator	Louise Haggan-Craig Development Officer	Application No: KET/2012/0082
Wards Affected	Slade	
Location	The Elms, Isham Road, Pytchley	
Proposal	Full Application: Change of use from agricultural building to office at first floor and ancillary storage to ground floor. Infill of brick archways and genealogy use	
Applicant	Mr D Reynolds	

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 building shall be used only as a combined farm office and genealogy use on the first floor as defined in the application and ancillary storage on the ground floor and for no other purpose whatsoever (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: In order to define the terms of the permission and help to retain the character of the building in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Within 3 months of the date of this permission and prior to the commencement of any further works to be carried out to the building an archaeological programme of works including a timetable for such works and a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority. The scheme of works shall be implemented in accordance with the approved details.

REASON: To ensure that features of archaeological interest are properly examined and recorded in accordance with policy HE12 of PPS5.

3. No works shall take place on site until full details at a scale of no less than 1:5, of all windows, doors, timber finishes, hinges and loft hatch shutters have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the character and appearance of the Conservation Area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Works to the building shall be carried out in accordance with the recommendations contained within the Ecological Constraints Survey (Nov 2010).

REASON: To protect ecological interests within the site in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and advice contained in PPS9.

5. Within 3 months of the date of this permission and prior to the commencement of any further works to the building a scheme for enhancement measures to provide for bat roosts on site, incorporate new foraging opportunities, provide sensitive lighting and achieve biodiversity gain shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be fully implemented on site by the 30th November 2012 and permanently retained thereafter.

REASON: In the interests of safeguarding protected bat species in accordance with PPS9 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statements 1, 4, 5 and 7, Policies 2, 3, 22, 24, and 27 of The East Midlands Regional Plan, Policies 1, 9 and 13 of the North Northamptonshire Core Spatial Strategy and Policies 7 and RA14 of the Local Plan for Kettering Borough. The issues relating to design, impact upon the conservation area and the history of the site are material planning considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant policy considerations.

Officers Report

3.0 Information

Relevant Planning History

KET/2010/0623 – Change of use of shed to farm office – REFUSED and dismissed at appeal ref no (APP/L2820/A/11/2151811/NWF).

Site Description

Officer's site inspection was carried out on 14th February 2012.

The application site lies just outside the boundary of the village of Pytchley but within the Conservation Area. The site consists of a main farm building and a series of other buildings ranging from brick cart sheds to barn structures.

Proposed Development

This proposal is for a change of use from an agricultural building to a combined farm office and genealogy business located on the first floor of the cart shed together with ancillary storage (only) on the ground floor. The proposal includes the infilling of the existing brick arches to the ground floor of the building with timber gates and the reinstatement of the hay loft hatches to the first floor.

Any Constraints Affecting The Site

Open countryside
Pytchley Conservation Area

4.0 Consultation and Customer Impact

Pytchley Parish Council

Response received 5th March 2012.
No objections.

Northamptonshire Wildlife Trust

Response received on 17th February 2012.

'We find the broad scope and content of the ecological report to be acceptable. We recommend to you all of the ecologists own recommendations as made within section 9 of the report regarding biodiversity, retention, protection, enhancement and future mitigation measures which may be best achieved through the use of a planning condition. The Wildlife Trust is aware of the Bat Groups concerns regarding the procedure and approach that has been followed in relation to the bat survey work. We recommend you take account of their advice and feedback'.

Northamptonshire Archaeology

Response received 24th February 2012.

'Evidence for the development and use of the agricultural building will be altered or removed during the conversion. This does not represent an overriding constraint on the development provided that provision is made for the investigation and recording of any remains that are affected. Please attach

a condition for an archaeological programme of works in accordance with PPS5 – Planning for the Historic Environment’.

Neighbours

Letter of objection received on 14th February 2012.

Planning permission for this conversion has already been rejected after an appeal. Despite this, the offices are still operational. The building is a key building within Pytchley Conservation Area. The planned office is situated in a rural village environment that cannot support additional business traffic. The development would cause harm to the Pytchley Conservation Area for all the reasons outlined in the appeal APP/L2820/A/11/2151811’.

