

**Report of the Chief Planning Officer**

**Plans Panel West**

**Date: May 25<sup>th</sup> 2011**

**Subject: APPLICATIONS 10/00848/FU AND 10/01122/LI – Full planning and listed building applications for a change of use involving part demolition of and alterations to former agricultural buildings to form one 2 bedroom, one 3 bedroom and one 4 bedroom terrace houses with associated car parking and amenity space AT THROSTLE NEST FARM, WESTON LANE, OTLEY, LS21 2HJ**

**APPLICANT**

Weston Hall Estates  
CJ Dawson

**DATE VALID**

23<sup>rd</sup> March 2010

**TARGET DATE**

6<sup>th</sup> May 2010 (LB) and  
18<sup>th</sup> May 2010 (FU)

**Electoral Wards Affected:**

**Otley and Yeadon**

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

**RECOMMENDATION:**

**GRANT planning and listed building permission, subject to the following conditions:**

**Conditions**

**10/00848/FU**

1. Development to commence within 3 years
2. Plans to be approved
3. Sample panel of stonework to be constructed and approved
4. Sample of roofing and surfacing materials to be submitted and approved
5. Implementation of one way traffic scheme through site in accordance with details to be submitted and approved
6. Area to be used by vehicles to be laid out and surfaced
7. Provision of sightlines at new exit on to Weston Lane in accordance with scheme to be approved
8. Provision of bin storage
9. Development to be carried out in accordance with the mitigation method statement and timetable of works in section 5 of the Bat Method Statement for Works report dated 24 February 2011 (Ref:0083\_10/Re02) unless otherwise agreed in writing with

the LPA. The results of post development monitoring shall be submitted to the LPA no later than 31 October in the year in which it is carried out.

10. Details of works for dealing with surface water discharges, including proposals for any outfall connection to the neighbouring 457mm culvert must be submitted and approved
11. A method statement for the works to be carried out within the vicinity of the 457mm diameter culvert must be submitted and approved
12. Landscape scheme to be submitted and approved
13. Implementation of landscape scheme
14. Removal for permitted development rights for extensions, roof alterations and outbuildings
15. Phase 1 desk study to be submitted
16. Dealing with unexpected contamination

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, T24, N12, N32, N33, BD6, GB3, GB4  
Neighbourhoods for Living  
Street Design Guide

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

#### **10/01122/LI**

1. Development to commence within 3 years
2. Plans to be approved
3. Survey and method statement for repair/ replacement of all doors and windows
4. Conservation type rooflights to be used
5. Stone flagged floor in barn 2 to be retained
6. 2 areas of internal walling to be retained as exposed stonework. Details to be submitted and agreed.
7. Programme of architectural and archaeological recording to be implemented prior to commencement of demolition or development
8. Submission and approval of method statement for the proposed changes to internal levels

In granting Listed Building Consent the City Council has taken into account all material matters relating to the building's special architectural or historic interest, including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

N14, N15, N17 and GB3

On balance, the City Council considers the proposal would not give rise to any unjustified consequences for the special architectural or historic interest of the listed building.

## **1.0 INTRODUCTION:**

- 1.1 The application has been brought to the plans panel following a request by ward councillor, Councillor Downes, who is concerned that the proposal is a departure from Green Belt policy.

## **2.0 PROPOSAL:**

- 2.1 The application is for full planning permission for a change of use of a collection of formal agricultural buildings adjacent to the existing dwelling, to 3 terraced houses.
- 2.2 Car parking will be provided as will small areas of outdoor amenity space.
- 2.3 A number of modern corrugated steel agricultural buildings will be removed to facilitate the development.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located within the Green Belt to the North of Otley. It is situated on the fringe of the urban area with a large residential area to the North and open farm land to the South with Weston Lane forming the Green Belt boundary.
- 3.2 The site contains a Grade II listed farmhouse dating from the 18<sup>th</sup> century of 3 storeys and forming part of a group with the outbuildings which date from 1480.
- 3.3 A number of modern corrugated steel buildings surround the barns.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/04552/FU – Change of use involving part demolition of and alterations to former agricultural buildings to form 3 dwellings and garaging – withdrawn following officer's expression of concern over the impact of the conversion on the character of the listed buildings, highways officer objection to the proposed access onto the highway and concern over future residents living conditions and also harm to the openness of the green belt.
- 4.2 08/06359/LI - Listed Building Application to carry out alterations and partial demolition to 3 existing barns to form 3 three bedroom dwelling houses with 2 detached garages – withdrawn

