

EAST BERGHOLT – LAND REAR OF HIGH TREES FARM, GASTON END

Conversion and alteration of 2 (no.) agricultural barns to form 2 (no.) dwellings. Erection of 2 (no.) cartlodge garages. Alterations to existing vehicular access and driveway (existing modern agricultural building to be demolished).

Applicant: Mr R Hubbard

Case Officer: Gareth Durrant

SITE

1. The application site is situated to the north of the village and is accessed off the B1070, via the grounds of High Trees Bungalow. It supports two traditional timber-framed and weatherboarded barns and other less traditional farm buildings. There is also a pond within the site. The majority of the original structure of the barns remain in-tact. The barns are situated inside the defined 'built up area boundary' of East Bergholt, but part of the garden area of one of the barns and the access track to the site are situated outside the 'built up area boundary'. The rear wall of barn 2 forms the boundary of the site with 15 Quintons Corner.
2. The barns were once associated with the adjacent High Trees Farm, a grade II listed building to the east of the site, although they are not situated within its 'curtilage'. Listed building consent is not therefore required for the conversion works.

PROPOSAL

3. See report heading. The applications propose the conversion of the vernacular barns into two dwellings. The applications also propose the erection of two new buildings (both within the settlement boundary) to be used for garaging. The more modern buildings at the site are proposed for demolition.
4. A structural survey of the barn has been submitted with the application. The principal conclusions of the survey are summarised below;
 - The overall structures of both barns 1 and 2 are in a reasonable condition and will not require substantial demolition and rebuild works.
 - Strengthening will be required to the roof structures of both buildings through the addition of extra members to improve the existing structure. These do not constitute substantial re-build works.
 - The foundations are adequate for the development proposed.
 - Additional bracing will increase the robustness of the structure.
 - The proposal for both barns is to introduce new first-floor structure. The new structure should be self supporting through construction of a timber or steel frame which will also serve to increase the robustness of the barns.

- The development proposals will lead to the life of the barns being substantially extended.
5. The application was originally accompanied by a protected species survey which has since been appended by a Great Crested Newt survey.
 6. The planning application has been amended since its first submission. In particular the overall design of the conversions has been improved, including detailing more sympathetic to the agricultural character of the site and buildings and a reduction in the extent of openings and glazing proposed. The revised plans have been the subject of a further period of public consultation, the results of which will be reported verbally to the meeting. Summaries of the responses received, to the original application are reported below.

HISTORY

7. None relevant to the barns.

POLICY

PPS1 – Delivering Sustainable Development

8. Sustainable development is the core principle underpinning planning.
9. The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources.
10. Planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

PPS3 – Housing

11. The specific outcomes that the planning system should deliver are:
 - High quality housing that is well-designed and built to a high standard.
 - A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural.
 - A sufficient quantity of housing taking into account need and demand and seeking to improve choice.
 - Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.

- A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.
12. Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities.
 13. A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed.
 14. Using land efficiently is a key consideration in planning for housing. Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation with inappropriate space. Similarly, in Conservation Areas and other local areas of special character where, if proper attention is paid to achieving good design, new development opportunities can be taken without adverse impacts on their character and appearance.

PPS7 – Sustainable development in rural areas.

15. All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.
16. Many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location.
17. Local planning authorities should be particularly supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses, or to provide housing.

PPS9 – Biodiversity and Geological Conservation

18. The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests.
19. Planning authorities should ensure that species are protected from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.

PPG15 – Planning and the Historic Environment

20. Authorities considering applications for planning permission or listed building consent for works which affect a listed building are required to have special regard to certain matters, including the desirability of preserving the setting of

the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

21. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration.

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers.

22. The following policies are considered to be relevant to this application;

Suffolk County Structure Plan 2001

- CS1 (Sustainable development – general)
- CS3 (Location of housing development)
- ENV1 (Conservation of the built environment)
- ENV2 (Re-use of rural buildings)
- ENV3 (Design standards)
- ENV4 (The countryside)
- T9 (Parking standards)

Babergh Local Plan, Alteration No.2

- EN03 (Protected species)
- EN04 (Retention of natural features)
- EN05 (Biodiversity mitigation)
- HS02 (New housing in villages)
- HS03 (Villages)
- HS27 (Residential densities)
- HS28 (Infilling and groups of dwellings)
- HS29 (Design of new housing)
- HS32 (Public open space provision – small sites)
- CR10 (Change of use of agricultural land to domestic gardens)
- CN01 (Maintaining local distinctiveness)
- CN02 (Accessibility)
- CN04 (Crime prevention)
- CN06 (Listed buildings – including development affecting settings)
- TP15 (Parking standards)

OBSERVATIONS

Planning application, as originally submitted.

23. PC – recommend refusal on the grounds of insufficient information of the overall area with regard to landscaping and possible development of areas including buildings not catered for in this application. It does not satisfy neighbours concerns to safeguard their privacy. Part of the garden of Barn 1 is outside the built up area and should not be allowed.