5.0 Planning Policy

National Policies

PPS1 – Delivering Sustainable Development

PPS4 – Planning for Sustainable Economic Growth

PPS5 – Planning for the Historic Environment

PPS7 – Sustainable Development in Rural Areas

Development Plan Policies

East Midlands Regional Plan

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 22 – Regional Priorities for Town Centres and Retail Development

Policy 24 – Regional Priorities for Rural Diversification

Policy 27 – Regional Priorities for the Historic Environment

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the network of settlements

Policy 9 – Distribution and Location of Development

Policy 11 – Distribution of Jobs

Policy 13 – General Sustainable Development Principles

Local Plan

Policy 7 – Protection of the Open Countryside

Policy RA14 – Reuse and Conversion of Rural Buildings

SPGs

Sustainable Design SPD

Background Papers

Town Centres and Town Centre Uses (Endorsed by Planning Committee 4th October 2011) Options for Re-use and Redevelopment of Rural Buildings and Farm Diversification (Endorsed by Planning Committee 15th November 2011).

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. History of the site
3. Impact on the Character and Appearance of Pytchley Conservation Area
4. Impact on the setting of a Listed Building
5. Amenity
6. Biodiversity
7. Archaeology
8. Highway Safety

1. Principle of Development

The site is located on the edge of Pytchley Village boundary within open countryside. Saved Policy 7 of the Local Plan for Kettering Borough resists development in open countryside unless provided for elsewhere within the Local Plan. Saved Policy RA14 (Local Plan) supports the reuse or conversion of existing buildings in open countryside subject to seven specific criteria being met.

Policy 1 of the North Northamptonshire Core Spatial Strategy states that development adjoining village boundaries will only be justified where it involves the re-use of buildings or other circumstances apply. Policy 9 of the NNCSS concerns the distribution and location of development and outlines a sequence of suitable locations in descending order of priority. Policy 11 of the NNCSS indicates that new employment sites will be allocated within or adjoining the main urban areas and criterion g of this policy also states that within rural areas, new employment development will be directed to rural and local service centres.

Policy 27 of the East Midlands Regional Plan supports the sensitive re-use of existing historic buildings with an overarching aim of understanding, conserving and enhancing the historic environment.

In respect of national planning guidance PPS4 is relevant as this application is for an employment proposal. PPS4 defines 'offices' as main town centre uses which should be directed to a town centre location. However Policy EC12 of PPS4 is specific to determining planning applications for economic development in rural areas and makes clear that the re-use of buildings in open countryside for economic development will usually be preferable to residential conversions. It makes clear that local planning authorities should where possible support small scale economic development where it provides the most sustainable option, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport.

Although now largely superseded by PPS4, elements of PPS7 also provide guidance for this proposal. The re-use of buildings is encouraged by this

document provided it does not result in excessive encroachment into the open countryside.

2. History of the site

Previously, an application was submitted in 2010 for a Change of Use from an agricultural building to a B1 use. This application was refused in January 2011 for two main reasons. The first was that the proposed B1 use was not considered to be a suitable use for a rural location and second, the proposal was considered to be inappropriately designed. The application was taken to appeal and the Inspector dismissed the appeal on the grounds that the proposed change of use would harm the character and appearance of the Conservation Area, 'the intended office use to cater for eight other farm businesses' was considered to be a poor location in terms of increasing travel to and from the site in conflict with policy 9 of the Core Spatial Strategy. This forms a material consideration in the determination of this application.

The new proposal for consideration no longer seeks planning permission for a B1 use. The proposed change of use requests a 'combined farm office and genealogy business located on the first floor of the existing building together with ancillary storage (only) to the ground floor'. It is considered that this application is materially different to the proposal originally submitted under (KET/2010/0623) because the application is no longer seeking a general B1 use. The proposed activity even including the other farming business operated by the applicant requires a maximum of four people to be employed at this site. As such although the appeal decision and previous refusal needs to be considered in the determination of this application, it is accepted that this application is a revised submission which does not have the same implications as the original scheme KET/2010/0623 for the reasons set out below.

The proposal is for 50% of the upper floor of the barn to be used as an office, predominantly as an ancillary function of this farm and also for administration duties for the applicants other farms. The genealogy element of the proposal forms approximately 50% of the first floor area only. This is classed as a B1 use and therefore would usually be directed to town a centre site/location or would have to demonstrate a sequential approach had been followed. In total only 4 people would be employed for both uses. It is considered that in fact the proposal would be more sustainable to have one office serving all the farms than 8 different offices with people travelling to and in between them. Also, the limited scope of the genealogy business does not constitute farm diversification. It therefore seems unreasonable in this instance to require a sequential test for an ancillary use within a farm building which only has two members of staff.

Since the appeal decision was issued, a background paper for the re-use and redevelopment of rural buildings and farm diversification has been published and endorsed by the Planning Policy Committee on 4th October 2011. This recognises that diversification into non agricultural activities is vital to the continuing viability of many farm enterprises. This also gives support to the

proposed change of use. This is a material consideration in the determination of this application.

