

Application No: 11/0381C

Location: BARNS, SWANWICK HALL, BOOTH BED LANE, GOOSTREY

Proposal: CHANGE OF USE OF REDUNDANT BARNS TO LIVE WORK UNIT

Applicant: MR JOHN LIPTROTT

Expiry Date: 18-Apr-2011

**SUMMARY RECOMMENDATION:**

APPROVE subject to conditions

**MAIN ISSUES:**

The key issues for consideration are (i) the principle of conversion, (ii) design and conservation, (iii) ecological implications, (iv) highways (v) neighbouring amenity, (vi) public right of way

**1. REASON FOR REFERRAL**

In light of concerns expressed by neighbouring residents, the Local Ward Councillor and Goostrey Parish Council, this application has been referred to Southern Planning Committee for determination.

**2. DESCRIPTION AND SITE CONTEXT**

This application relates to a grouping of rural barns associated with the property known as 'Swanwick Hall Farm' in Goostrey. The agricultural use of the barns has long since ceased and they are currently used for storage ancillary to main the dwelling and for the applicant's business. The southern part of the complex comprises traditional brick built buildings with the northern quarter hosting more modern portal framed additions. The site is surrounded on all sides by open countryside designated fields. The site is accessed via a track leading some 430 metres from Boothbed Lane to the west. The main farmhouse is Grade II listed.

### 3. DETAILS OF PROPOSAL

Full planning permission is sought for the conversion of the existing redundant barns for use as a single live / work unit.

### 4. RELEVANT HISTORY

07/0486/LBC - Conversion of existing farm buildings into 4 dwellings and 4 new garages – Withdrawn  
29.08.2007

### 5. POLICIES

#### National Policy

National Planning Policy Framework (NPPF)

#### Local Plan Policy

PS8 - Open Countryside

GR1 - New Development

GR2 – Design

GR6 – Amenity

GR9 - Accessibility, Servicing & Parking Provision

GR16 – Footpath, Bridleway and Cycleway Networks

H1 & H2 - Housing Land Supply

H6 - Residential Development in the Open Countryside

BH4 – Listed Buildings (Effect of Proposals)

BH15 & BH16 - Conversion of Rural Buildings

NR2 - Wildlife & Nature Habitats

SPG2 - Private Open Space in New Residential Developments

SPD7 - The Re-Use of Rural Buildings

### 6. CONSIDERATIONS (External to Planning)

#### Highways:

No objection subject to conditions requiring the provision of 2 passing points along the access track and provided that the developer enters into a Section 184 Agreement of the Highways Act 1980 to reconstruct the existing highway access.

In response to issues raised by representation regarding the applicant's Traffic Statement (TS), the Strategic Highways Manager (SHM) has provided a response to each of the issues raised: These are:

- **The** document spells the name: 'Goostrey' as: 'Goosetrey' so this brings the credibility of the traffic statement into question. **Response:-** The S.H.M. feels it is clear that the report refers to 'Goostrey' and this spelling error is not a material consideration for objection on highway grounds.
- **The** TS mentions a local school on Booth Bed Lane which is incorrect. **Response:-** This is true however there are children crossing signs with a 'playground' supplementary plate which have clearly been misinterpreted. The question is whether this is a material consideration against the operation and traffic generation of the

development proposal in highway terms. Clearly Booth Bed Lane would suffer the congestion of school arrival and dispersal traffic if there was a school locally, so the fact that this is not the case simply means that local traffic does not suffer this occurrence. It is not therefore considered that this is a material consideration for objection on highway grounds.

