

<b>Application No:</b> 2009/0019	<b>Application Type:</b> Full
<b>Proposal:</b> Conversion of redundant barn to dwelling	<b>Location:</b> Hedges Barn, Broadclough, Bacup.
<b>Report of:</b> Planning Unit Manager	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 20 April 2009
<b>Applicant:</b> Mr. B Marvelley	<b>Determination Expiry Date:</b> 13 March 2009
<b>Agent:</b> Hartley Planning & Development Associates	

**REASON FOR REPORTING** **Tick Box**  
**Outside Officer Scheme of Delegation**

**Member Call-In** **X**

Name of Member: Cllr J Eaton

- Reason for Call-In:
1. The barn is over 200 years old and close to the town centre.
  2. Permission has previously been granted for its conversion.
  3. The dwelling will be lived in by the applicant and needs to be close to his animals and machinery

**More than 3 objections received**

Other (please state) .....

**HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

**Article 8**

The right to respect for private and family life, home and correspondence.

**Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

## **APPLICATION DETAILS**

### **1. SITE**

The application relates to a detached barn located in the Countryside Area to the north-west of the Urban Boundary of Bacup, accessed via an unadopted track extending from Burnley Road.

The barn is of traditional design and stone/slate construction, with wagon opening in its front and rear elevations. A small lean-to single storey brick build extension is added on the rear elevation. A large timber-built structure added to the north-west gabled. When the site was recently visited the timber lean-to structure was being used for pig-rearing and the barn appeared to be used (in part) for agricultural storage purposes.

The applicant formerly resided at the farmhouse situated 70m to the south-west of the barn, known as Setting Barn Farm. He now resides in a static caravan brought on to the land in November 2008 and sited immediately to the north-west of the barn.

### **2. RELEVANT PLANNING HISTORY**

1987/641 : Change of use of barn to dwelling  
Approved

1994/160 : Renewal of permission for change of use of barn to dwelling  
Refused by Committee in February 1994 on the grounds that the proposal was contrary to PPG7, the barn being used for agricultural purposes and the only agricultural building available to Setting Barn Farm, and to allow its conversion may result in pressure for erection of a replacement agricultural building, to the detriment of landscape character.

### **3. THE PROPOSAL**

The proposal is for the conversion of the barn to form a three-bedroomed dwelling. It is proposed that the small lean-to and large timber-built structure be removed, the wagon openings be utilised as the principal windows/doors, a limited number of new additional windows and rooflights are also proposed. It is proposed that all window frames and doors would be of timber construction. The proposed car parking area would be finished in limestone chippings, occupying that area were the timber-built structure stands.

A structural survey has been submitted as part of the application, indicating the building to be structurally sound and capable of conversion without significant re-build.

The applicant advises that if conversion of the barn is granted, the caravan would be removed upon the occupation of the proposed dwelling by him and his family.

In support of the application, the applicant point out:

- That he owns approximately 40 acres of the agricultural land adjacent to the barn but can no longer make a living from agriculture.
- The barn is no longer used by him for commercial farming activity.
- The barn has been marketed for commercial purposes for several months without any interest.
- The proposed dwelling will be used in part for employment purposes in that the applicant will look to use the home office for his fencing business.
- The barn is some 200 years old and is no longer in use. It is imperative that barns of this character and appearance are not lost forever.
- The barn is structurally sound and has a unique character and appearance worthy of being retained.

#### **4. POLICY CONTEXT**

##### **National**

PPS1 Sustainable Development  
 PPS3 Housing  
 PPS7 Rural Areas  
 PPG13 Transport

##### **Development Plan**

###### **Regional Spatial Strategy (2008)**

Policy DP1-9 Spatial Principles  
 Policy L 4 Regional Housing Provision  
 Policy L 5 Affordable Housing  
 Policy RT2 Managing Travel Demand  
 Policy EM1 Environmental Assets

###### **Rossendale District Local Plan (1995)**

DS1 Urban Boundary  
 DS5 Development Outside the Urban Boundary & Green Belt  
 DC1 Development Criteria  
 DC4 Materials

##### **Other Material Planning Considerations**

RBC Core Strategy  
 RBC Interim Housing Policy Statement (July 2008)  
 RBC Rossendale Strategic Housing Market Assessment (October 2008)  
 LCC A Landscape Strategy for Lancashire  
 LCC Parking Standards

#### **5. Consultation Responses**

##### **LCC (Highways)**

No highways comments

##### **LCC (Archaeology)**

Should the Local Planning Authority be minded to grant planning permission, it is recommended that a condition be imposed requiring detailed archaeological record of the building prior to the conversion works commencing as the barn is of historic interest, dates from the latter half of the 17 century/first half of the 18 century.