3. Impact on the Character and Appearance of Pytchley Conservation Area
Section 72 of the Planning and Listed Buildings Act 1990 places a duty on all local planning authorities to have to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area. PPS5 echoes this requirement as part of the process of place-shaping.

The Elms site lies within the Pytchley Conservation Area close to the eastern boundary. The 1984 Conservation Area Appraisal states that the village is characterised by the complexity of its street pattern. The Elms is not specifically mentioned in the appraisal but the character of the property is clearly derived from its agricultural nature.

Any proposal which fails to maintain or enhance the character and appearance of the Conservation Area in accordance with Section 72 of the above Act should be refused. The proposal seeks to change the use of one of the buildings on site. The information provided with the application demonstrates that much of this is ancillary and the exterior design of the building will retain an agricultural feel. Modifications have been made to the proposed design since the previous application and appeal. Originally the proposal included the use of full height glazing within the brick arches of the building. However it was felt that this gave the building an 'office' appearance and did not positively contribute to the character and appearance of the farm and surrounding conservation area. The proposal as submitted now includes the use of timber doors with hinged features which will be used to infill the arches on the ground floor with a small amount of top glazing to allow natural light into the lower part of the building. In addition, the proposal also seeks the reinstatement of loft hatch shutters which would have been a feature of the original cart shed. These design alterations help to retain an agricultural appearance from an exterior view point and as such will not adversely impact upon the character and appearance of the building or the surrounding conservation area. It therefore respects the overall heritage asset associated with this part of Pytchley Village and accords with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Impact on the setting of a Listed Building

PPS5 – Planning for the Historic Environment echoes this requirement as part of the process of place shaping.

It is noted that the cart shed was originally built and designed as a storage building ancillary to the farm. The use being proposed still retains the ground floor of this building for storage purposes. As such, its original use will still be implemented in part. Coupled with the respectful design modifications to retain the agricultural appearance of the building, it is considered that the proposal in no way adversely impacts upon the setting of the listed building (No.5 Isham Road) which in any case is sited some distance away from the building and not considered to be directly impacted by the proposed change of use in this

instance. As such it accords with Development Plan Policy.

5. Amenity

The proposal is sufficiently distanced and shielded from neighbouring properties and does not significantly intensify the existing use of the site to levels which would adversely impact upon the amenity for surrounding occupiers. It is therefore an acceptable proposal in amenity terms and accords with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. Biodiversity

The Local Planning Authority has a duty to have regard to the protection and enhancement of wildlife/biodiversity in accordance with Planning Policy Statement 9 – Biodiversity and Geological Conservation. Whilst the application is not retrospective it is evident that the applicant has commenced works on site to clear the cart shed and undertake internal works (which does not amount to development and falls outside the scope of planning permission). As such, these works may have already given rise to adverse impacts on biodiversity hosts within the building. As with the previous application statutory consultees such as Northamptonshire Wildlife Trust and Northants Bat Group have not objected to the proposal but request that the recommendations set out within the submitted ecological survey are imposed by means of conditions. Specifically, the report recommends biodiversity retention, protection measures, enhancement and future mitigation. It is therefore considered that the recommendations would provide a safeguard for the protection of biodiversity and subject to the conditions proposed the application is in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the aims of PPS9.

7. Archaeology

The building proposed for the change of use forms part of the northern side of the farmyard. It is a two storey building with an open fronted cart shed on the ground floor. Although the construction date is unknown the Ordnance Survey of 1885 indicates construction prior to that time. The significance of this building therefore lies not just in its age and historic fabric but also in the history of its use as well as the relationship with other farm buildings on site. The archaeological advisor for Northamptonshire County Council has requested in this instance that due to the changes proposed to the exterior of the building it is important to record its historical details. This accords with PPS5 – Planning for the Historic Environment which states that where the loss of the whole or part of a heritage asset's significance is justified, local planning authorities request the developer to record the significance of the asset before it is lost by means of planning conditions. Subject to the imposition of the proposed condition this application is considered to be acceptable with respect to archaeology and as such accords with national guidance and Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. Impact on Highway Safety

The applicant has stated that the proposed development will result in the

creation of one additional employment post. This is not considered to result in excessive vehicular trips in and out of the site to warrant implications on existing levels of highway safety in the area. The access width into the site is in excess of existing standing advice relating to access arrangements. As such visibility splays are also deemed to be acceptable. Parking arrangements are satisfactory particularly for the level of activity proposed. There is a bus route in close proximity to the site which offers the potential for public transport use; although it is infrequent, it is considered to be acceptable given the low level of employment numbers on site and restrictive nature of the use proposed which is controlled by means of a recommended condition. Overall the proposal is not considered to have an adverse impact on highway safety and as such is accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy, Policy 48 of the East Midlands Regional Plan and the aims of PPG13 – Transport.