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Following a withdrawn application in 2008, discussions with officers have resulted in a reduced pocket of land being included within the domestic curtilage and revised and reduced window openings.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 4 letters of objection and 2 letters of support have been received to the full application and 2 letters of objection to the listed building application. These raise the following issues:
- Impact on appearance of the Green Belt
  - Removal of hedgerow to East of site

- Removal of stone wall to North
- Too great an area enclosed for the change of use
- East elevation of buildings changed to look like dwellings not barns
- Addition of road to south and east impacts on rural character
- Contrary to PPS5
- Engineering works required to construct driveway not indicated
- Proposal includes alterations to roof
- Illegal tipping on site
- Concern about drainage
- New drive detracts from setting of listed building
- Employment use should be preferred
- Welcome visual improvement to site
- Existing buildings are safety hazard
- Site currently attracts anti-social behaviour
- Impact on wildlife
- Increased traffic on Weston Lane

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Highways have not objected to the proposal. They have recommended conditions to ensure the visibility splays are maintained clear of vegetation and that the one way system is maintained. Adequate parking provision is to be made and bin storage must be provided.
- 7.2 Contaminated land do not object in principle but have required a Phase 1 desk study report to assess the potential risk posed by the former farm. This can be secured by condition.
- 7.3 Nature conservation have assessed the submitted bat surveys which have shown that the proposals will result in the loss of roosts used by pipistrelle bats. A mitigation statement has been submitted to detail working methods and timing to minimise disturbance and the provision of bat boxes. Bats are protected under the European Habitats Directive and the City Council has a duty to have regard to the requirements of the Directive when carrying out its functions however as bat roosts will be destroyed a licence is required from Natural England. Nature Conservation have advised that they consider that Natural England could issue a licence to allow the development to proceed and they therefore have no objection to the proposals subject to condition.
- 7.4 Drainage have highlighted that the development is adjacent to a culverted watercourse and therefore care must be taken not to do harm to it nor to increase the rate of discharge of surface water. Conditions were recommended on the previous application 08/04552/FU.
- 7.5 Otley Town Council have asked for a planning brief for the site as they do not want to see it being developed piecemeal.

## **8.0 PLANNING POLICIES:**

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

## **Development Plan:**

The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

GP5 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6 – extensions should respect the scale, form, detailing and materials of the host building.

BD5 –all new buildings should be designed with consideration given to their amenity and that of their surroundings.

T2 – developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T24 – parking provision requirements

N12 - development proposals should respect the main principles of good urban design

N14 - presumption in favour of the preservation of listed building. Demolition or substantial demolition will only be permitted in exceptional circumstances

N15 – proposals for the change of use of listed buildings will be considered if the new use does not diminish the special historic value of the building and its setting.

N17 – existing detailing and features of listed buildings should be preserved.

N33 – except in very special circumstances development in the Green Belt is only allowed for the purposes of agriculture, outdoor recreation; limited extension of dwellings; limited infilling; and re-use of buildings where GB4 is satisfied.

GB3 – if an appropriate Green Belt use cannot be found for a building of historic interest another use may be permitted providing this results in the retention of the building and its character.

GB4 – planning permission for a change of use in the Green Belt is only acceptable if physical changes would maintain the character and openness of the Green Belt; the building is in sound physical condition; a safe access can be achieved without harming the countryside; a new hamlet is not formed; further new farm buildings are not allowed; and the proposal would not harm the local economy.

### **Relevant supplementary guidance:**

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Street Design Guide  
Neighbourhoods for Living

### **Government Planning Policy Guidance/Statements:**

In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes:-

PPS1: Delivering Sustainable Development (2005)

PPS5: Planning for the Historic Environment (2010)

PPG2: Green Belts (1995)

## **9.0 MAIN ISSUES:**

- 9.1 The principle of the development and impact on the Green Belt
- 9.2 Design and character
- 9.3 Highways considerations
- 9.4 Amenity issues
- 9.5 Protected species
- 9.6 Representations

## **10.0 APPRAISAL:**

### **The principle of the development and impact on the Green Belt**

- 10.1 Both PPG2 and policy N33 allow the re-use of existing buildings and this is not considered inappropriate subject to several criteria. Policy GB4 outlines these criteria as follows:

*Physical changes to the building should maintain or enhance the openness and character of the Green Belt*

The removal of a number of unattractive modern agricultural buildings is proposed with a consequent positive impact on openness. Proposed parking and outside amenity areas are within the existing development footprint and new stone walls will help to contain the area of development. A relatively small number of new windows and rooflights are proposed to facilitate the development and it is not considered that these will have any significant impact on openness.