## **6. Notification Responses**

A site notice was posted on 5 February 2009 and the relevant neighbours were notified by letter on 29 January 2009 to accord with the General Development Procedure Order.

A resident of Causeway Head Farm has written pointing out that he has no objection to the proposal provided that no commercial business is carried out from the proposed dwelling.

## **7. Planning Issues**

The main issues to be considered in the determination of this application are as follows:

- 1) Principle
- 2) Housing Policy
- 3) Neighbours amenity
- 4) Design/Appearance
- 5) Access/Parking

### Principle

In the adopted Local Plan the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area, unless for the rehabilitation and re-use of buildings, providing that they comply with Policy DC1.

Government guidance in respect of Rural Areas is set out in PPS7 and is more up to date than the Local Plan. Paragraph 17 states that the Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside, but re-use for economic development purposes will usually be preferable, although recognising residential conversions may be more appropriate in some locations and for some types of building.

In 1994 the Council refused permission for the conversion of this agricultural building on the grounds that the proposal was contrary to Government guidance, the barn being used for agricultural purposes and the only agricultural building available to Setting Barn Farm, and to allow its conversion may result in pressure for erection of a replacement agricultural building, to the detriment of landscape character.

The owner of Setting Barn Farm has sought to sever the farmhouse from the barn and most of the land worked as part of that farm. The applicant has acquired the barn and most of the agricultural land associated with it. It no more appropriate now than it was in 1994 to permit the conversion of this building when this is the only agricultural building available with the land.

Even if I were satisfied that proper arrangements had been made to enable 40 acres of land owned by the applicant to be worked without need of this agricultural building I do not consider the applicant to have made the case for setting aside the preference in Government guidance for another employment use to be found for it. That it is said a small part of the proposed dwelling would be used for the running of the applicants

fencing business would not satisfy this requirement. Nor has the property been adequately marketed to establish whether another suitable employment use can be found.

### Housing Policy

PPS3 sets out Government guidance on a range of issues relating to the provision of housing. Paragraph 3 states that *“One of the roles of the planning system is to ensure that new homes are provided in the right place and at the right time, whether through new development or the conversion of existing buildings. The aim is to provide a choice of sites which are both suitable and available for housebuilding. This is important not only to ensure that everyone has the opportunity of a decent home but also to maintain the momentum of economic growth”*. Paragraph 8 goes on to say *“It is an essential feature of the plan, monitor and manage approach that housing requirements and the ways in which they are to be met, should be kept under regular review. The planned level of housing provision and its distribution should be based on a clear set of policy objectives, linked to measurable indicators of change...Reviews should occur at least every five years and sooner, if there are signs of either under or over-provision of housing land”*.

The Regional Spatial Strategy for the North West (published September 2008) sets a target of 4,000 new homes to be provided to the period 2021 within Rossendale. Of these, at least 65% should be on previously developed land. The proposal will not assist in meeting this target as PPS3 excludes agricultural buildings from the definition of previously developed land. Furthermore, the Strategic Housing Land Availability Study, approved in March this year, notes that Rossendale can meet its provision for the next 10 years from outstanding planning permissions (adjusted for those not coming forward) and sites identified on previously developed land.

The Interim Housing Policy Statement (July 2008) amplifies upon the housing policies of PPS3, the Regional Spatial Strategy and the Council’s LDF Core Strategy. It does not preclude residential development outside the Urban Boundary of settlements in Rossendale so long as the proposal accords with the following criteria:

- 1. Proposals are for solely affordable and/or special needs housing as defined in the Glossary; or*
- 2. It is accommodation for agricultural or forestry workers, subject to an assessment of the need for the unit.*

The application site is located in the countryside and the proposed development is neither for solely affordable and/or special need housing nor for the provision of agricultural or forestry workers accommodation. The proposal is therefore contrary to the Council’s Interim Housing Policy Statement.