- **The** TS claims that observed average speeds are below 30mph. The objector suggests that most 30mph speed limits suffer speeds in excess of 30mph and notes that the Parish Council have chosen to site a speed indicator device at the site facing incoming traffic in a southbound direction. Booth Bed Lane is claimed in the objector's comments as a 'speeding hotspot'. **Response:-** A third site visit was undertaken on Friday during part of the early evening peak hour (16.20pm to 17.00pm) and had the benefit of the Parish Council speed indicator device on site. The S.I.D. faced traffic approaching in a southerly direction (the leading direction) and in the 40 minute period recorded 8 free-flow vehicles and giving an average of 31 mph with a high of 38 mph. The S.I.D. was picking the vehicles up from approximately 200 metres away as they entered the 30 mph area. In addition 14 vehicles were counted travelling in a northerly direction, most of which entered one of the local estate roads. Being one-directional the S.I.D. did not record the speed of these vehicles however observations suggested that it was compliant with the speed limit as it was local and mostly accessing the estate side roads.
- **Speeds** of 50 and 60 mph have been recorded on this road. **Response:-** This is demonstrated in the S.I.D. record charts however those charts also show many of the 'spike' speeds to be in the late evening or early morning and also show the average speeds for Booth Bed Lane to be 26 and 24 mph on two different surveys (as claimed in the submitted Transport Statement). In addition the surveys show approximately 80% of vehicles to be travelling at 35 mph or less. This aligns with the findings of the third site visit.
- **Parental** parking on Booth Bed Lane for the play area obscures visibility when emerging from the Swanwick Hall access which is a potential danger to emerging vehicles and children. Also tractors and other equipment are parked nearby. **Response:-** This is true when a car parks on the tarmac apron across the verge. A photo provided by the objector shows this however on the 3 site visits cars were only parked on the carriageway of Booth Bed Lane and this allows the visibility splay to remain clear though it does cause impediment between vehicles emerging and vehicles approaching from the leading direction very close to the Swanwick Hall access. Site observations show the access to work well despite this partial impediment.
- **The** traffic generation figures are unrealistic when viewed against the available parking. **Response:-** Traffic generation is not calculated against available parking but against gross floor area of the proposed use-class. In this case the TRICS database does not have example sites which could be matched against this small scale proposal so use of the TRICS database would not be accurate with regard to this development. In this instance the TS suggests that 7 trips are a reasonable estimate of the traffic generation for this development. The Strategic Highways Manager recognises that this is an estimate based on professional judgement and

does not consider that the suggested traffic generation is unreasonable. The fact is that even if this number were doubled it would be of insignificant impact on Booth Bed Lane and would represent less than one vehicle every 4 minutes using the access. It is not therefore considered that this is a material consideration for objection on highway grounds.

- **No** mention is made of deliveries. **Response:-** This is correct however the track will continue to support the agricultural vehicle movements and occasional delivery movements are similar but will benefit from the general improvements to the access and track which will be the subject of planning conditions.
- **No** mention is made of the 'additional' traffic that will be generated from Swanwick Hall which is a big house and it seems reasonable that it may generate extra traffic. **Response:-** Swanwick Hall exists as does its traffic generation. The application does not relate to this aspect of the property as Swanwick Hall does not form part of the application site.
- **There** are at least two meeting rooms for local companies. **Response:-** Only one meeting room is shown on the application plans.
- **The** use of passing places on the track dictates that vehicles will have to reverse, endangering walkers. **Response:-** The provision of passing places will help minimise this occurrence over the current position where none are provided.
- **The** measurements/details for the revised entrance do not add up. **Response:-** The development proposal offers a revised access under Section 184 of the Highways Act which gives the Highway Authority control over specification.

#### **Environmental Health:**

No objection subject to conditions relating to land contamination and construction hours including piling.

#### **Environment Agency:**

No objection

#### **Public Rights of Way Unit:**

No objection – subject to advisories stating that:

- there is no diminution in the width of the right of way available for use by members of the public
- no building materials are stored on the right of way
- no damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way
- vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way
- no additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature

- no wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way
- the safety of members of the public using the right of way is ensured at all times"

The Rambler's Association have objected to this application.

#### **Jodrell Bank (University of Manchester)**

Comments will be reported to Members by way of an update.

## **7. VIEWS OF THE PARISH COUNCIL**

Object on the grounds of the increase in vehicular traffic close to the play area. A graph showing the vehicle speed data has been submitted from a vehicle speed detection unit (SDU) situated along Booth Bed Lane. Also concern regarding further and future development of the site. In the event that the application is approved, permitted development rights should be removed.

