

PLANNING COMMITTEE

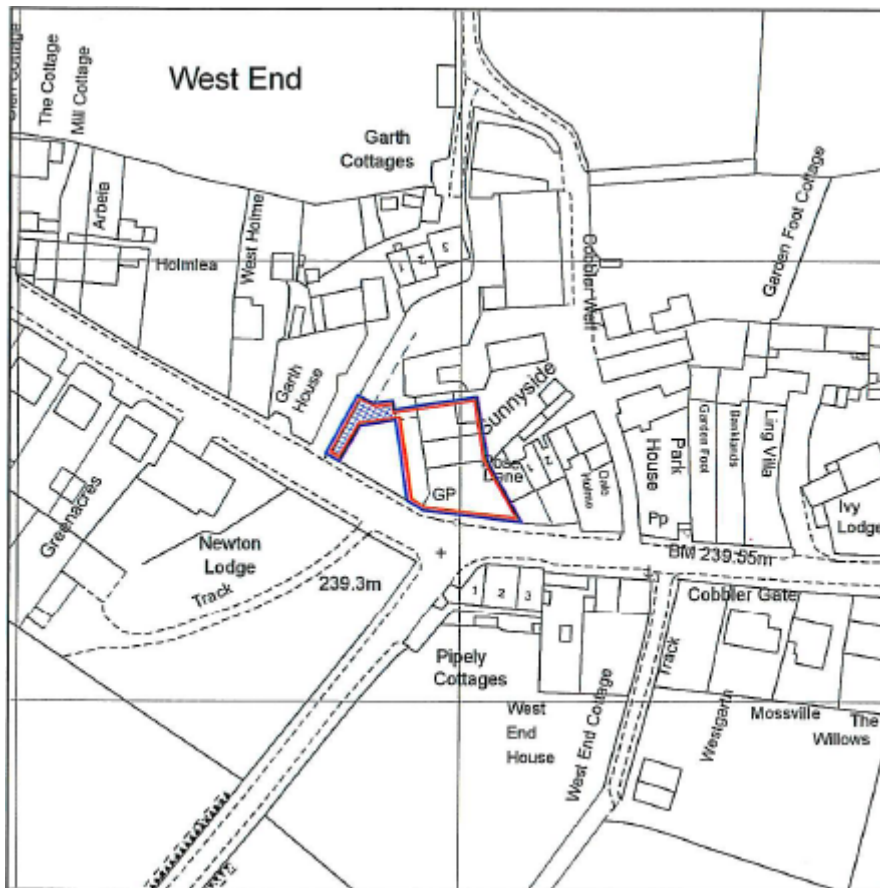
Wednesday 29th October 2008

This application is reported to Members because the applicant is a related to a council member.

Case Officer - Charlie Colling

MICKLETON - 6/2008/0303/DM

Conversion of barn & byre to dwelling house, including extension & demolition works, formation of new access & erection of garage at West Barn, Mickleton for Mr Ken Walton (24 July 2008).



THE SITE:

The site consists of a Grade II Listed barn with land adjacent. The site is within the development limits of Mickleton and the Conservation Area. The topography of the site is such that the land slopes gently down towards the north. Access for the site would be taken across an adjacent parcel of land. This adjacent parcel of land is not within the applicant's ownership, although the applicant does benefit from a right of way across the land. To the north of the site there is a working farmyard, with associated buildings, which is not within the applicant's ownership.

THE PROPOSAL:

Planning permission is sought for the conversion and extension of this existing barn and byre to form a two bedroom dwellinghouse, with attached garage and sunroom. The proposed development would require the partial demolition of a single storey attached stone byre and milking parlour, which are not listed.

PLANNING HISTORY:

6/2008/0308/DM/LB - Listed building consent for conversion of barn & byre to dwelling house, including extension & demolition works (pending).

