



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 22nd March 2012

**Subject: 11/04913/FU: Conversion of barns into 7 dwellings, alterations to the existing farm house and associated works, and;
11/04914/LI: Listed Building Application for the conversion of barns into 7 dwellings, alterations to the existing farmhouse and associated works all at Royds Green Farm, Royds Lane, Rothwell.**

APPLICANT	DATE VALID	TARGET DATE
Oulton Hall (IOIM) Ltd, Property in LPA Receivership c/o Deloitte LLP	22 nd November 2011	17 th January 2012

**Electoral Wards Affected:
Rothwell**

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION and Listed Building Consent subject to conditions to cover the following:

11/04913/FU

1. Standard time limit
2. Compliance to approved plans
3. Walling and roofing samples
4. Samples of materials to be used in the construction of the external surfaces to be submitted.
5. Details of fencing and/or walls to be provided.
6. Submission of landscape details.
7. Implementation of landscaping.
8. Retention of landscaping.
9. Withdrawal of domestic permitted development rights (Extensions, Improvements, Enlargements, Alterations, Porches, Buildings/ Enclosure/Containers, Hard Surfaces)
10. Withdrawal of agricultural permitted development rights for remaining agricultural land.

11. Laying out and provision of approved visibility splay.
12. Vehicular areas to be hard surfaced, sealed and drained.
13. Submission and agreement of scheme to provide footpath provision to Pennington Lane.
- 14-15 Land Contamination conditions.
16. Any vegetation or built structure should not be removed within bird nesting season (1st March to 31st August)
17. Development to be carried out in accordance with Nature Conservation Mitigation Strategy.
18. Development to be carried out in accordance with the mitigation strategies specified In the submitted bat and nesting surveys.
19. The Barn Owl box shall be implemented prior to development commencing.
20. Nesting site located in loft of one of the buildings to be implemented in accordance with Guidance in "Barn Owls on Site a Guide for Developer and Planners ".
21. Land Drainage details to be submitted and agreed prior to commencement of development.
22. No piped discharges of surface water until land drainage works have been undertaken or completed.
23. Lighting scheme to be agreed.
24. Highway improvements to be carried out prior to occupation
- 25 Provision of visibility splay.
26. Provision of cycle/motorcycle facilities.
27. Vehicle spaces to be laid out.
28. Protection of existing retained trees and vegetation.
29. Detailed landscaping scheme to be submitted and agreed.

A new Water Supply to be provided under the terms of the Water Industry Act 1991.

11/04914/LI

1. Standard time limit.
2. Compliance with approved plans
3. Coursing, pointing and type of stone for areas of rebuilding to be agreed.
4. Archaeological and architectural recording to be submitted/agreed.
5. Details of replacement windows to be submitted/agreed.
6. Details of the doors to be submitted/Agreed.
7. Details of re-roofing materials to be submitted/agreed.
8. Details of rooflights to be submitted/agreed.
9. Details of the farmhouse internal fixtures and fittings schedule to be submitted and agreed.

Reasons for approval: The applications are considered to comply with the relevant policies of the UDP Review in that the proposal constitutes appropriate development in the Green Belt and it brings listed buildings back into beneficial use. The proposed alterations to the listed buildings are considered to be sympathetic to their historic and architectural character and the proposal will protect interests of nature conservation and highway safety. Taking into consideration the history of the site and the comment given by the Inspector at appeal (as outlined below), and having regard to all other material considerations, the applications are recommended for approval.

1.0 INTRODUCTION:

- 1.1 These applications are brought to Plans Panel at the request of Local Ward Members. Councillor Golton requests that Members consider the impact on the green belt and the access, a narrow lane which could potentially cause problems for

access. Councillor Wilson has requested that the application be presented to Plans Panel as the previous applications were considered by Members at Plans Panel.