24. CHA – recommends that any permission granted should include conditions relating to provision of the access (including layout and surfacing), provision of the parking and manoeuvring areas and the provision of the bus stop.
25. NE – No objection to the proposed development in respect of legally protected species as they are unlikely to be adversely affected by the proposed development (subject to the imposition of the recommendations of the consultant’s report, including further surveys to determine the presence of great crested newts).
26. SWT – are content with the consultant’s recommendations regarding bats and barn owls, subject to the imposition of suitable conditions. State that the site should be surveyed for great crested newts.
27. SCC Fire and Rescue Service – submit advisory comments.
28. SPS – make the following representations;
 - Have alternative uses to residential been considered, fully explored and ruled out of consideration?
 - Is residential development here not backland development encroaching into the countryside?
 - The conversion appears insensitive and does not retain the special character of the barns.
 - Of particular concern are the poor proportions to the dominant fenestration.
29. Dedham Vale Society – Application does not address the requirements of policy CR31 to demonstrate that all other possible uses for these barns have been explored and discounted. Conversion to residential use should be the last resort. The layout proposed is curiously generous and, together with the curious siting of the cart lodge, suggests that further development might be attempted in the future behind the two barns.
30. Four letters of objection have been received from local residents. The issues and objections raised are summarised as follows;
 - Overlooking of surrounding gardens from windows proposed to both barns.
 - Existing buildings should be used for garaging.
 - There is potential for further development at the site – not welcomed.
 - Bats have been seen at the site. The development will drive wildlife away from the site.
 - Barns could continue in agricultural use.
 - Architectural integrity of the buildings would be lost to the buildings by virtue of the conversion.
 - Peace and tranquillity of neighbouring properties will be destroyed.
 - Detrimental impacts upon residential amenity, the natural and built environment and the neighbouring listed building, all being contrary to policy HS02
 - No recognition of [private] rights of way over the site

- Pedestrian right of way is shown over my drive (High Trees House). Any such right claimed by the applicant will be resisted.
- Red lined site is incorrect and shows land not owned by the applicant. The treatment plant is shown on this land.
- Affordable housing is required, not dwellings of this size.

Amended drawings received 13th March 2007

31. PC – Recommend approval, subject to;
- No development outside the permitted building area as this would set a precedent for future developments.
 - Withdrawal of permitted development rights to prevent cartlodges from being converted in the future.
 - Neighbours concerns being taken into account.
32. NE and SWT repeated comments made in relation to the original application.
33. Three letters of objection received. The issues and objections initially raised (and summarised above) are essentially repeated.

Great Crested Newt Survey received 5th May and amended drawings received 23rd May 2007

34. A further round of public consultation has been undertaken on the survey and revised plans and at the time of writing, had not expired. Any additional comments received will be reported verbally to the meeting.

ASSESSMENT

35. The two barns proposed for conversion into dwellings are situated within the settlement boundary of the village. Accordingly, the conversion to residential use is considered acceptable in principle. Local Plan policy CR19, which requires a demonstration that a redundant buildings cannot be used for alternative uses (i.e. employment or community uses for example) before a residential re-use is considered acceptable, does not apply to this development. Policy CR19 applies to the re-use of buildings in countryside locations (i.e. outside the built up area boundaries of towns and villages).
36. The buildings proposed for conversion do not have a road frontage and could therefore be considered to be at a ‘backland’ location. The provision of new dwellings at this location would not normally be considered acceptable given that it would be contrary to the prevailing pattern of development in the vicinity and would be detrimental to the setting of High Trees House, a grade II listed building. However, the barns are already at the site and make a positive contribution to the setting of the listed building. There is therefore a general desire to secure the future of the buildings and a sensitive conversion to a residential use is likely to secure their long-term future.

The conversion details and cartlodges.

37. The scheme of conversion for the barns has sought to minimise the number of new openings for doors and windows required by utilising existing openings and

where new openings are required, they have generally been designed to appear 'non domestic' in their form and character.

38. The conversion retains the single open volume character of the barns and leaves the timber frame intact. The design approach as illustrated within the application is generally considered acceptable and has resulted from extensive negotiations with the architect and agent. It is considered that the conversion would preserve the setting of the listed building.
39. The two detached cartlodge buildings are proposed to provide garaging for the barns. These are generally considered acceptable, although it is considered that capped bargeboards should be provided as a more traditional detail.

