



COMMITTEE DATE 13/05/2020 **WARD** Hucknall West

APP REF V/2019/0825

APPLICANT I Glenn

PROPOSAL Barn Conversion to Form Dwelling

LOCATION Barn 3 Stubbinwood Farm, Watnall Road, Hucknall,
Nottingham, NG15 6FQ

WEB-LINK <https://www.google.com/maps/@53.0200716,-1.2305673,18z>

BACKGROUND PAPERS A, C, D, E, K

App Registered: 20/01/2020

Expiry Date: 24/04/2020

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. C Baron and Cllr. T Hollis on the grounds of Green Belt implications and issues regarding access.

The Application

The application site comprises of a detached agricultural barn located within the designated Green Belt. The building consists of a steel portal frame, with three sides enclosed by concrete push walls and Yorkshire timber open slatted vented boarding, whilst the roof of the barn comprises of a pitched roof, with mineral fibre sheeting. The front elevation of the barn is completely open in nature.

The applicant seeks planning permission for the conversion of the steel portal framed barn into one residential dwelling, with associated parking and amenity space.

Consultations

Site Notices have been posted together with individual notification of surrounding residents.

The following responses have been received:

Resident Comments:

2x Letters of objection received from local residents in respect of the following:

- Will lead to further development of the site

- Sheep have recently appeared on site for show purposes
- Building materials placed around the site attract vermin
- New access road will be sited adjacent to the private garden space of a neighbouring resident
- Proposal will exacerbate flooding

10x Letters of support received from local residents in respect of the following:

- Utilisation of existing building
- Improve the appearance of the area
- Improve security for nearby residents by reducing incidences of anti-social behaviour
- Proposal will not impact on the openness of the Green Belt
- Result in no increase in traffic
- Reduce amount of vermin

ADC Environmental Health (Noise):

No objection to the proposed development provided a condition is attached to any approval restricting hours of building operations.

ADC Environmental Protection (Contamination):

No objections to the proposed development, however an informative is requested in relation to asbestos.

NCC Highways Authority:

No objections to the proposal - standing advice provided.

Nottinghamshire Wildlife Trust:

No comments to make on the application.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019

- Part 5 – Delivering a Sufficient Supply of Homes
- Part 11 – Making Effective Use of Land
- Part 12 – Achieving Well Designed Places
- Part 13 – Protecting Green Belt Land
- Part 15 – Conserving and Enhancing the Natural Environment

Ashfield Local Plan Review (ALPR) 2002

- ST1 – Development
- ST4 – Remainder of the District
- EV1 – Green Belt
- HG5 – New Residential Development

Supplementary Planning Guidance Notes

Residential Extension Design Guide SPD 2014

Residential Car Parking Standards SPD 2014

Relevant Planning History

At present there are three individual buildings/ruins at Stubbingwood Farm which have all been the subject of previous applications seeking permission to be converted to residential properties.

Barn 1 – A steel portal framed building, with concrete push walls and open slated timber boarding to three elevations (the barn to which this application relates).

- 1994/0765
Details: Agricultural prior notification application for the erection of a barn
Decision: Approved
- X/2019/0825
Details: Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to a Dwelling (C3) and Associated Operational Development
Decision: Refusal

Barn 2 – Sited adjacent to the south of Barn 1, this is a brick built building of modest proportions. This barn exhibits a corrugated iron roof and four brick walls.

- V/2018/0604
Details: Conversion and Extension of Existing Barn to form Dwelling
Decision: Refusal
- V/2017/0364
Details: Conversion and Extension of Existing Barn to Residential Dwelling
Decision: Refusal (Appeal Dismissed)
- V/2017/0129
Details: Conversion and Extension of Existing Barn to Residential Dwelling
Decision: Conditional Consent

Barn 3 – Sited to the north-west of Barn 1, this is a ruin of an agricultural barn with no roof and walls showing signs of distress and cracking.

- V/2018/0585
Details: Conversion and Extension of Existing Barn to form Dwelling
Decision: Refusal
- V/2018/0025

Details: Conversion and Extension of Existing Barn to form Dwelling
Decision: Refusal

Other planning history at Stubbingwood Farm.

- V/2016/0024
Details: Application for Prior Notification of Agricultural Access Track
Decision: Permitted development, no prior approval of details requested.
- V/2015/0563
Details: Application for Prior Notification of Agricultural Development – Proposed Road
Decision: Refusal

Comment:

The application site comprises of a detached agricultural barn, with the surrounding land comprising of agricultural equipment and building materials. The building consists of a steel portal frame, erected in 1995, with three sides enclosed by concrete push walls up to a height of approximately 1.8m (when viewed internally), with the remainder of the three elevations comprising of open slatted Yorkshire timber boarding to a height of 5.5m. The front elevation of the barn is completely open in nature. The roof of the barn comprises of a pitched roof, with mineral fibre sheeting.

