PLANNING APPLICATION REPORT

REF NO: P/145/08/

LOCATION: Butterlees Barn
Pagham Road
Pagham

PROPOSAL: Conversion of C-19th flint barn to 4 bedroom house and self contained one bedroom holiday let & landscaping

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to convert the existing flint barns to one 1 bedroom tourist accommodation and one 4 bedroom dwelling.
SITE AREA	0.18 hectare
RESIDENTIAL DEVELOPMENT DENSITY (NET)	11 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Stone wall to the front and flint walling to the side. Picket fence between barns and paddock.
SITE CHARACTERISTICS	Modern chalet (farmhouse) in brick with tiled roof. Adjacent is a flint barn to the front of the Lane (byre) with a barn side on to the road, with an open carriage barn (flint with slate roof). Directly attached to this is a larger barn with barn doors. Attached to this and running back to the existing house is a hovel in flint and brick with slate roof. There is a link between the hovel and the house. Between the road dividing the byre and barn is a corrugated barn and double wooden access doors.
CHARACTER OF LOCALITY	Rural farmland, adjacent to Longmeads Farms. Adjacent to the site is a paddock.

RELEVANT SITE HISTORY

P/11/08/	Conversion of existing C19 flint barn to a house and a self contained 1 bed dwelling. Demolition of existing outbuilding and	Refused 19-03-2008

	construction of new motor garage with games room over (Resubmission of P/120/07)	
P/120/07/	Conversion of existing C19th flint barn to house & self contained 1 bed dwelling. Demolition of existing outbuildings and construction of new motor garage with games room over.	Withdrawn 22-11-2007

REPRESENTATIONS

Representations received:

Pagham Parish Council

No objections. Members noted the practical constraints particularly on the part of the adjacent land owner which appears to preclude the use of the redundant farm buildings for commercial purposes. Therefore subject to due consideration to conservation policies and sensitive use of traditional materials no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

WSCC LDD (ROW/Strategic/Highways/Archaeology/Ecology)

West Sussex - Listed Building Section

Building Control

Conservation Officer

Engineers (structural)

West Sussex - Listed Building Section

Consultations responses received:

County Highways. No objection. Vehicle parking would exceed maximum parking standards. Cycle parking has not been stated. From the plans there are no apparent visibility issue at the point of access onto Pagham Road. Public Footpaths 133 and 134 run along the main access track to and around the site. The proposal should not adversely impact on the Public Rights of Way.

County Design. The discussions concerning the design has produced modifications that will make this a successful conversion of the main barn and the outbuildings. Permit.

County Archaeology. The site is shown on historic maps of 1780 and 1810. The proposal does not have any significant archaeological implications.

District Engineers. The barns appear to be in a relatively good condition without need for major reconstruction work. The barn walls appear adequate to support some additional load and would be able to take new/modified openings without any problems. It is highly likely existing foundations will be underpinned due to new floor levels to meet building regulations. Cracks highlighted in the report appear to be a combination of thermal and localised softening of the ground that can be adequately stitched and filled without rebuild. In para. 3.1.8 it is stated the possible need to take down the gable wall at the west end to remove the existing timber tie beam, presumably due to rotting. As the beam does not project right the way through the wall the timber should be removed in sections in a similar fashion to underpinning

so as not to disturb the gable masonry unduly.

District Conservation. An interesting set of farm buildings which if Listed would be overly fenestrated, particularly on the south and east elevations. However, no objection to the design dependent on high quality finish.

Building Control. As far as conversion is concerned, the report suggests that this is a feasible project on proviso that further exploratory work is undertaken on areas such as the roof and foundations.

Comments on Consultation responses:
Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside the Built Up Area
Rights of Way

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	DEV1	High Quality Development
	CH1	Character
	LOC2	The Countryside
	DEV5	Parking Provision
	NE8	Rural Needs
	DEV4	Travel Needs and Choices
Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	DEV1	Conversion of Rural Buildings for Industrial or Business Use
	DEV2	Conversion of Rural Buildings for Residential Use

