DELEGATED REPORT

Recommendation Made: 7 October 2011

Reference:- 11/00684/FUL **Parish:- Osbaston Parish Council**

Applicant:- Mr Edward Downs
C/O Agent

Location:- Ash Barn Fields Farm Goatham Lane Osbaston Nuneaton Leicestershire

Proposal:- CHANGE OF USE FROM TRACTOR SHED TO ANCILLARY USE TO THE DWELLING ASH BARN AND ASSOCIATED WORKS

Introduction:-

This is an application for full planning permission for the change of use from a trailer/tractor storage shed to an ancillary use to the dwelling known as Ash Barn, Fields Farm. The trailer/tractor storage shed was granted planning permission as part of a previous application (ref: 06/1350/FUL) granted full planning permission for the erection of a replacement utility building comprising of a triple garage and trailer/tractor store together with a hobbies/workshop at ground floor and storage in the roof space above. This application relates to approximately 37 square metres of floor space and proposes to allow the use of part of the ground floor of the utility building (the approved trailer/tractor shed) as a private office ancillary to the residential use of the dwelling. No changes are proposed in respect of the triple garage, hobbies/workshop or store above. The plans submitted indicate alterations to the external appearance of the building including the provision of folding doors with glass panels framed in oak on the north elevation to fully enclose the currently open trailer/tractor store and an additional internal door.

The utility building is located within the residential curtilage of a dwelling known as Ash Barn, a converted barn formerly associated with the adjacent Fields Farm which is in separate occupation. The site is located to the north east of Osbaston in the countryside as defined by the adopted Hinckley and Bosworth Local Plan and is accessed via a long shared driveway off Goatham Lane. The site is surrounded by agricultural fields, some of which to the west are in the ownership of the applicant.

The application is accompanied by a Planning Statement which advises that the applicant has made this application for the avoidance of doubt and to ensure clarity of the future permitted use of the various parts of the building.

Relevant Planning History:-

06/01350/FUL	Replacement Utility Building	Approved	23.01.07

Consultations:-

No objection has been received from the Head of Community Services (Land Drainage)

No response has been received at the time of writing this report from:-

Osbaston Parish Council
Newbold Verdon Parish Council
Ward Members
Neighbours

Development Plan Policies:-

National Planning Policy Guidance

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas

Adopted Core Strategy (2009)

No relevant policies

Adopted Hinckley & Bosworth Local Plan (2001)

The site is in the countryside as defined in the adopted Hinckley and Bosworth Local Plan Proposals Map.

Policy BE1: Design and Siting of Development
Policy BE20: Re-Use and adaptation of Rural Buildings
Policy NE5: Development in the Countryside
Policy T5: Highway Design and Vehicle Parking Standards

Other Documents

SPG on the Conversion of Rural Buildings (2004)

Appraisal:-

The main considerations in respect of this application are the principle of development and its impact on the appearance of the building, the character and appearance of the surrounding countryside, the amenities of the occupiers of neighbouring properties and highway safety.

Principle of Development

The site is located in the countryside as defined on the Adopted Hinckley and Bosworth Local Plan Proposals Map where Planning Policy Statement 7 (PPS7) and local policy NE5 are relevant. PPS7 in paragraph 17 supports the re-use of suitable buildings in the countryside and acknowledges that residential conversions may be more appropriate than commercial uses in some locations. Policy NE5 provides a presumption for certain types of development in the countryside including change of use, re-use or extension of existing buildings subject to a number of other material planning matters being appropriately addressed. Policy BE20 provides a presumption for development relating to the re-use and adaptation of rural buildings subject to a number of other material planning matters being appropriately addressed.