Access to the site is via an existing unadopted single track lane from Watnall Road, part of which comprises the agricultural access track obtained under Prior Notification in 2016.

Directly north of the site are open fields, with residential properties located to the east and south within the main urban area of Hucknall. Adjacent to the site to the south is single storey brick built building of modest proportions, referred to as Barn 2 in the above planning history, where planning permission was granted in 2017 for its conversion into a residential dwelling with an appropriately sized extension. To the north-west of the site is the remains of an agricultural building. This building exhibits no roof, and the four brick walls that remain are showing signs of distress and decay.

The application site is located outside of the Districts main urban areas or named settlements, in an area designated within the Nottinghamshire Green Belt, as identified by policy EV1 of the ALPR 2002.

Principle of Development:

The 2018-19 Housing Monitoring Report identifies that the Council are unable to demonstrate a 5 year housing land supply. Under these circumstances, Paragraph 11 of the NPPF 2019 makes clear that the policies which are most important for

determining the application are out-of-date, and as such permission should be granted unless:

- i. The application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Green Belt is identified in the footnote for paragraph 11 as a protected area, and as such the Green Belt policy should be afforded significant weight in the decision making process. National Planning Practice Guidance is also very clear that unmet housing need is unlikely to outweigh the harm to the Green Belt.

The fundamental aim of Green Belt policy, is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

In deciding this application, consideration must be given to Paragraph 146 of the NPPF 2019, which outlines certain forms of development which are not inappropriate in the Green Belt, providing the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Paragraph 146(d) includes the re-use of buildings, providing that they are of a permanent and substantial construction.

As stated, the proposal seeks to re-use the existing structure to convert it into a residential property, which in principle is not a form of inappropriate development. The Council however interpret the government's regulations and guidance as meaning the building proposed to be converted should have, before conversion, four walls and a roof. Such a view is supported by high court judgements, including *Hibbitt v SSCLG* (2016) EWHC 2853.

A structural survey has been submitted which indicates that a visual inspection has been undertaken on the redundant barn, with particular regard to its adequacy to form the shell of a domestic dwelling. No other explicit details have been submitted with the application in respect of what works are to be undertaken to allow for the conversion of the building.

No clear details have been submitted regarding the roof, however the structural report indicates that the timber purlins are adequate for current loading conditions, and may sensibly be recovered in PMS type roofing. Having regard to this information, the Council are of the impression that a replacement roof is proposed as part of the conversion works.

The structural survey indicates that the building benefits from a panelled concrete floor, which has no visible evidence of distress, and it appears, at present, practical to build an internal timber framed structure directly off this floor to form the basic structure of a two storey dwelling. The report however confirms that the floor slab would require a check to confirm adequacy, subsequently giving no guarantees that the proposed internal timber frame could be appropriately erected without further structural works.

In addition, with the exception of proposed plans, no specific details have been submitted regarding the construction of the entire new front elevation of the barn, or in respect of the construction of the upper half of the side and rear walls, and how this would be undertaken. As no window or door openings presently exist, it is acknowledged that new windows and doors will also be required to be added to the exterior of the barn to allow the barn to function as a dwelling.

Consequently, a troubling aspect of the proposal is the comprehensive nature of the building works to be undertaken. In effect, the only part of the building to be retained would be the existing steel frame, possibly the concrete panelled slab, but this is unclear from the submitted details, and concrete panels to a height of 1.8m on three exterior elevations although again it is not clear from the submitted details how these will provide adequate insulation and damp proofing without significant alterations and additions. The scope of the works to facilitate the change of use are therefore considered to be so extensive that they are tantamount to the creation of a new build dwelling, and therefore, the proposal cannot be seen to be compliant with the forms of appropriate development in the Green Belt, as identified in Paragraphs 145 and 146 of the NPPF 2019.

Consideration should also be given as to whether the proposal results in any harm to the openness and permanence of the Green Belt. Given the location of the application site to the urban area of Hucknall, this is an area of the Green Belt vulnerable to development pressures. The purpose of the Green Belt in this locality is to safeguard the countryside from further encroachment of urban development, and the outward sprawl of Hucknall to the west.

At present, the structure forms a complex of farm buildings and does not appear out of character with the appearance of the Green Belt.

As part of the application, an area measuring approximately 1,000sqm is proposed to form the residential curtilage of the dwelling, extending to the front and rear of the steel framed barn, and encompassing the garden space approved for the adjacent barn conversion in 2017. The significant size of the proposed curtilage is likely to result in the substantial increase in residential paraphernalia associated with the proposed dwelling within the Green Belt, resulting in an urbanising impact, subsequently reducing the openness and permanence of the Green Belt. This would consequently result in the area having a more suburban feel to it and much less of a rural character.