6/1989/0045/DM - Erect calf rearing and calving building as extension to barn (approved)

6/1989/0040/DM/LB – Listed building consent for erection of calf rearing and calving building as extension to barn (approved)

PLANNING POLICY:

GD1 General Development Criteria

BENV1 Alterations, extensions and changes of use to a Listed Building

BENV3 Development affecting the character of the Listed Building or its setting

BENV4 Development within and/or adjoining a conservation area

REPRESENTATIONS:

Statutory and Internal Consultants:

Mickleton Parish Council – No objections

Natural England – The proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to the following condition:

No development shall take place unless in accordance with the mitigation detailed within the protected species report *Bat and Barn Owl Surveys for Outbuildings at West Barn Mickleton dated June 2008, author Veronica Howard*, including but not restricted to adherence to timing and spatial restrictions; and adherence to precautionary working methods.

Reason: To conserve protected species and their habitat.

The applicant should be informed that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06/2005.

Highways – The amended plans include the access location within the site and provide an area to allow vehicles to turn. This overcomes the objections raised in my original reply. I have no objections to the amended proposal from the highways aspect subject to the following requirement:

The access must be constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980. The developer must contact the Area Engineer, Southern Area, Etherley Lane, Bishop Auckland, DL14 6UQ, telephone 01388 602028 in this regard.

Design and Conservation Officer - This Grade II listed barn, dating from the early-mid C19, is one of a rapidly diminishing example of the underlying historic character of the Mickleton Conservation Area. Not only the building itself, but also the partly open setting, are a particular feature here. Perhaps fortunately, the primary listed barn building is already partly engaged with other builds at the rear which form an end enclosure when approached from the west and the new works roughly follow this pattern. The impact on the conservation area, as well as the listed building, are minimised to a point which is just within an acceptable level of change, which on balance will not destroy the fundamental character here. As usual, much will depend on the character and finesse of the details which are not easily extracted from the drawings in spite of some protracted pre-application advice. However, just about all the excesses of some of the earlier proposals have been eliminated and a reasonably sympathetic overall course has now been taken. Detailed drawings will ultimately be needed of all the usual elements but the scheme in outline is acceptable.

Public Responses:

Neighbouring properties have been consulted, a site notice posted and an advert placed in local press. One letter has been received from S Stewart of 1 Garth Cottages, Mickleton. Comments in summary are as follows:

- Whilst I do not in principle object to the conversion of the barn and byre, I am very concerned about the proposed access road from the B6277 being extended to provide “new access road onto the rear of premises for other”.
- This proposed access appears to be run along the stone wall adjoining my property and would only be a few metres away from my actual house.
- I am concerned that this proposed access road would be used for future development and have a significant impact on my quality of life.
- The plans do not explain why this additional access is required. I have never seen the existing gate access from the B6277 being used.

PLANNING CONSIDERATIONS:

Principle
Design
Impact on Listed Building/Conservation Area
Amenity
Access
Protected Species

Principle

Planning permission is sought for the conversion and extension of a Grade II Listed Barn with attached Byre with Milking Chamber. The proposed works require the demolition of part of the Byre and the Milking Chamber which are not listed. The site is situated within the development limits of Mickleton and the conservation area. As such the principle of the reuse of an existing building within the development limits would be considered acceptable. However it would need to be demonstrated that the extension and conversion works would not detrimentally impact upon the character of the existing building, its listed status, the wider conservation area and neighbouring amenities.

Design/Listed Building/Conservation Area

The proposed development would essentially retain the existing listed barn in its present form. However, there would be a two storey extension to the rear and some other single storey extensions to include a garage and sun room. The principle elevation of the building would remain unaltered, other than the replacement of the windows, doors and the addition of a rooflight and flue pipe.

The two storey rear extension would accommodate an entrance hall, WC and staircase to ground floor, and a bedroom, en-suite and hallway to first floor. The extension would have a pitched roof and would be set at a slightly lower ridge height to that of the main barn. The walls would be constructed in stone, and the roof finished in stone slates, with precise materials being controlled by way of condition.