### Neighbour amenity

The proposal is not considered likely to detract to an unacceptable extent from the amenities of any neighbours. There are no residential properties in the immediate vicinity of the site.

### Design/Appearance

I am satisfied that the building is capable of conversion without significant re-build or extension. It is considered that the submitted scheme of conversion, subject to conditions, would not unduly detract from the character and appearance of the building and the surrounding area.

#### Highway safety

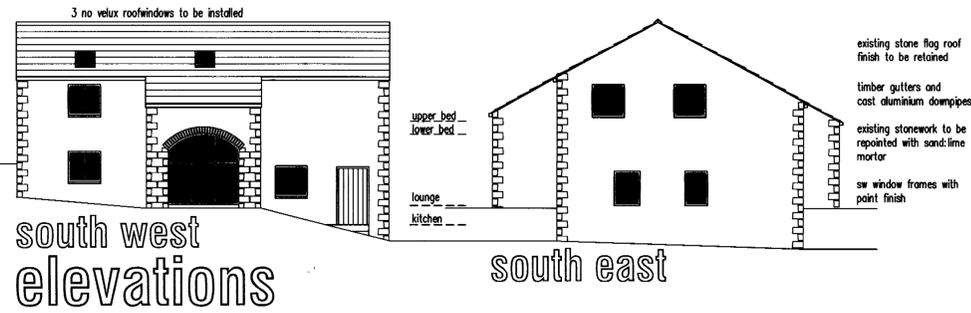
Access to the site is gained via an existing farm track serving the application building and other farm houses located in the area. The Highway Authority is satisfied with regard to the suitability of the access track for the proposed development and has raised no objection to the proposal.

#### **Recommendation**

It is recommended that permission be refused for the following reasons:

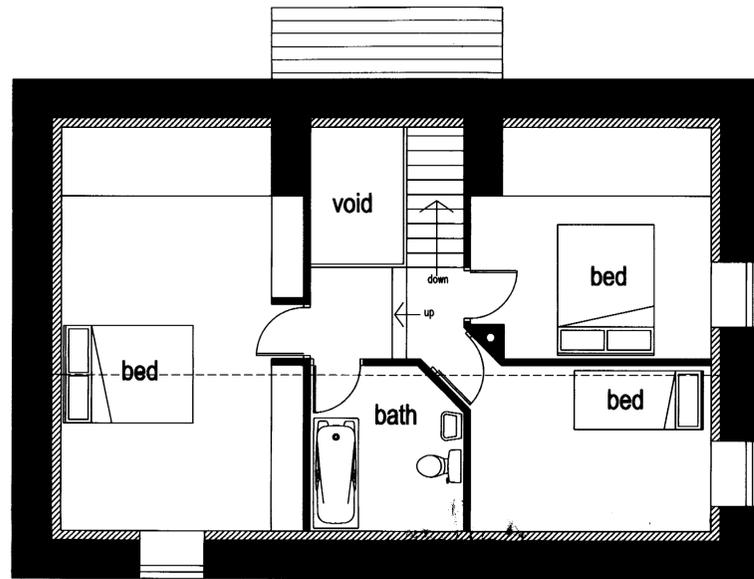
1. The proposed development is not appropriate development for a Countryside Area, the barn/attached buildings presently being used for agricultural purposes and being the only agricultural building available to (the former) Setting Barn Farm. To allow the conversion of this building may result in pressure for erection of a replacement agricultural building(s), to the detriment of the essentially open and rural character of the area. Furthermore, the applicant has not adequately demonstrated that an alternative suitable employment use for the building cannot be found. Accordingly, the proposal is contrary to the provisions of PPS7, Policies DP1-9 / RDF2 / EM1 of the Regional Spatial Strategy and Policy DS5 of the adopted Rossendale District Plan.
2. This proposed development is contrary to the provisions of PPS3, Policies DP1-9 / RDF1 / RDF2 of the Regional Spatial Strategy, Policy DS1 / DS5 of the Rossendale District Local Plan, which seeks to locate most new development within the Urban boundary, nor with the Interim Housing Policy (July 2008) which only permits new residential development outside the defined urban boundary for affordable or special needs housing or for agricultural or forestry workers.