Paragraph 143 of the NPPF 2019 indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Whilst no very special circumstances have been submitted with the application, the applicant has provided representation since the submission of the proposal claiming very special circumstances, these include the loss of livestock and concerns regarding trespassing. Details provided with the application do however not indicate that the dwelling will be occupied by an agricultural worker, and as such, such incidences are unlikely to be reduced. The concerns raised therefore do not amount to very special circumstances for the approval of the application.

It is therefore considered that the applicant has not put forward any very special circumstances that would weigh in favour of granting approval of this application. The application has gathered support from a number of local residents in respect of improving the general appearance of the area. Whilst it is acknowledged that the scheme would go some way to improve the appearance of the farm building and immediate surrounding area, there are means and ways of improving the appearance of an area without the need to create a new dwelling.

Whilst the application would result in the provision of one new dwelling, the contribution from such is highly unlikely to have a significant effect in reducing the Council's existing housing deficit. In addition, the economic and social benefits of the proposal would be minimal.

The substantial weight given to Green Belt harm is clearly not outweighed by the above, and consequently the factors identified as weighing against the proposed development significantly outweigh the minor factors in its favour.

Residential Amenity:

The proposed barn conversion and extension would not result in any significant impacts upon the living conditions of neighbouring residents by way of massing, overshadowing or overlooking, due to the distance retained between neighbouring dwellings.

The proposal would also any future occupier with an acceptable standard of amenity, with internal space standards and an area of private amenity space compliant with the guidance contained within the Council's Residential Design Guide SPD 2014.

Highways:

Access to the site is via an existing unadopted single track lane from Watnall Road. The access track will measure approximately 350m in length, of which approximately 100m will comprise of the agricultural access track obtained under Prior Notification in 2016. The agricultural access track is little more than a mud track, and concerns are therefore raised in regards to the suitability of domestic vehicles utilising this

track to access the proposed dwelling, without significant engineering operations to make it suitable.

Further concerns are also raised in regards to the appropriateness of domestic vehicles utilising the same single width access track as agricultural vehicles, which would give rise to potential conflict between agricultural vehicles and cars.

Whilst the proposed access is of concern, it is acknowledged that the proposed scheme will create the provision for at least two off-street parking spaces, in accordance with the Council's Residential Car Parking Standards SPD 2014 for a three bedroom property.

Ecology:

Part 15 – Conserving and Enhancing the Natural Environment sets out that local planning authorities should aim to conserve and enhance biodiversity. In support of the application, a protected species survey has been submitted and no bats or nesting birds were found in the barn proposed for conversion.

Conclusion:

It is acknowledged that the proposal would provide a number of benefits, including support for a small house builder and other economic benefits that would be generated during the construction of the dwelling and occupation thereafter. The proposal would also assist in providing a contribution towards the Districts housing supply, albeit it modest.

Paragraph 144 of the NPPF however advises that substantial weight should be given to any harm to the Green Belt. Moreover, very special circumstances to allow inappropriate development will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this case, the extent of the proposed works required to allow the existing barn to function as a dwelling would be tantamount to a new build house, and as such, would constitute inappropriate development in the Green Belt. Furthermore, the extent of the residential curtilage proposed will result in an urbanising impact on the locality, subsequently reducing the openness and permanence of the Green Belt.

The very special circumstances alluded to by the applicant do not clearly outweigh the harm identified in relation to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, the proposal would be contrary to Part 13 – Protecting Green Belt Land of the NPPF 2019, and to policy EV1 of the ALPR 2002 which primarily seeks to protect the Green Belt from inappropriate development.

Concerns are also raised in regards to the proposed access, which utilises part of a single width agricultural access track, raising concerns regarding the condition of the

access, and the potential for vehicular conflict between agricultural vehicles and domestic vehicles.

Taking into account the development plan and other material considerations, it is considered that the principle of development at the application site is not acceptable, and fails to comply with planning policy at both a local and national level. It is therefore recommended that this application is refused.

Recommendation: Refuse Planning Permission

REASONS

- 1. The proposal constitutes inappropriate development within the Green Belt as a result of the substantial alterations and building works which would be required to the structure to convert it into a domestic property, which is considered to be tantamount to the creation of a new dwelling. Furthermore, the extensive area of proposed residential curtilage would further exacerbate the harm to the openness and character of the Green Belt, through the increase of domestic paraphernalia associated with the proposed dwelling. The substantial weight given to Green Belt harm is not outweighed by any other matters and consequently the very special circumstances required to allow the development do not exist. The proposal would therefore conflict with policies ST1 and EV1 of the Ashfield Local Plan Review 2002 and Part 13 – Protecting Green Belt Land of the National Planning Policy Framework 2019.**