The utility building was originally approved as a replacement for a similar building that had reached the end of its useful life. A large proportion of the utility building is already used for residential purposes ancillary to the occupation of Ash Barn (i.e. garaging, workshop and storage). The trailer/tractor shed was originally approved as it was required at that time for the storage of agricultural equipment for the farming of adjacent fields in the ownership of the applicant. Since being constructed, the applicant no longer has a need for the trailer/tractor store as a third party with their own agricultural equipment is hired at appropriate times of year to tend to the fields. A condition restricted the use of the ‘garage’ for the purpose of parking motor vehicles and prevented conversion to additional living accommodation or commercial use without prior consent. Notwithstanding the precise wording of the condition, it is likely that the condition was also intended to relate to the trailer/tractor store. The reason for the imposition of the condition was to ensure adequate off-street parking was retained within the site and to ensure the use of the ‘garage’ remained ancillary to the main dwelling and the proposed change of use to an ancillary office as a replacement for a study within the main dwelling that has been converted to a play room maintains an ancillary use.

Adequate car parking will be retained within the triple garage and, if necessary, on driveway areas within the curtilage. As there is no longer a need for trailer/tractor storage, the proposed conversion to an ancillary office would be compatible with the use of the remainder of the building and would not be contrary to the reasons behind the imposition of condition 3. As a result, the proposed conversion to private ancillary office use is considered acceptable in principle subject to consideration upon the impact of the office use upon the

character and appearance of the building and the surrounding countryside, residential amenity and highway safety.

Impact on Character and Appearance

The proposed conversion of the open sided trailer/tractor shed will involve the installation of folding doors constructed of oak frames and glass panels to enclose it. The folding doors will be recessed under the canopy roof and will not be located on a prominent elevation. In addition, the proposed materials are compatible with the cedar boarding used in the construction of the utility building. Therefore the proposals will not result in any adverse impact on the character or appearance of either the building itself or the surrounding countryside.

Residential Amenity

The only immediate neighbouring dwelling is Fields Farm adjacent to the east of Ash Barn. The utility building is set well off the boundary with Fields Farm and is screened from Fields Farm by existing buildings. The proposed office will not face directly towards Fields Farm and the proposed use as a private office ancillary to the residential occupation of Ash Barn is unlikely to create any significant noise or disturbance. Therefore, it is considered that the proposal will not result in any adverse impact on residential amenity.

Highway Safety

Adequate enclosed car parking will be retained within the curtilage of the site. The proposed office will be used for private use ancillary to the main dwelling therefore no additional traffic will be generated to the building by the proposal.

Conclusion

In conclusion, the change of use of the trailer/tractor store is acceptable in principle, the use is compatible with the uses of the remainder of the building and the proposal will not result in any adverse impact on the character or appearance of the building, the surrounding landscape, residential amenity or highway safety. The proposal is considered to comply with PPS7 and policies NE5, BE1, BE20 and T5 of the adopted Local Plan and is therefore recommended for approval.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as the change of use of the existing agricultural building is acceptable in principle and will not result in an adverse impact on the character or appearance of the building or the surrounding countryside, residential amenity of neighbouring property or highway safety.

Hinckley & Bosworth Local Plan (2001):- Policies BE1, BE20, NE5 and T5

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan at 1:2500 scale; Block Plan Drawing No. 069/06/1 at 1:500 scale; Proposed Elevations Drawing No. 2412.02 and Proposed Floor Plans Drawing No. 2412. 20 received by the local planning authority on 24 August 2011.

3 The materials to be used on the external elevations of the ancillary office hereby approved shall be in accordance with the materials specified on the approved Proposed Elevations Drawing No. 2412.02 Rev B.

4 The office hereby approved shall only be used for private use ancillary to the residential occupation of the existing dwelling house known as Ash Barn.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

3 To ensure that the development has a satisfactory external appearance to accord with policies BE1 and BE20 of the adopted Hinckley & Bosworth Local Plan.

4 To ensure that the use remains ancillary to the dwelling house known as Ash Barn and to safeguard the use of the building to ensure compliance with policies BE1 and NE5 of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

Contact Officer:- Richard Wright Ext 5894