<b>Contact Officer</b>	
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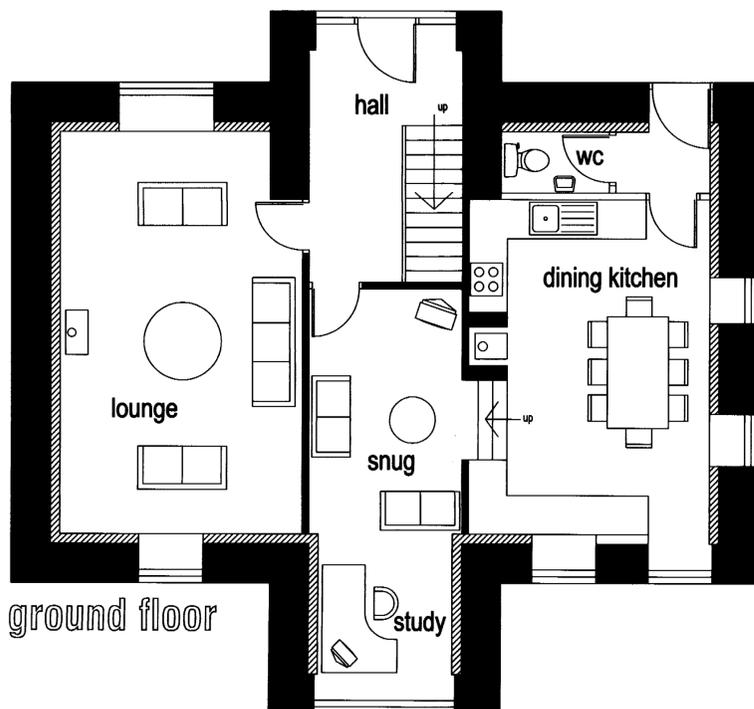