## **8. OTHER REPRESENTATIONS**

Letters and photographs have been received from 33 addresses objecting to this proposal on the following grounds:

- Increase in the number of vehicles arising from the business use from customers and employees
- The existing unmade road between residential properties and the children's playing park is 3.05 metres wide and extends some 90 metres. Obviously passing is impossible regularly witness large vehicles having problems with access.
- There will be a swimming pool to be used by a local swimming school
- The road is a public footpath and the limited width means that at the moment walkers have to stop and wait for the vehicle to pass.
- An increase in noise and pollution close to residential property
- Traffic speeding is already a problem without the increase of yet more vehicles
- The single track approach road is totally unsuitable for the volume of traffic this development is destined to create, employees, swimming pool users and new residents of the old farm house will add further regular traffic.
- The children's playground adjacent to the entrance of the access road also present a potential risk with cars being parked creating a lack of vision to the right.
- Impact on the Quality of life to the residents and visitors with an out of character development not in keeping with the rural village of Goostrey.
- Lack of information in submission
- Highway Safety
- Speeding traffic
- Hazardous to walkers using the PROW
- The submitted Traffic Statement is biased and contains Omissions
- Submitted map for revised access would involve moving PROW sign
- Obstruction of visibility splays by parked vehicles

- The access track was never intended to be used for a commercial venture
- Highways Consultant visited site when adjacent playground not in use
- Previous history of applicant disregarding planning conditions on approved developments
- At peak times, Boothbed Lane is heavily trafficked

## 9. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

Structural Survey

Protected Species Survey (including updated emergence survey).

Amended Plans

Traffic Statement

## 10. OFFICER APPRAISAL

### Principle of Conversion

The principle of converting existing rural buildings into residential use in the open countryside can be acceptable provided that the requirements of policies BH15, BH16 and SPD7 are met.

Policy BH15 states that schemes for residential conversion will only be permitted where the building is permanent and substantial and would not require extensive alteration, rebuilding or extension.

Policy BH16 states that the re-use of rural buildings for residential use will not be permitted unless every reasonable attempt has been made to secure suitable business re-uses or residential conversion is a subordinate part of a scheme for business reuse. In the case of live / work units, SPD7 states that the Council will support the re-use of rural buildings for suitable proposals.

The newly adopted National Planning Policy Framework (March 2012), advises that Local Planning Authorities should *'support existing business sectors, taking account of whether they are expanding or contracting'*. In addition it states that *'In considering applications for planning permission, Local Planning Authorities should apply the presumption in favour of sustainable development and seek to find solutions to overcome any substantial planning objections where practical and consistent with the Framework.'*

### Assessment

The barns are clustered around a small courtyard and comprises of an attractive two-storey traditional barn to the south with some smaller brick barns positioned on the opposite side of the courtyard with more modern portal structures attached on the opposite side. The two-storey element to the south would be converted to residential use with the northern components lending themselves to the business use. Due to their physical separation, the proposal would accord with the definition of a 'live / work' unit as it would comprise 'the provision of segregated living and working accommodation in a single self contained unit'.

The information submitted includes a structural survey, which concludes that generally the barn is in a reasonable condition and that significant rebuilding would not be required in order to facilitate the conversion of the barn to residential use. Nonetheless, there are areas that would require localised repairs to the external brickwork and as such the applicant has submitted a method statement specifying the affected areas that would require attention. Given that these areas are localised, it is considered that the buildings are capable of conversion and the proposal therefore complies with Policy BH15.

This proposal would support the applicant's business which is in its infancy. The business specialises in renewable energy systems. Whilst the farm is no longer a working one, the applicant still tends to the land and as such the proposal incorporates a modest store for implements. Additionally, the proposal incorporates an indoor swimming pool, which would be available for use by the local primary school for after school swimming classes. The proposed uses would comply with the requirements of policies BH15, BH16, SPD7 and would accord with the aims and aspirations of the National Planning Policy Framework.