The proposals also include the conversion and part demolition of an existing attached Byre and milking chamber. The Byre is single storey and of a substantial size. This building is not listed. It is proposed to demolish part of this Byre in order to allow for access to a proposed garage. The majority of the Byre would remain, although a section with a footprint of approximately 3.9m x 7.4m would be removed. The remaining Byre would be converted to provide a kitchen/dining room. To the west of this, protruding to the side of the main building would be a single storey sun room extension. This extension would have a large amount of glazing to the roof and to the southern (front) elevation. Given the gradient of the site and the position of the proposed sunroom, it is considered that this element would not be so prominent as to adversely affect the listed building or the appearance of the development as a whole. The design and conservation officer has indicated that the precise detail of this part of the proposal is very important to the success of the development which could be controlled by way of condition.

To the north (rear) of the site it is proposed to erect a single garage, which would be attached to the two storey rear extension, and a further single storey extension to the east of the building which would accommodate a covered lobby. The covered lobby would again have a largely glazed roof, although this would be difficult to see from ground level, given the sloping nature of the site. The proposed garage would form part of the boundary of the northern boundary of the site, which adjoins an existing farmyard. There are no windows proposed in the elevation of the garage abutting this boundary. The proposed garage would also provide a useful 'buffer' between the proposed development and the working farmyard.

The overall extent and form of the proposed extensions are considered to be acceptable with no adverse impact upon the character or setting of this listed building in accordance with Policy BENV1 and BENV3 of the Local Plan. The design and conservation officer has advised that a considerable amount of pre-application discussions have taken place and subject to the finer details being correct, (which can be controlled by way of condition) the overall scheme is considered to be acceptable.

The proposed scheme would have limited impact upon the appearance of the conservation area, with the main frontage of the building, which has a considerable contribution to the street scene, remaining largely unaltered. The extensions would largely be sited to the rear of the building, and those single storey elements to the side are considered to be appropriate in appearance and would have a reduced visual impact, given the topography of the site.

There is an existing stone wall to the front and rear boundary of the site. The curtilage proposed would appear logical and relative to the scale of the dwelling. There would be

no adverse impact upon the street scene or open space within the village. This aspect of the proposals is therefore considered acceptable, subject to suitable boundary treatments of dry stone walls, which can be controlled by way of condition.

Amenity

The site is detached from other buildings with there being a distance of approximately 27 metres from the northern boundary of the site to the properties known as Garth Cottages. To the west of the site there are no other buildings within the immediate vicinity. To the east there is a terrace of properties, with the nearest dwelling being 'Rosedene'. In the gable of the main barn which is set 'back', further north from the rear of this property, but does run adjacent, there would only be a single window serving a bathroom. It is therefore considered reasonable to attach a condition requiring that this window be obscurely glazed, in order to prevent any overlooking of the neighbouring property. There are other windows proposed in the side of the two storey extension which would again face this general direction. However, as the barn is set further north than the adjacent dwelling it is not anticipated that there would be any potential for overlooking from these other windows.

Access

Vehicular access for the site would be taken from the B6277. A new access would need to be formed in an existing stone boundary wall. The access track would be taken across an area of land which is not within the applicant's ownership. However the owner of land has confirmed in writing that they have granted the applicant a vehicular right of way over this land.

A turning area is also proposed to allow vehicles to manoeuvre so that they could enter and exit the site in a forward gear.

The highways officer has not raised any objection to the proposals. The occupier of 1 Garth Cottage has raised the issue as to where an access road annotated as 'new access road onto rear of premises for others' shown on the proposed site layout plan actually leads to. The applicant has advised that this is to allow the owner of the adjacent land, access to the land remaining within their ownership. All details of areas of hardstanding would be controlled by way of condition.

Protected Species

A protected species report has been submitted with the application which concludes that there was no evidence of any species of bat roosting in the building, and there was no evidence of barn owls using the buildings. Three common pipistrelle bats were recorded in the general area of the building. Mitigation measures have been proposed and Natural England have advised that they have no objections to the proposals subject to standard informatives and the works being carried out in accordance with the mitigation detailed in the protected species which can be controlled by way of condition.