*The building can be shown to be in a generally sound physical condition and of a form suitable for the intended after use*

Few alterations in terms of window openings are required and only a small area of re-building is required to the rear of one of the barns. The only amendments to the roofscape proposed are in the form of 5 conservation type rooflights. This is a considerable improvement over the withdrawn scheme 08/04552/FU which proposed 13 rooflights.

*A safe access can be achieved without harming the character or appearance of the countryside*

The proposal makes use of the existing access point to the farmhouse to enter the site. A one way system is utilised so that exit is via an existing track which will be upgraded and passes to the south of the farmhouse. A small new section of driveway will be required to join the track to Weston Lane. The provision of this small new section of drive is considered inappropriate development in the Green Belt however the track could be extended as part of the agricultural development rights of the farmhouse. The conversion and re-use of the listed barns, which are in an increasingly poor state of repair, is also considered some justification for this small area of inappropriate development within the Green Belt.

Other GB4 criteria which include matters relating to additional expense not falling on the public utilities, permitted development rights for new farm buildings being

removed, scale of development resulting in a hamlet and proposal not harming the local economy are also considered to be met.

- 10.2 On balance, therefore the proposal is considered to comply with policies GB4 and with PPG2 guidance and is not detrimental to Green Belt openness character or appearance.

## **Design and Character**

- 10.3 The proposal for the demolition of the corrugated steel buildings, which surround the listed outbuildings on three sides, is considered to greatly enhance the setting of the farmhouse and outbuildings as well as improving the openness of the Green Belt. The pocket of land enclosed by the scheme is smaller in scale than that currently occupied by all the outbuildings on site and the use of sensitive new boundary treatments and traditional surfacing materials to the courtyard will enhance the visual setting of the buildings.
- 10.4 The scheme proposes 2 new windows and 2 conservation type rooflights facing the courtyard and 4 windows and 3 rooflights facing the Green Belt. This is considered a minimal increase in openings and the irregular spacing of the windows retains the agricultural character of the building and is not considered to harm the special historical character of the listed building.
- 10.5 Internally, the open character of the agricultural buildings is retained in barns 1 and 2 where the buildings are left open to the roof with exposed trusses. Conditions have been recommended to ensure that areas of natural stonework are left exposed internally to retain a visual indication of the original features of the buildings. Details of windows and other external features should also be conditioned to ensure that appropriate design features are utilised.
- 10.6 An internal alteration in floor levels appears to be proposed. To ensure that this does not undermine the stability of the barns, a method statement for the works is to be conditioned.

## **Highways considerations**

- 10.7 The existing farm access from Weston Lane will be utilised as the access point to the site. A one way system will then be utilised to take vehicles along an existing farm track to the south of the farmhouse and back on to Weston Lane, via a new exit point. The track will be made up to the appropriate standard and conditions will secure the implementation of a variety of measures to ensure the one way operation of the site access.
- 10.8 Parking provision is provided at 2 spaces per property to comply with UDP policy. Cycle parking is not provided however a condition has been recommended to restrict the provision of outbuildings under permitted development due to the potential for such buildings to impact on the openness of the Green Belt.
- 10.9 A condition has also been recommended to ensure that the visibility splays from the exit point as shown on the layout plan are retained and that vegetation is cut back to no more than 1.0m in height.

## **Amenity issues**

- 10.10 The proposal provides good levels of amenity for future residents with sensible internal layouts that reflect the character of the listed buildings.
- 10.11 Each property will have a small area of external amenity space within the courtyard area. While these are not private, they do allow residents to have some usable external space, will not be visible to passing traffic but only to other residents of the site and have little significant impact on the openness of the Green Belt being sited, in the main, within the existing built up area of the site.

### **Protected species**

- 10.12 Bat surveys have been carried out and submitted as part of the application. Small numbers of pipistrelle bats have been found to have summer roosts within the barns and these roosts will be lost as a result of the proposals.
- 10.13 Consequently a mitigation method statement has been submitted with proposed working methods and a timetable to minimise potential disturbance to the bats and replacement bat boxes will be sited in nearby trees.
- 10.14 As bat roosts will be destroyed during the works, a licence will be required from Natural England. The nature conservation officer has indicated that, given the information submitted by the applicant, a licence could be issued for the development to proceed and a condition is recommended to ensure the implementation of the mitigation method statement.

### **Representations**

- 10.15 The majority of the points raised in the letters of representation have been covered above. It should be noted that removal of the boundary wall on Weston Lane is not required to secure visibility splays and that only some pruning of hedgerows should be necessary. Concerns about the impact of the use of the existing track to the south of the farmhouse on the setting of the listed building are balanced by the visual gain from the loss of the modern agricultural building as are concerns about local character and visual amenity. Drainage details are to be conditioned.

