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Ellerslie Estate

Trading Co. Ltd.

**Prior notification of
proposed change of
use of agricultural
building to a
dwellinghouse
(Use Class C3) and for
associated operational
development
at
Kiln Lane, Paythorne**

**Planning Support
Statement**

September 2015

Janet Dixon

TOWN PLANNERS LIMITED

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1. INTRODUCTION

1.1 This Statement is submitted to Ribble Valley Borough Council in support of a prior notification for a proposed change of use of an agricultural building to a single dwelling house (Class C3) and associated operational development. The notification relates to a barn at Kiln Lane, Paythorne. In addition to this Statement, the following is submitted in support of the notification:

- a location plan;
- a plan showing the extent of the agricultural holding;
- existing plans / drawings; and
- plans / drawings detailing the proposed conversion.

2. THE PROPOSAL

2.1 The prior notification relates to a proposed change of use of an agricultural building to a single dwelling house (Class C3) and associated operational development.

2.2 The submitted plans / drawings show how the conversion would be carried out and, in particular:

- the existing external structural stone walls to the building would be retained, with localised repairs and pointing as required;
- the existing timber roof structure to the building would be retained, with localised repairs as required;
- natural slates would replace the existing corrugated cement sheet roof covering, with conservation style velux windows recessed into the roof covering;
- an insulated and damp proof concrete floor would be provided internally;
- blockwork would be provided and tied to the interior face of the external stone walls to achieve appropriate insulation levels;
- the internal first floor structure would be removed and replaced with a new timber first floor structure;
- the internal space would be partitioned to form the rooms of the dwelling house;
- new windows and doors would be inserted in the outer walls of the building, utilising the existing openings and some new openings to the gables;
- vehicular and pedestrian access from the public highway would be obtained via an existing access off Kiln Lane which presently serves the barn and surrounding fields.

3. APPLICATION SITE AND SURROUNDINGS

- 3.1 The site is situated to the southern side of Paythorne village and approximately 2.7km to north of Gisburn. Beyond the settlement of Paythorne the area is characterised by open undulating countryside with a scattering of development, including houses and farmsteads. The barn to be converted is situated within a field set back some 10 metres from Kiln Lane. The nearest dwellings, Hewitt's Farm and an adjoining converted former barn are located on the opposite side of Kiln Lane, at a distance of some 75 metres.
- 3.2 The agricultural barn to which this prior notification relates dates from the nineteenth century. It measures approximately 13.6 by 6.6 metres overall. It is of traditional stone construction with a pitched roof of more modern corrugated sheets. It has an eaves height of approximately 4.0 metres. Access to the building is via an existing track onto Kiln Lane. The building stands within a field. The building has evidently been used for agricultural purposes.

4. RELEVANT PLANNING HISTORY

4.1 Planning permission was granted in 2002 (reference 3/2002/0047) for conversion of the barn to a residential dwelling. The planning permission was not implemented.

4.2 A prior notification for conversion of the building to a dwelling was submitted in June 2015 (reference 3/2015/0499). The notification was refused on the basis of:

- insufficient information being submitted to demonstrate that the building satisfied various limitations of the General Permitted Development Order. The information had been submitted, but did not appear to have reached the case officer; and
- the arrangement of windows and doors were considered to detract from the character and appearance of the building and its locality. There were subsequent discussions with the case officer to resolve the matter. The plans and drawings now presented accord with the discussions and agreement reached with the case officer, as summarised in the email correspondence presented at Appendix A.

5. THE NEW PLANNING PROVISIONS

- 5.1 There have been a number of new planning provisions introduced over the past few years, with successive amendments to The Town and Country Planning (General Permitted Development Order) 1995, and the more recent consolidation by The Town and Country Planning (General Permitted Development) (England) Order 2015. With regards to agricultural buildings the provisions include for change of use to a range of uses, including shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotels, assembly and leisure, state-funded school, registered nursery and dwellings. These provisions were introduced with the intention of relaxing the planning system and, in relation to dwellings, increasing the supply of housing.
- 5.2 These provisions 'by-pass' the normal requirement for applications to be made for planning permission. That said, there is still a requirement to follow a 'prior approval' application process and there are limitations on the buildings that may benefit from these provisions and schemes that might be eligible. In summary, the limitations relating to a residential conversion, as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3, Class Q, are:
1. the site / building has to be an agricultural building in agricultural use (as part of an established agricultural unit) on 20 March 2013 (or, if vacant on that date, its last use has to have been agricultural);
 2. the floorspace of the existing building changing use to not exceed 450m² and / or the development must not result in more than 450m² of floorspace of building (including any others that may have been converted) having changed use;
 3. the number of dwellings to be created to be no more than three;
 4. miscellaneous matters relating to agricultural tenancies;
 5. no agricultural buildings to have been erected at the agricultural unit under permitted development rights since 20 March 2013;

6. the conversion must not exceed the external dimensions of the existing building;
7. works to the building may only be those reasonably necessary to convert the building, but allows for the installation or replacement of windows, doors, roofs, walls and installation of services to the extent reasonably necessary for the building to function as a dwellinghouse. Likewise, partial demolition is allowable but only to the extent reasonably necessary to carry out these building operations;
8. the site must not be within a conservation area, national park, AONB, a SSSI, a safety hazard area, or a military explosives storage area; and
9. the site must not contain a scheduled ancient monument, nor may the building be listed.