north west

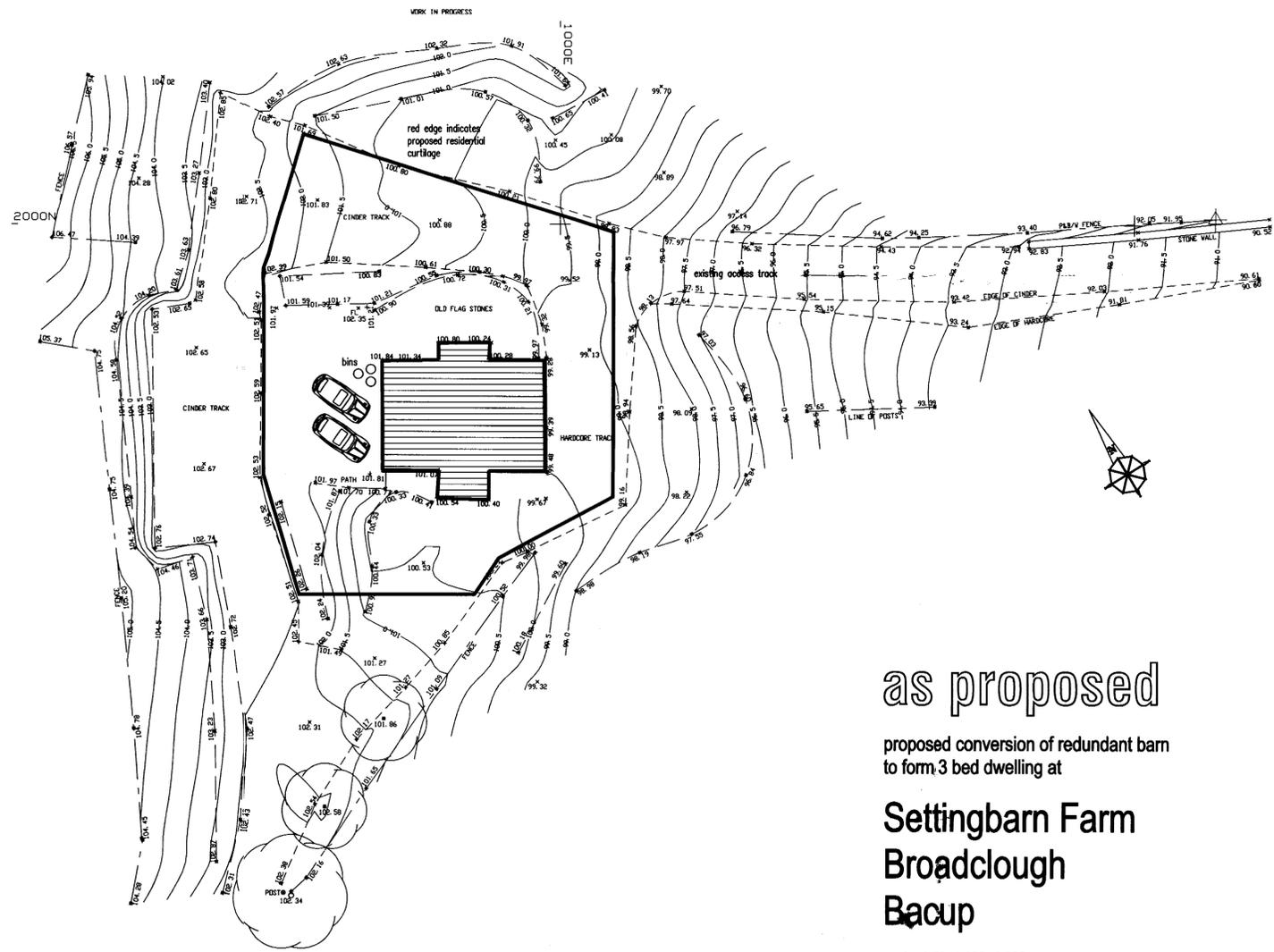
north east



first floor



ground floor

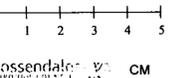


as proposed

proposed conversion of redundant barn to form 3 bed dwelling at

Settingbarn Farm  
Broadclough  
Bacup

scale 1:50 1:100 1:200



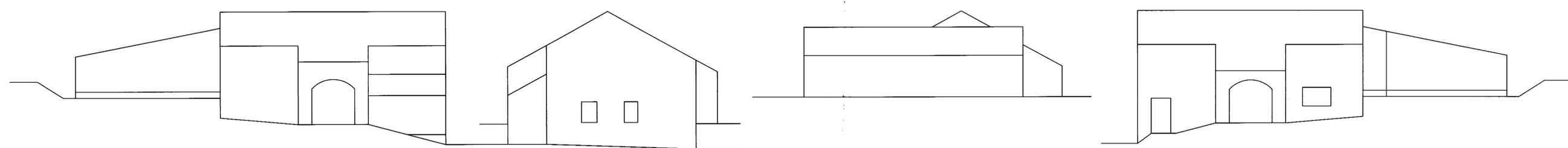
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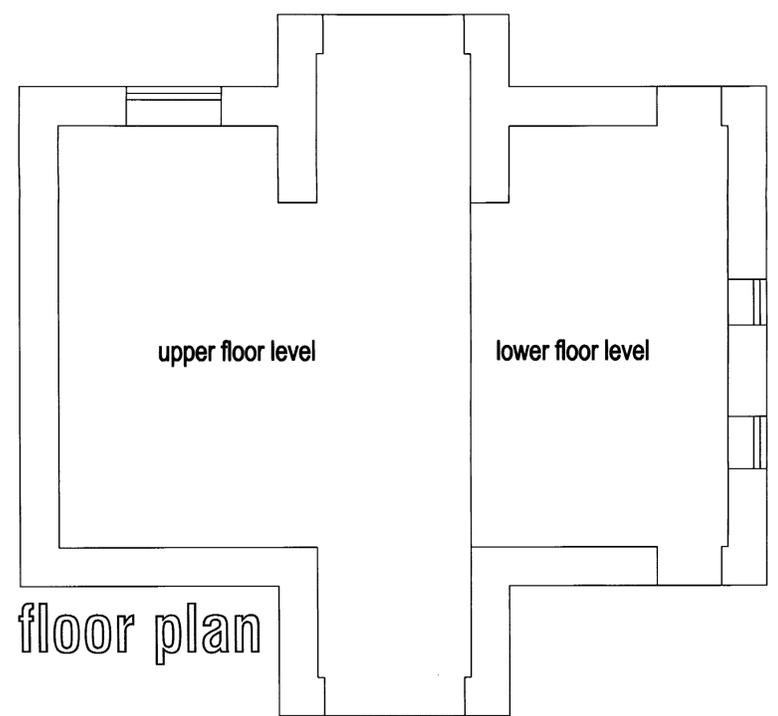