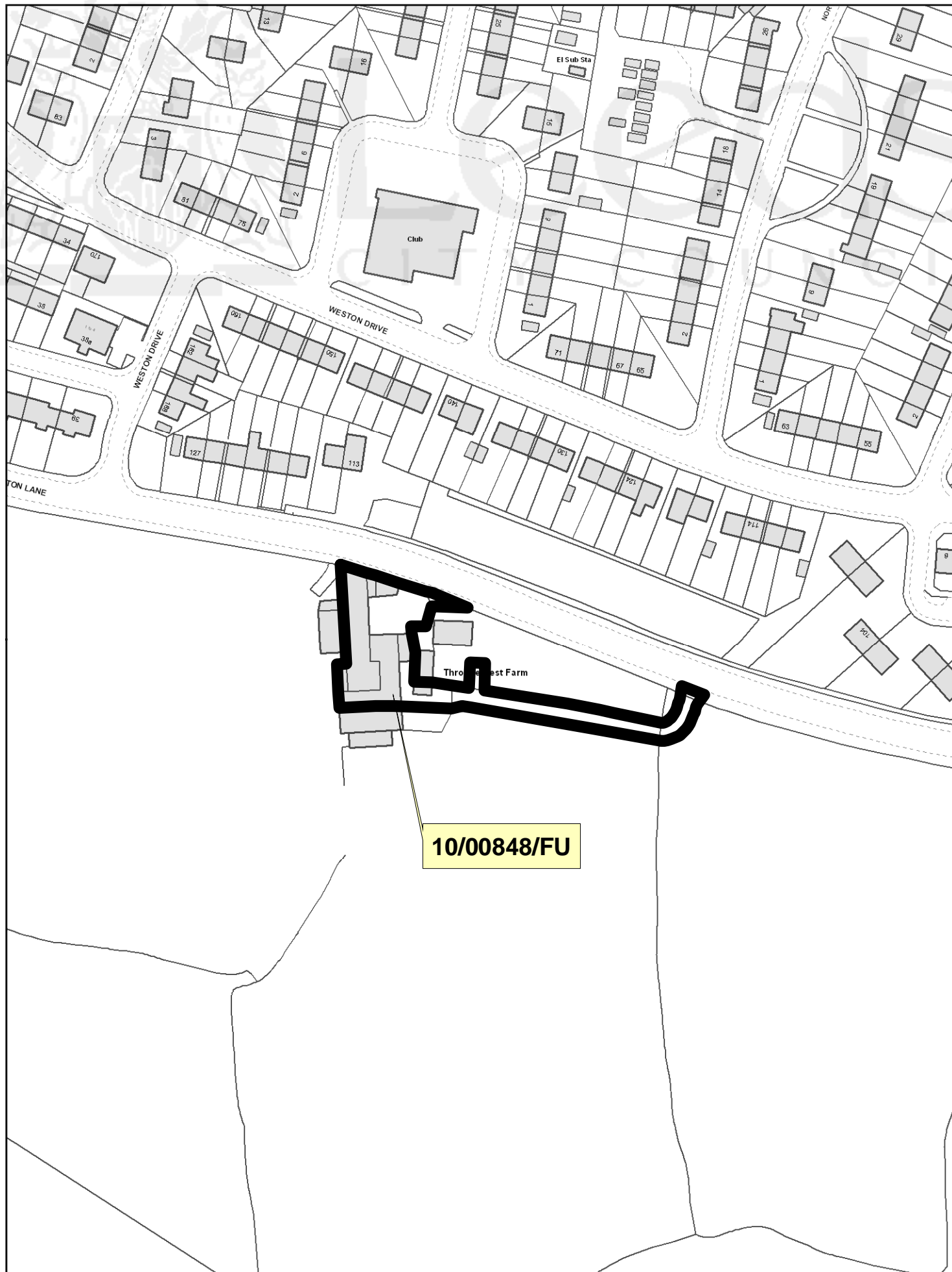
### **11.0 CONCLUSION:**

On balance it is considered that, the proposal presents a sympathetic and sensitive re-use of these listed agricultural buildings which complies with relevant national and local policy. The removal of the existing modern farm buildings and consequent positive impact on Green Belt openness balances out any harm caused by the slight intensification of use of the existing farm track to the south of the farm house and the addition of a new exit point on to Weston Lane.

### **Background Papers:**

Application and history files.





# WEST PLANS PANEL

