

**UTT/15/1076/FUL – (High Easter)**

*(Referred to Committee by Cllr Barker. Reason: Considered that the proposal would be an improvement of what is already there)*

**PROPOSAL:** Conversion of redundant farm building to dwelling

**LOCATION:** Tarr Potts, Slough Road, High Easter

**APPLICANT:** Mr P Johnson

**AGENT:** Mr Mark Jackson, Mark Jackson Planning Ltd

**EXPIRY DATE:** 23<sup>rd</sup> July 2015

**CASE OFFICER:** Sarah Marshall

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**1.0 NOTATION**

1.1 Outside of Development Limits

**2.0 DESCRIPTION OF SITE**

2.1 The site is comprised of a 0.4hectare parcel of land which adjoins an open filed along the northern and eastern boundaries. The site lies to the north of the road, directly north of a tight corner of Slough Road and the front of the site follows the road around.

2.2 There is a single storey breeze block building with a high pitched roof with two projecting bays with gable ends. At present the site is used for keeping a few geese and is not considered to be used for agricultural purposes.

2.3 The site is situated approximately 800 metres north west from the settlement of High Easter. The surrounding location is characterised by open agricultural fields, farm buildings and farm houses. There is existing mature vegetation around southern boundary which provides screening from the road.

**3.0 PROPOSAL**

3.1 The proposal is to convert the existing building on site into a 4 bedroom dwelling with modifications including the increase in the height of the ridge of the roof to accommodate the installation of a first floor.

3.2 There will be glazing to the front of the building and to the flank walls. The only openings to the rear of the dwelling will be a window and a door on the ground floor and 10 rooflights providing all of the light into the rear rooms on the upper floor. The building will be clad with featheredged timber and the roof materials will be changed to a mixture of red pan tiles and slate.

**4.0 APPLICANTS CASE**

4.1 The applicants have stated in their planning statement that development meets the requirements of the NPPF and the Council's policies set out in the Uttlesford Local Plan. This is supported in the comments from Simon Randle of Gray's Inn Square Chambers. The planning statement then goes onto say that the regard for the recent

changes to the permitted development allowances should be taken into consideration. The new regulations allow for changes of agricultural buildings to be converted into residential properties however this site fails the tests and it could not be converted under the new regulations.

- 4.2 A structural engineering report has been submitted to confirm that the building is structurally sound and minimal works will be required to accommodate the proposed development with the exception of the works to increase the height of the roof.

## **5.0 RELEVANT SITE HISTORY**

- 5.1 UTT/14/0321/FUL - Retention of existing brick piers only Approved 25<sup>th</sup> March 2014
- 5.2 UTT/14/1145/FUL - Retention of existing gates- Refused 17<sup>th</sup> June 2015. This decision was appealed against and the Inspectors decision dismissed the appeal and upheld the refusal of permission
- 5.3 UTT/15/1098/CLP - Erection of 2m high gates- Certificate of Lawfulness for Proposed Development issued by the Council as the proposed gates meet the tests of Part 2 Class A of the Town and Country (General Permitted Development) Order 1995 (as amended) on the 12<sup>th</sup> May 2015

## **6.0 POLICIES**

### **6.1 National Policies**

- National Planning Policy Framework (NPPF)

### **6.2 Uttlesford District Local Plan 2005**

- S7 - The Countryside
- GEN1 -Access
- GEN2 – Design
- GEN8 – Vehicle Parking Standards
- E5 – Re-use of rural buildings
- H6 –Conversion of rural buildings to residential use

## **7.0 PARISH COUNCIL COMMENTS**

- 7.1 The Parish Council discussed this application at its meeting on Monday 6th June and agreed by a majority to object to the application on the grounds that the size and scale of the proposed extensions to the property would have a detrimental visual impact on the character and appearance of this part of Slough Lane and the surrounding countryside.

## **8.0 CONSULTATIONS**

### **Highways**

- 8.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following:  
No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

The above condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

### **ECC Ecology Advice**

- 8.2 Thank you for consulting us on the above application. I have no objections. The planning statement describes the building to be constructed from brick with a corrugated iron roof. Such buildings lack dark crevices for bats and are unlikely to support them. I do not consider the proposals to show potential to harm any other protected species.

### **Environmental Health**

- 8.3 No Objections Subject to conditions

#### **Public Health**

Tarr Potts Farm is supplied with water via a private distribution network. This is mains water supplied by Affinity Water to a customer at a different property, and which is then further distributed by the primary customer to other properties. Private distribution networks are risk assessed and regulated by the local authority. A risk assessment of this supply was carried out by the Environmental Health Department on 8th September 2014. Sampling of the water at residential properties found the water to be of unacceptable quality, and the affected consumers have been advised on appropriate measures to mitigate this. The applicant advised us that the water at Tarr Potts Farm was not used for human consumption, so no mitigation has been put in place here. It is not appropriate for a new residential property to receive unwholesome water for human consumption through the existing informal arrangement.

### **RECOMMENDED CONDITIONS**

A direct supply of wholesome water shall be provided to the dwelling.

### **INFORMATIVES**

The wholesome water may be from the public supply, or a private supply such as a borehole. A private supply should be registered with the Environmental Health Department. The applicant is advised to contact Environmental Health prior to installing a private water supply.