Conclusion

Overall, the proposed changes to the design of the building in addition to its defined specified use are considered to accord with Development Plan Policy. There are no material considerations to warrant refusal of this application and subject to the imposition of conditions this application is recommended to Members for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Louise Haggan-Craig, Development Officer on 01536 534316

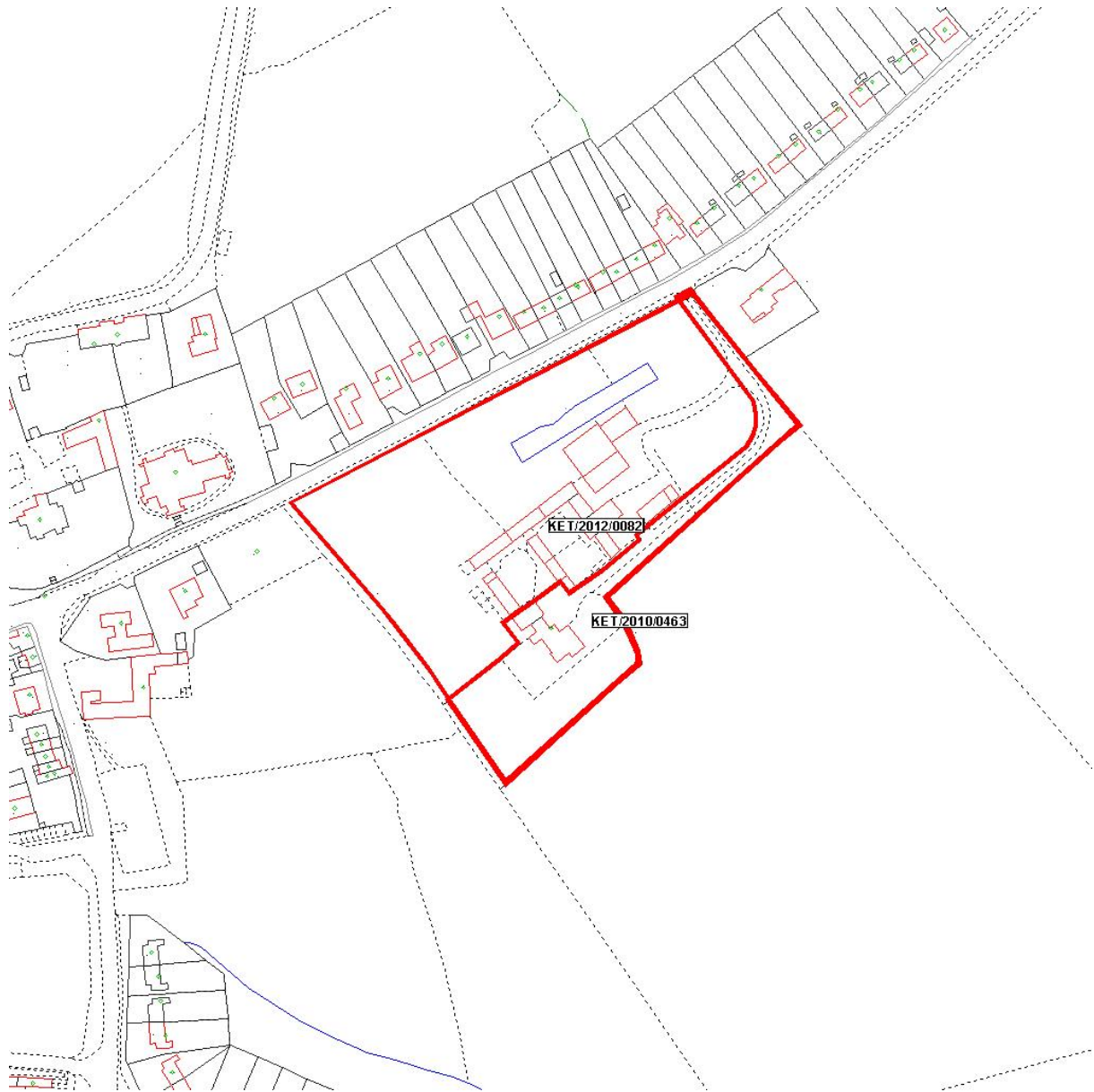
Previous Reports/Minutes

Ref:

Date:

SITE LOCATION PLAN

The Elms, Isham Road, Pytchley
Application No.: KET/2012/0082



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

LA078344

Date: 07/02/2012 Do not scale from this map. For illustrative purposes only.