Impact upon residential amenity

40. The dwellings in Quintons Corner which back on to the application site and High Trees Farm are particularly sensitive to the proposed conversions. It is not considered that the conversion of Barn 1 in the manner now proposed in the application would have a detrimental impact upon the amenities currently enjoyed by the occupiers of adjacent dwellings. The rear wall of barn 2 actually also forms the site boundary with No.15 Quintons Corner. Accordingly there can be no openings inserted into the walls of that elevation (not only is it unlikely to be acceptable under the Building Regulations but it also to prevents direct and indiscriminate overlooking into the neighbours garden area).
41. There are two windows proposed at first-floor level in barn 2 which have caused concerns to neighbours. Both serve a proposed bedroom and are the only windows to that bedroom. The first opening is on the gable end of the building facing south-east with potential views over the gardens of No's 14 and 15 Quinton's Corner and High Trees House. These windows are positioned at a high level such that any person in the room would only be able to look up and out of the windows. Accordingly, there is no potential for overlooking from this window. Conditions will need to be attached to ensure the internal first floor levels are not raised (or a new floor/mezzanine inserted) and to prevent new window openings being provided or the proposed opening enlarged.
42. The second contentious window opening is in the front elevation facing towards the private rear garden areas of High Trees House. The amended plans submitted indicate this opening will be fitted with obscure glass. The window cannot be fixed closed because it is required to provide means of escape under the Building Regulations. Accordingly, the method of hinging will be important to this window. Again, conditions will be required to ensure a sample of the obscure glass is agreed, is retained in its obscured form in perpetuity, to agree the method of hinging to the window and to prevent the insertion of new openings.
43. It is not considered that the conversion of barn 2 to a dwelling would have a significant impact upon the amenities of the occupiers of the adjacent dwellings, subject to the imposition of suitable conditions as discussed above.
44. A new field access is illustrated off the existing private access track (planning permission is not required) in order to remove the need for agricultural traffic to traverse the application site. This will protect the amenities of the eventual occupiers of the dwellings proposed in the application.

Impact upon the countryside

45. The access road to the site and part of the garden areas proposed to barn 1 are situated in the countryside, outside the defined settlement boundary of the village. The access track to be used to serve the development is existing with only slight re-routing proposed into the farmyard. Accordingly, no concerns arise. Policy CR10 of the adopted Local Plan addresses proposals for changes of use of agricultural land to domestic gardens in countryside locations, so its criteria is relevant to this application. The policy states that such development will not be permitted where, i) the scale of the proposal would have an adverse impact upon the landscape or biodiversity, ii) it would result in the loss of Best and Most Versatile Agricultural Land, iii) it would intrude into the open countryside, or iv) it would threaten the viability of a farm holding. The application proposal to provide part of the garden area proposed to barn 1 outside the settlement boundary of the village would not conflict with the provisions of the policy. There would be no adverse impact upon the landscape or biodiversity, the land is not cultivated, it would not threaten the viability of the farm and would not intrude into open countryside. In fact there is a well established hedgerow to the field boundary to the north west of the site (north of High Trees Bungalow) so the proposed boundary to the garden area of Barn 1 is a logical extension to that boundary

Highways

46. There are no highway safety/traffic convenience related concerns.

Protected Species

47. The applicant has provided two reports which assess potential impacts upon wildlife species of acknowledged importance. These are generally acceptable, although at the time of writing, comments were awaited from NE and SWT in relation to the great crested newts report. These comments will be reported verbally to the meeting, if available. The recommendation at the end of this report would, if accepted, ensure this matter is satisfactorily resolved before a decision notice is issued.

Conclusions

48. The barns make a positive contribution to the setting of the adjacent listed building and are considered suitable for conversion into two dwellings. The site is situated within the settlement boundary of the village where there is a general presumption in favour of new residential development. The buildings do not benefit from a road frontage and are sited behind existing dwellings. Accordingly, the erection of new dwellings at the site is unlikely to be considered acceptable. However, the buildings proposed for conversion are existing and are important to the setting of a listed building and their re-use for residential purposes, which would secure their long term future, is considered acceptable.

RECOMMENDATIONS

- A. Following the receipt of amended detailing to the proposed detached cartlodes as discussed at paragraph 39 above and subject to no objections (or adverse comments) to the great crested newt survey being received from Natural England or the Suffolk Wildlife, the Solicitor to the Council be authorised to

secure a Planning Obligation under Section 106 of the 1990 Act to ensure the payment of contributions towards public open space provision.

B. Upon completion of the Agreement, the Chief Planning Control Officer be authorised to grant full planning permission subject to the following conditions;

- As advised by CHA
- Materials (to garage and any new materials to be used externally in the conversions).
- Removal of permitted development rights (extensions, external alterations (including windows), outbuildings, means of enclosure etc.).
- Obscure glass and method of hinging to window to barn 2 (paragraph 42 above)
- No alterations to the first floor and no new floors (including mezzanines) within barn 2.
- Staining of timbers and joinery.
- Details of means of enclosure to be provided.
- Landscaping scheme
- Implementation of mitigation for protected species.
- Demolition of existing modern agricultural buildings.

Otherwise

C. Refuse planning permission. Reasons (as may be appropriate)

- Inadequate provision for public open space being contrary to Policy HS32 and PPG17.
- Adverse impact upon protected species, contrary to PPS9 and EN03.

DECISION

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