5.3 The effect of these provisions is to grant planning permission for the residential conversion, subject to the above limitations being satisfied and the local planning authority determining whether its prior approval would be required in relation to:

1. transport and highway impacts;
2. noise impacts;
3. contamination risks;
4. flooding risks;
5. whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to use as a dwelling; and
6. the design and external appearance of the building.

6. ASSESSMENT

6.1 In relation to the building to be converted and each of the limitations listed at 5.2 above, the following applies:

1. the site / building is an agricultural building, has only ever been in agricultural use (housing livestock and farming equipment / feed) since its erection, was in agricultural use on 20 March 2013 and continues to be. The farm agricultural holding number is 21/670/0013. The agricultural unit extends to some 197 hectares, the extent of which is shown by the blue edged plan submitted in support of this notification. There is no longer a requirement for the building to be kept for agricultural purposes;
2. the footprint of the existing building changing use is 90m², the floorspace of the existing building changing use is 140m² (allowing for the ground and upper floors and the thickness of the walls), ie not exceeding the 450m² limit, and the development results in 140m² of residential floorspace, ie not resulting in more than the 450m² limit. No other agricultural buildings at the agricultural unit (the extent of which is shown by the blue edged plan submitted in support of this notification) have changed use (or are proposed to change use) to dwellings under the new planning provisions;
3. the number of dwellings to be created is one, ie no more than the limit of three. No other agricultural buildings at the agricultural unit (the extent of which is shown by the blue edged plan submitted in support of this notification) have changed use (or are proposed to change use) to dwellings under the new planning provisions;
4. the site is not subject to any agricultural tenancy, nor has any agricultural tenancy been terminated in the past year;
5. no agricultural buildings have been erected at the agricultural unit (the extent of which is shown by the blue edged plan submitted in support of this notification) under permitted development rights since 20 March 2013;
6. the conversion works do not exceed the external dimensions of the existing building;

7. works to the building are as shown on the accompanying plans / drawings and as described at 2.2 above. These works are those reasonably necessary to convert the building, within the limitations provided for by the new provisions;
8. the site is not within a conservation area, national park, AONB, a SSSI, a safety hazard area, or a military explosives storage area; and
9. the site does not contain a scheduled ancient monument, nor is the building listed.

6.2 Having regard to 5.2 and 6.1 above, it is confirmed that all of the limitations set out in the new planning provisions are satisfied.

6.3 With regards to each of the matters upon which the local planning authority has to determine whether its prior approval would be required:

1. transport and highway impacts – the existing access onto Kiln Lane would be utilised. The local road network consists of country lanes. Kiln Lane is lightly trafficked. There is no reason to consider the network is not adequate to cope with the limited traffic associated with one dwelling. There would be space provided for the parking of residents' cars within the site and space is available to turn vehicles so that they could exit on to the public highway in a forward direction. Adequate visibility is available along Kiln Lane from the access point. In short, the proposal would have no detrimental impact on highway safety. The Highway Authority made no objection to the previous notification submission;
2. noise impacts – a residential use is essentially a quiet one. The nearest point of the barn to be converted and another dwelling is 75 metres. The access drive to the building proposed for conversion does not pass close to any of the existing nearby dwellings. As such, there is no reason to consider that the development would result in any adverse noise impacts. The Council's Environmental Health officers made no objection to the previous notification submission;

3. contamination risks - the building and surrounding land have only used for agricultural purposes. The Lancashire County Council mapping service 'Mario' history maps (dating from the mid-1800s) and aerial photos (dating from the mid-1940s) have been examined and do not indicate any history of ground disturbance, industrial or other activity at or in the near vicinity of the site which might suggest any contamination having been caused. Accordingly, there are no known contamination risks that affect the site or would affect the development. The Council's Contaminated Land Officer made no objection to the previous notification submission;
4. flooding risks - the Environment Agency Flood map shows that the site is within Flood Zone 1 (ie at the lowest possible risk of flooding – less than 1 in a 1,000 year probability of flooding). The site stands at a significantly higher level than the nearest watercourse and there is no known local ground water or surface water flooding issue. There would be no additional impermeable surfaces at the site to give rise to further surface water runoff and the risk of additional flooding elsewhere;
5. whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to use as a dwelling - the building is situated in a rural area near to Paythorne village with a scattering of development in the locality, including dwellings and other buildings. As such, the proposal would not form a visually intrusive feature in the local landscape. The conversion of the building to a dwelling would have no adverse impact on the nearest (approximately 75 metres at the nearest point) residential properties nearby through over-looking or loss of privacy. There are no uses or activities conducted in the area that would give cause for concern about impacts upon the living conditions that future occupants might expect enjoy. The applicant would ensure that the provisions of all other legislation is complied with. The case officer's report on the previous notification submission confirmed that there was no objection to the proposal on the basis of this criterion; and