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPG13	Transport

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity and the countryside.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area and countryside.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The proposal is to convert the existing flint and brick barns with slate roofs to tourist accommodation and residential. The barns are attractive historic buildings which are worthy of retention therefore policies DEV1 and DEV2 are relevant. The applicant has produced a structural survey which has been confirmed by the Council's Structural Engineers as being acceptable in that the buildings are capable of conversion without major alteration or rebuilding. Therefore the policy issues in DEV1 and DEV2 regarding the conversion of the barns without serious alteration or extension and are structurally sound are complied with. It is proposed to convert the small barn on the front of the site to tourist accommodation and the main barn to a 4 bedroom dwelling. This complies with DEV2 in that it has been demonstrated by the applicant that a commercial use on this would would not be acceptable due to the fact that the road is owned by Langmeand Farms through to an intensive agricultural site with heavy agricultural traffic, particularly during the growing period. The track is single lane, with little or no passing places. Local Estate Agents have confirmed that they were unable to market the site for a commercial use given Langmead's refusal to grant right of access. The applicant only has right of access from the west. It is noted that part of the proposal is for tourist accommodation which is a commercial use. The applicant has therefore attempted to comply with policies DEV1 and DEV2, in trying to market the site for commercial use. With access restrictions, a full commercial use would not be viable. The County Highways have previously commented that a commercial use would not be acceptable. Tourist accommodation is an acceptable commercial use. Therefore it is considered that policies DEV1 and DEV2 have been complied with.

Two previous applications have been submitted, one which was refused because the proposal did not comply with policies DEV1 or DEV2 in that the proposal was for major alterations and extensions to the building and it had not been demonstrated by any evidence that a commercial use had been marketed. The second application was withdrawn as the required evidence required in DEV1 and DEV2 had not been submitted and could not be within the statutory period.

The current application has overcome the previous reason for refusal in that the previously proposed extensions have not been included, the proposal is for a conversion of the existing

buildings only. Discussions have taken place to improve the fenestration and flue details and the current proposal is considered to be a good conversion of disused barns which are substantial and worthy of retention.

A structural survey was submitted which demonstrates that the barns are capable of conversion without significant alteration. There are no significant effects on residential properties, as the only residential property is the farmhouse within the ownership of the applicant.

County Highways commented on the previous application was that the barn is currently used as ancillary storage space for the existing dwelling therefore a change of use could be an intensification. Access is limited to a narrow rod, forward visibility is limited in places. The junction onto Pagham Road has restricted visibility. A commercial use could result in a disproportionate increase in the number of large vehicles. However, conversion to tourist accommodation would be acceptable as this would not result in significant intensification. This has been taken into account by the applicant, and County Highways have no objection to this proposal.

With regard to design, the applicant has reduced the fenestration with substitute plans and the proposal converts the existing barns in a sensitive manner will minimal alterations. The County Design architect supports the proposal.

CONCLUSION

Therefore, the proposal has demonstrated that the barns are capable of conversion without significant alteration and no extensions are proposed. A full commercial use would not be acceptable/viable at the site due to access constraints. The changes to the building to provide fenestration are sensitively designed. Therefore it is recommended that the application is approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the amended plans submitted on 29th January and 11th February and not to the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed conversion have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the conversion.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

4 All external joinery shall be of painted timber

Reason: In order to preserve or enhance the character of this part of the rural buildings within the countryside in accordance with policies DEV1, CH1 of the West Sussex Structure Plan and GEN3 and GEN7 of the Arun District Local Plan.

5 The buildings shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

6 No development, demolition or alterations to buildings shall take place until details indicating how suitable provision will be made for bats'/owls' habitats have been submitted to and approved by the Local Planning Authority and such habitats shall be secured/provided before development commences and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of bats/owls to ensure that a habitat remains for them during and after development in accordance with policies CH1, ERA2 of the West Sussex Structure Plan and GEN30, DEV2 of the Arun District Local Plan.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

8 The tourist accommodation hereby approved shall be used for individual lets for up to and no more than 28 consecutive nights and shall at no time be occupied, let or sold as a sepatate unit of residential accommodation.

Reason: To preserve the availability of the accommodation as a holiday let in accordance with policy DEV34 of the Arun District Local Plan and to prevent the establishment of permanent dwellings in the open countryside in accordance with policies DEV1 of the West Sussex Structure Plan and GEN3 and GEN7 of the Arun District Local Plan.

9 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: DEV1, LOC2, DEV5, CH4

LOCAL PLAN: GEN3, GEN7, DEV1, DEV2, DEV35, GEN11, GEN12, AREA2, GEN30

NATIONAL POLICIES: PPS1, PPS3, PPS7, PPS9, PPG13, PPS25, Good Practice Guide on Planning for Tourism.

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

10 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.