PLAN Nos AND DATE RECEIVED:

WA01/22/0 rev c – Site Location Plan (rec 17/10/08)

WA01/01/0 – Existing Plan Layout (rec 24/7/08)

WA01/21/0 rev a – Proposed Site Layout (re 19/8/08)

WA01/02/0 – Existing Front (south) and West Elevations (rec 24/7/08)

WA01/03/0 – Existing Rear (north) and East Elevations (rec 24/7/08)

WA01/04/0 – Proposed Ground Floor Layout (rec 24/7/08)
WA01/05/0 – Proposed Front (south) and West Elevations (rec 24/7/08)
WA01/06/0 – Proposed Rear (north) and East Elevations (rec 24/7/08)
WA01/07/0 – Proposed First Floor Layout (rec 24/7/08)
WA01/08/0 – Proposed Roof Plan (rec 24/7/08)
WA01/09/0 – Proposed Cross Sections (rec 24/7/08)

RECOMMENDED: That conditional permission be granted subject to the following conditions:

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

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the information shown on the submitted application, full details of all materials to be used externally and the standard of their finish shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development, and thereafter the development shall be carried out in accordance with the approved details.

To protect the visual amenity of the surroundings and the character of the building in accordance with Policies GD1 of the Teesdale District Local Plan 2002.

3. A sample panel of stonework of minimum size one metre by one metre shall be constructed at the site, approved in writing by the Local Planning Authority prior to commencement of walling works and thereafter retained until completion of the development hereby approved. All stonework relating to the development hereby approved shall match the approved sample panel of stonework.

In the interests of the visual amenity of the area and in accordance with Policy GD1 of the Teesdale District Local Plan.

4. All windows and doors shall be constructed in timber. The windows shall be recessed a minimum of 75mm into openings.

In the interests of the character and appearance of the development in accordance with GD1 of the Teesdale Local Plan.

5. Before the development hereby approved is commenced, details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the agreed details.

In the interests of visual amenity and in accordance with Policies GD1 and BENV3 of the Teesdale District Local Plan 2002.

6. Notwithstanding the information shown on the submitted application, no development shall commence until full details of the height, siting, appearance

and construction of all means of enclosure to be erected on site have been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the agreed details.

In the interests of visual amenity and in accordance with Policies GD1, BENV4 of the Teesdale District Local Plan 2002.

7. Notwithstanding the provisions of Article 3 and Classes A, B, C, D, E, F, G, H of Part 1 and Classes A and C of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) none of the categories of development described therein shall be carried out on site without an application for planning permission having first been made to and approved in writing by the local planning authority.

To preserve the agricultural character of the building in the interests of visual amenity and in accordance with Policies GD1 and BENV3 of the Teesdale District Local Plan 2002

8. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Outbuildings at West Barn, Mickleton dated June 2008, author Veronica Howard' including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods.

To conserve protected species and their habitats in accordance with Policies GD1 and ENV8 of the Teesdale District Local Plan 2002.

9. Precise details of the construction of the sunroom shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

In the interests of the appearance of the development.

10. Precise details of all sections of glazed roof, including rooflights, shall be submitted to and agreed in writing with the Local Planning Authority, prior to the commencement of the development.

In the interests of the appearance of the development.

11. Prior to the commencement of the development precise details of the proposed flue including the colour, shall be submitted to and agreed in writing with the Local Planning Authority.

In the interests of the appearance of the development.

12. The first floor en-suite bathroom window in the eastern gable of barn, shall be frosted/opaque, and shall remain so unless the further written permission of the Local Planning Authority has been obtained.

In the interests of the amenities of the neighbouring occupiers.

13. No windows or doors shall be inserted until full joinery details of all windows and doors, including sections at a scale of 1:20, have been submitted to and

approved in writing by the Local Planning Authority and the development shall be carried out in accordance with those details.

To ensure a satisfactory form of development in accordance with Policies GD1 and BENV3 of the Teesdale District Local Plan 2002.

Informative

Planning permission, does not absolve you from complying with the relevant law, including obtaining and complying with the terms and conditions of any licenses required as described in Part IV B and C of the Circular 06/2005.

You may need to obtain a Natural England license prior to the commencement of works. Your ecologist should advise you in respect of this issue.

The access must be constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980. You must contact the Area Engineer, Southern Area, Etherley Lane, Bishop Auckland, DL14 6UQ, telephone 01388 602028 in this regard.