6. the design and external appearance of the building – the barn is of traditional stone construction and of attractive appearance. The external alterations to the building are minimal, as shown by the submitted plans and drawings. The existing corrugated roof sheeting will be removed and replaced with a natural slate roof covering. The existing door and window openings in the north west and south east elevations are to be utilised and the existing vent holes in all elevations are to be retained. The only new window openings are to each gable elevation and velux windows in the roof covering. As such, the existing character and appearance of the building and its locality is maintained and, with the provision of a more visually appropriate roof covering, would be improved. The extent and nature of the external alterations are as agreed with the case officer following discussions that took place after the decision on notification 3/2015/0499, as summarised by the email correspondence presented at Appendix A.

6.4 Having regard to the above examination of each of the matters, it is concluded that there is no reason for the Council to seek more details of any of these matters for its further consideration.

7. CONCLUSION

7.1 It has been demonstrated that the proposed conversion of the agricultural building at Kiln Lane to a single dwelling would satisfy all of the limitations set out in the new planning provisions. The effect of the proposal satisfying these limitations is to grant planning permission for the residential conversion, subject to the local planning authority determining whether its prior approval would be required in relation to specific considerations. Each of these considerations has been examined and it is demonstrated that there is no reason for the Council to determine that its prior approval of any these matters is required. In particular, the matters referred to in the August 2015 decision for notification 3/2015/0499 have been addressed in full to the satisfaction of the case officer for that notification.

7.2 For the reasons set out in this Statement the Council is respectfully invited to determine that its prior approval is not required and that the development may proceed.

8. APPENDIX**A. Email correspondence with case officer following the decision for notification 3/2015/0499**

From: Mike Gee
Sent: 27 August 2015 10:08 AM
To: claire.booth@ribblevalley.gov.uk
Subject: RE: 3/2015/0206 - Kiln Lane Barn, Paythorne

Claire

I write to confirm our telephone conversation yesterday.

In short, you considered the outline of works in my previous email (below) to be acceptable. That is:

- use of all existing openings in the front and rear elevations unchanged from the as existing openings;
- formation of two windows in each gable, provided that they are re-sized from the previous proposal so that they appear less 'urban', ie slight reduction in width; and
- formation of two roof velux openings, one to the rear roof slope and one to the front roof slope.

Thank you for your assistance and all the best at Oldham.

Yours,

Mike

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From: Mike Gee
Sent: 21 August 2015 3:36 PM
To: claire.booth@ribblevalley.gov.uk
Subject: RE: 3/2015/0206 - Kiln Lane Barn, Paythorne

Claire

I write further to our conversation on Wednesday.

I note your confirmation that the farm estate plan provided with my 6 August 2015 email provides the required information in order for the matters subject to reason for refusal 1 to be addressed, ie assessing whether PD rights have been taken up elsewhere on the farm holding etc.

As for reason for refusal 2, this relates to design considerations. In short, you confirmed that you are seeking fewer changes from the existing openings than were put forward in the refused submission.

Having regard to your comments, I attach a copy of the existing elevations on which I have marked in yellow the existing openings to be utilised as they are, ie retaining and utilising the existing openings to the front and rear elevations unchanged.

As for the gables, you thought the proposed openings are too 'urban' in appearance. I take it that you felt the proportions to be incorrect and suggest the answer is to reduce their width slightly. I have not sought to draw these accurately on the attached plan, only to indicate the proposed number / general positions in red. I trust you will find the change in proportions to be sufficient.

As for the velux, I suggest reducing the number from four to two, one front and one back. Again, I trust you will find that appropriate. I should add that the non-original but existing corrugated sheet roof covering would be replaced by natural slate and trust that you will weigh this decided benefit from the conversion scheme in the overall balance.

I look forward to hearing from you so that I can then arrange with the architect for the amended plans to be drawn up and re-submitted as soon as possible.

Thanking you in anticipation of your assistance and best wishes in your new position at Oldham.

Yours,

Mike

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From: Mike Gee

Sent: 06 August 2015 3:00 PM

To: claire.booth@ribblevalley.gov.uk

Subject: 3/2015/0206 - Kiln Lane Barn, Paythorne

Claire

I write further to receipt of the refusal decision relating to the above and our conversation this afternoon.

I understand the delegated report for this application has yet to be signed off by John Macholc. Once it has been it will be available for inspection. I'd be grateful if you could send me a copy once it is available.

You helpfully confirmed that there was no objection to the principle of the barn's conversion under the new permitted development provisions. Also, with some further information and appropriate adjustments to the design an approval would be forthcoming.

The lack of information you referred to appears to relate to the extent of the agricultural holding. It would appear you did not receive a plan showing the extent of the holding, although it was submitted. FYI I enclose a copy.

Once your delegated report is available and I have returned from holiday on 17th August I will speak to you to ensure I fully understand your various requirements and a further submission can be made.

Yours,

Mike

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