## **9.0 REPRESENTATIONS**

- 9.1 Site notices were put up on the 4<sup>th</sup> June 2015 and six neighbourhood letters were sent out. The Council received two responses. The two responses support the application for the following reasons:
- The proposed development will fit in sensitively with the local countryside
  - The central government are encouraging rural properties to be converted into residential property
  - The site is well within the village area for communal activities and has neighbours
  - By having occupants on the site safety in the area will improve

## **10.0 APPRAISAL**

The issues to consider in the determination of the application are:

- A The principle of the development (NPPF, S7, H6)
- B The visual impact on the countryside setting (S7, GEN2)

**A The principle of the development (NPPF, S7, H6, GEN1)**

- 10.1 At the heart of the NPPF is a presumption in favour of sustainable development, a key element of which is the role of contributing to the protection of the natural environment and recognising the intrinsic character and beauty of the countryside. Paragraph 7 and 14 of the NPPF outlines the three strands to sustainable development being economic, social and environmental.
- 10.2 Paragraph 55 of the NPPF states that in order to promote sustainable development housing should be located where it will enhance or maintain the vitality of rural communities. It goes on further to say that isolated sites should be avoided in the countryside unless the development meets the four criteria there are special circumstances. The four criteria for special circumstances are that
  - there is essential need for a rural worker to live permanently at or near their place of work; or
  - where such development would represent the optimal viable use of a heritage asset would be appropriate enabling development to secure the future of heritage assets; or
  - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
  - the exceptional quality or innovative nature of the design of the dwelling.
- 10.3 Policy GEN1 states that development shall only be permitted if it meets a number of criteria including that the development encourages movement by means other than driving a car. Due to the location of the site and the lack of cycle lanes or foot paths and that there are no bus routes which go past this site it is considered that the occupants would not be able to use alternative transport and would be reliant on vehicular transports.
- 10.4 Uttlesford Local Plan Policy S7 states that the countryside shall be protected for its own sake, and planning permission shall only be granted for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set unless there are special reasons why the development in the form proposed needs to be there. The character of the location is open countryside with the exception of a residential dwelling approximately 150 metres north-west of the site.
- 10.5 The site is located approximately 800 metres from High Easter which benefits from some services and facilities; Slough Road is a narrow country lane. There are no cycleways, footpaths or any street lighting and there are no public transport service routes on this road for the occupants to use who would then be dependent on private motor vehicles to get to and from the site. This is contrary to the NPPF and Policy GEN1 of the ULP.
- 10.6 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out. Policy S7 has been found to be partially compatible with the NPPF taking a more positive approach for protecting the environmental strand of sustainable development. Policy GEN1 is generally consistent with the NPPF which has more of an emphasis to sustainable transport modes.

- 10.7 Policy H6 of the ULP states that the re-use of the agricultural buildings will be permitted if all of the five criteria are met. The criteria is as follows
- it can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses;
  - they are in sound structural condition;
  - their historic traditional or vernacular form enhances the character and appearance of the rural area;
  - the conversion works respect and conserve the characteristics of the building; and
  - private garden areas can be provided unobtrusively.
- 10.8 The policy then goes on further to say that substantial building reconstructions or extensions will not be permitted and the conversion will not be permitted to residential uses on isolated sites in the open countryside located well away from existing settlements. It is considered that the proposal meets four of the five criteria, however it has not been demonstrated that there is not the significant demand for the site for a commercial activity.
- 10.9 Whilst this development will be reusing an existing building and will improve the visual appearance of the site, it is considered that the site is not located in a sustainable location and the occupants would be reliant on private motor vehicles to access any services and facilities and as such would not meet the social and economic strands of sustainable development as set out in the NPPF.

## **B The visual impact on the countryside setting (S7, GEN2)**

- 10.9 Policy GEN2 of the ULP states that development will not be permitted unless the design is compatible with the scale, form, layout appearance and materials of surrounding buildings; it safeguards important environmental features and helps reduce visual impact of new buildings or structures where appropriate; it helps to reduce the potential for crime; it minimises the environmental impact on neighbouring properties by appropriate mitigating measures; it would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing. The proposed alterations to the building involve the increase of the ridge height by 2.5 metres to a total height of 7.5 metres. The current building is not considered to be special or to particularly enhance the open countryside character. The proposed alterations will result in a building with the appearance of a traditional vernacular Essex Barn.

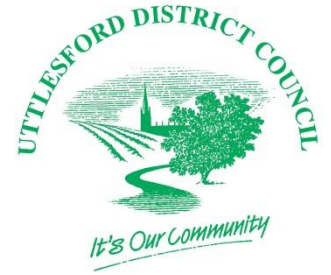
## **11.0 CONCLUSION**

The following is a summary of the main reasons for the recommendation:

- A Whilst the development will be reusing a redundant agricultural building, it is not considered that the site is within a sustainable location or necessary for this location and as such the occupants would be dependent on private motor vehicles to access services and amenities. As such the development fails to meet the NPPF, policies S7 and GEN1 of the ULP. Furthermore it has not been demonstrated that there is not the demand for a commercial activity in this location which could utilise this building and as such it is considered that the development does not accord with Policy H6 of the ULP.
- B It is considered that the proposed works to the building will improve the visual appearance of the building, and it would accord with policy GEN2 of the ULP.

## **RECOMMENDATION – REFUSAL**

1. It is considered that this development is not necessary for the countryside location and does not constitute sustainable development as required by the National Planning Policy Framework. Furthermore, due to the location of the site and the lack of footpaths, cycle ways and street lights there would be a reliance on private motor vehicles. The development is contrary to Policies S7, H6 and GEN1 of the Uttlesford Local Plan (adopted 2005) and the NPPF.



Application number: UTT/15/1076/FUL

Location: Tarr Potts Farm Slough Road High Easter



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