## **Design & Conservation**

Where it is proposed to re-use or convert traditional rural buildings, it is important to retain as much of the original building fabric as possible and minimise alterations to help preserve the character of the building to help produce a successful conversion.

The two storey building to the south is an attractive traditional barn, which appears to date from the 19<sup>th</sup> century and has been extended through the addition of a single storey brick built lean-to on the north elevation. There is a two-storey open fronted hay barn positioned at 90-degrees to the main barn which is linked by a pitched roof. The proposed residential conversion seeks to combine both elements by glazing the void beneath the linking roof slope on the south facing elevation. The elevation on the north side is bricked up at ground floor level so only the upper part would be glazed. This approach would respect the existing character of the barn and has been secured through amended plans in response to comments made by the Conservation Officer.

The upper portions of the openings within the hay barn are already vertically boarded. It is proposed to continue the cladding down to the floor level to enclose the space and provide a storage area. Such treatment would respect the character and style of the barn, which has also been secured through amended plans and negotiation with the applicant. Within the main barn itself, use of the existing openings would be made and as such the conversion would allow the barn to retain its rural character and appearance.

With respect to the buildings towards the north of the site, the traditional brick built elements would be retained and converted sympathetically. Use of the existing openings would be made and where new are to be introduced, these would be formed by reopening previous openings. The existing portal structures which are attached to the northern portions would have their corrugated roofs and walls replaced with brickwork and slate roofs and where clay tiles are evident; these would also be replaced with slate. These proposals would not introduce any additional bulk within the open countryside and would improve the character and appearance of the site and would be more sensitive to the setting of the nearby grade II listed farmhouse.

With respect to the treatment of the curtilage, an existing area of hardstanding situated to the rear (west) of the buildings would be given over to parking (11 spaces). This area would also accommodate a detached single storey garage constructed using an oak frame with the exterior walls clad in timber and the roof tiled. The garage would be viewed against the back drop of the existing buildings and would not appear intrusive. Thus, the potential impact on the surrounding open countryside has been minimised to prevent an intrusive form of development. The design and considerations relating to conservation are deemed to be acceptable and the impact on the adjacent listed building would not be harmful.

## **Ecological Implications**

Rural buildings are frequently used by protected species. In view of the fact that the development proposes conversion of a traditional barn, the existence of protected species needs consideration. The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Local Plan Policy NR2 states that proposals for development that would result in the loss or damage of any site or habitat supporting species that are protected by law will not be permitted.

In line with guidance in the national Planning Policy Framework, appropriate mitigation and enhancement should be secured if planning permission is granted. Initially the application was supported by a protected species survey; however, this recommended further survey due to the discovery of some bat droppings. To address this, an updated emergence survey has been carried out which has confirmed that the buildings do not support an active bat roost. As such the Council's Nature Conservation Officer has offered no objection to the application but does recommended conditions aimed at improving the surrounding habitat.

## **Highways**

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate



and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

In response to concerns regarding the proposed uses and vehicle movements, the applicant has now provided a traffic statement via a highway consultant.

The maximum number of employees will be 6, with two being part time and 2 living in the residential unit. As most part-time workers work outside of the traditional peaks, in reality the only additional traffic will be 2 full time workers in the peak hour, which in traffic generation terms is minimal. The proposed use of the swimming pool by the local school will be outside peak times and not significant. The proposal will have no detrimental impact on the local highway network and will not worsen matters in relation to the adjacent play ground.

Visibility from the site access/egress is good in both directions and in excess of the 90m requirements for a 30mph road. The applicant accepts that the existing access construction would benefit from some minor improvement and has therefore offered to revise the existing access to bring it up to Highway Authority standards. It is also noted that the applicant will provide two inter-visible passing places on the access drive and these should be the subject of a planning condition.

The issues of traffic speed identified in representations are not a material planning consideration, and where on the highway, these are subject to enforcement by the Police. In any event, the Strategic Highways Manager has assessed the vehicle speed data along Boothbed Lane and has determined that average vehicle speeds are within limits and any spikes are outside of peak times. With respect to vehicles parking in visibility splays, this would be an obstruction and which again would be enforced by the Police.