south west elevations

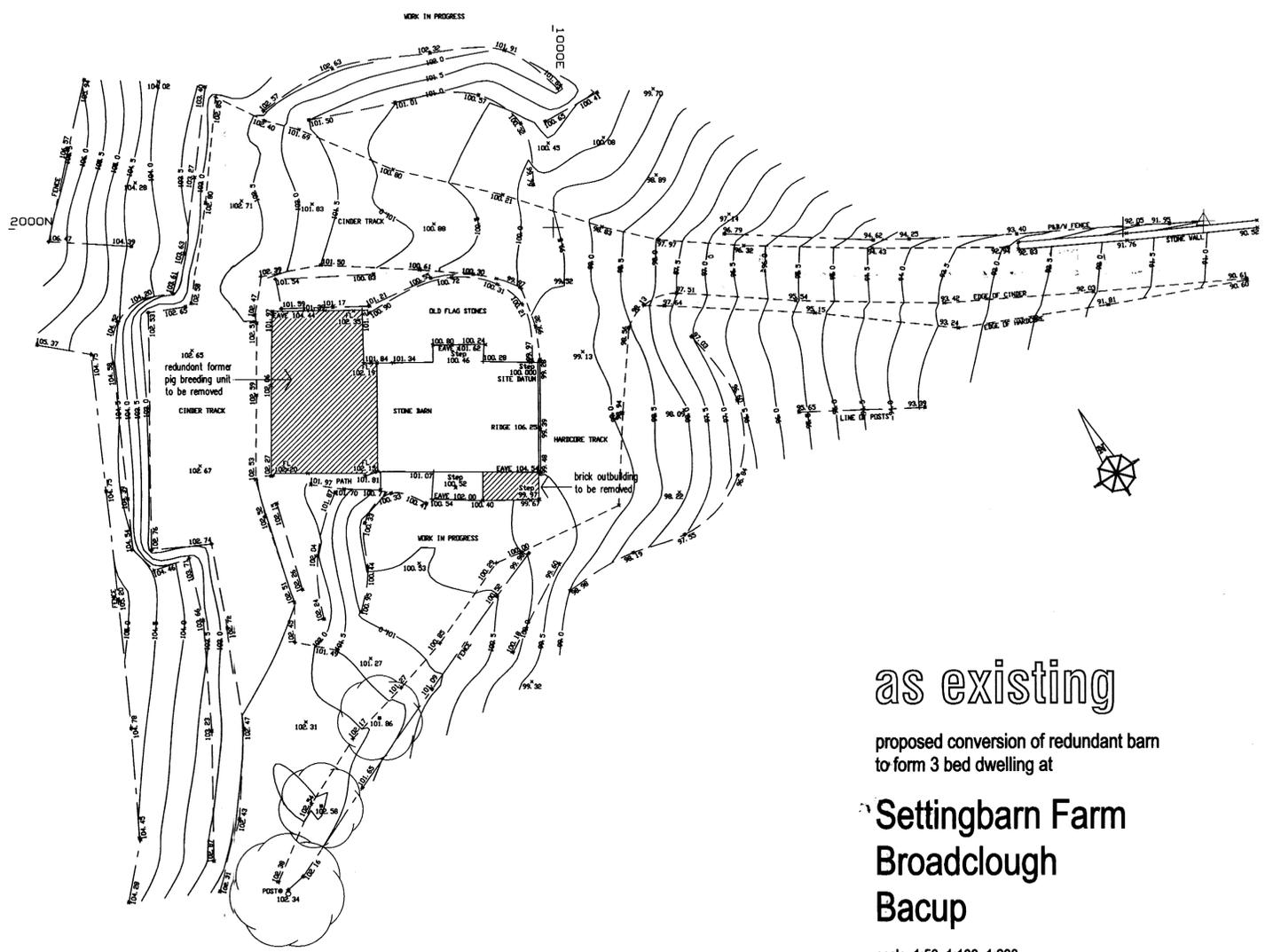
south east

north west

north east



floor plan



site plan

as existing

proposed conversion of redundant barn to form 3 bed dwelling at

Settingbarn Farm  
Broadclough  
Bacup