It is considered that the access, parking and traffic generation are acceptable for this development and its scale. Subject to conditions, the proposal is deemed to be in accordance with Policy GR9 and the concerns expressed by local residents and the Parish Council would not sustain a refusal on highways grounds.

### **Neighbouring Amenity**

It is considered that a satisfactory standard of facilities could be obtained for the occupants of the barn and it is not considered that any instances of direct overlooking or loss of light would result. Adequate separation would be maintained within the existing farmhouse and the relationship between both buildings would be such so as to prevent any significant direct overlooking. As the scale of the buildings would remain unaltered, there would be no material harm to amenities by reason of loss of light or visual intrusion. The scheme is deemed to accord with policies GR6 and SPG2.

### **Public Right of Way**

Public footpath Goostrey No. 12 runs along the access track and travels directly through the farmstead. The Public Rights of Way Unit (PROW) have been consulted on this application and have offered no objection to the proposals subject to a number of advisories informing the developer of their obligations. The PROW unit advise that the footpath needs to be clearly and

appropriately signed to ensure that vehicles are made aware of pedestrians. This should be secured by condition.

With respect to the use of the track, the proposed traffic generation would not be as significant to materially harm user's amenity of the right of way. It is also important to acknowledge that the lawful use as a farm would have potential to generate greater frequency of trips and therefore the proposed use could offer some benefit. In the absence of objection from the PROW unit, it is considered that the proposal complies with local plan policy GR16 and a refusal could not be sustained on the grounds offered by objectors.

## **11. CONCLUSIONS AND REASONS TO APPROVE**

In conclusion it is considered that the principle of development is acceptable. The conversion would preserve the identity and character of the building and its architectural features and historic interest. It is considered that the scheme would make a positive contribution to and would not detract from the environmental, visual and physical quality of the surrounding open countryside. The proposal would provide an acceptable standard of amenity for the occupiers and would not materially harm the existing amenity afforded to the neighbouring properties. Subject to compliance with mitigation, species protected by law would not be significantly harmed. The proposal would not lead to or exacerbate existing traffic problems and the public footpath would not be detrimentally affected. Subject to compliance with conditions, the proposal is deemed to be in compliance with relevant development plan policies and the adopted National Planning Policy Framework and as such is recommended for approval.

## **12. RECOMMENDATION:**

**APPROVE** subject to the following conditions:

### **Conditions**

- 1. Commence development within 3 years**
- 2. Development to be carried out in accordance with amended drawings**
- 3. Permission relates only to the conversion of the barn indicated on the approved drawing and does not grant consent for demolition/reconstruction except where indicated on plans / structural report**
- 4. Submission of details/samples of external materials**
- 5. Rainwater goods to be cast metal painted black**
- 6. Submission of details of fenestration**
- 7. Windows and doors to be timber and set behind a 100mm reveal**
- 8. External doors to be timber vertically boarded**
- 9. Roof lights to be conservation style**
- 10. Removal of permitted development rights for extensions, outbuildings and gates walls and fences.**
- 11. Submission of details of positions, design, materials and types of boundary treatments**
- 12. Submission of detailed design plan for the junction arrangement, visibility splays and vehicular crossing**
- 13. Submission of contaminated land assessment / remediation if required**
- 14. Limits on hours of construction including delivery vehicles.**

- 15. Limits on hours of piling**
- 16. Submission of details for the incorporation of features for roosting bats**
- 17. Domestic curtilage for residential unit restricted to area shown on plans**
- 18. Existing dovecotes retained and filled with recessed brick and dyed mortar**
- 19. Developer to provide 2 inter-visible passing places prior to first use**
- 20. Hours of operation of the pool limited to 0930 to 1800 Mon-Sat and at no time on Sundays or Public Holidays**
- 21. Scheme for incorporation of `electromagnetic screening measures (Jodrell Bank)**
- 22. Submission of details of drainage for proposed swimming pool**



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**THE SITE**

Swanwick Hall

Shear  
Brook

Pond

Pond