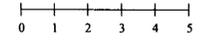
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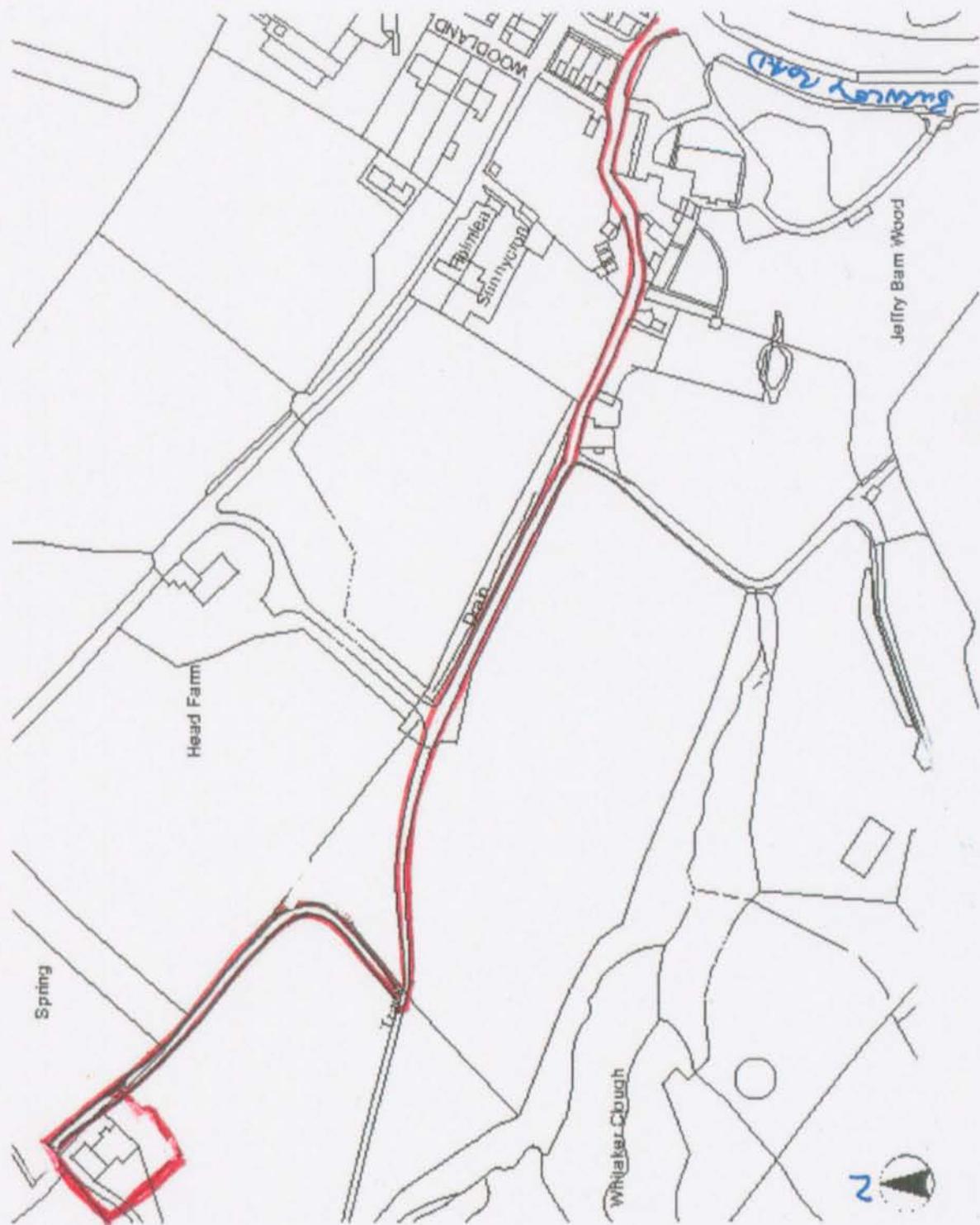
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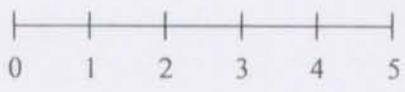


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