- 1.2. Applications for a similar form of development were reported to Panel in November and December 2008. Both applications 08/03405/FU and associated Listed Building application 08/3398/LI were refused for the following reasons :-
- Inappropriate development in the Green Belt causing harm to the open character of the area.
 - The proposed development will result in loss of natural habitat for wildlife, being harmful to the interests of nature conservation.
 - The development would be harmful to the character and integrity of the listed Building.
- 1.3 The applicant appealed against the decisions. Both Appeals were dismissed for the following reasons:
- The proposals “adverse effect on the special architectural and historic interest of the listed building “ and the “consequent adverse effect on the character and appearance of the Green Belt which is “not outweighed by the lack of harm to wildlife and nature conservation “
- 1.4 The Inspector concluded the following :-
- The character and appearance of the Green Belt is defined by the character of the listed building.
 - A number of the proposed alterations, which in the main related to the treatment of openings, were unacceptable as they did not have sufficient regard to the character of the listed buildings.
 - The conversions are appropriate development within the green belt.
 - The proposal complies with PPS9 and the relevant UDP policies which respectively seek the protection and enhancement of wildlife resources.
- 1.5 The appeal decision is a material consideration that should be given significant weight in the determination of these planning applications. It is a recent decision, it concerns a very similar form of development and there has been no significant change in planning policy since. The local planning authority would have to be able to demonstrate that it had very good planning reasons to depart from the conclusions reached by the Inspector.

2.0 PROPOSAL:

2.1 The proposals involve the change of use and alterations of the vacant barns to form 7 dwellings. The creation of a car port (with bat roost and swallow nesting). Alterations to the existing occupied residential farmhouse (Grade II Listed). The alterations include retaining the existing openings, demolishing the lean to porch on the southern elevation and western elevation, retaining the existing outbuilding with the creation of a single garage (next to the outbuilding). The proposal involves the removal of a number of redundant agricultural buildings with a proposed paddock in the north west corner of the site.

2.2 Associated application 11/04914/LI requests Listed Building Consent for the proposed development. The proposals involve the following:-

1. Utilisation of existing openings to form doors and windows
2. Demolition and removal of five agricultural buildings (3 x “lean to “buildings, a “Nissen” hut and a large portal frame building).

3. Re-alignment and re-surfacing of existing sweeping agricultural access road.
4. Additional footpath provision to Pennington Lane.
5. Removal of 9 x trees (differing sizes and maturity) to allow for highway visibility and access road improvements, replaced by 44 x newly planted trees.
6. Detached single garage to serve the farmhouse, which also contains a number of doors and windows replaced.
7. Parking provision within the courtyard.

In addition the proposal would involve the change of use of agricultural land to domestic curtilages.

3.0 SITE AND SURROUNDINGS:

- 3.1 Royds Green Farm consists of a listed farmhouse, dating from the 17th Century, constructed of coursed square sandstone with some red brick found to the rear and a slate roof. The east (front) elevation has attractive chamfered mullion windows amongst one other larger non – original inserted window.
- 3.2 To the rear of the house, lie a number of barns set within a courtyard arrangement and accessed through a cart entrance. A further agricultural track exists sweeping north around the barns to a series of 20th Century agricultural buildings.
- 3.3 To the southern side, a set of cottages also falls within the boundaries of the listed farmhouse and is listed by virtue of its historical curtilage and legal ownership/ association.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 08/03405/FU:
Change of use of barns to 5 three bedroom and 2 four bedroom houses, single storey extensions, external alterations including raising height of roof of part of barn, car port with bat roost over, and attached double garage to farmhouse
Refused Plans Panel East 20th November 2008
Appeal dismissed 27th January 2010
08/03398/LI:
Listed Building application for internal and external alterations to barn including single storey extensions and raising height of roof of part of barn, attached double garage to farmhouse, detached car port with bat roost over and demolition of porch
Refused Plans Panel East 20th November 2008.
Appeal Dismissed 27th January 2010.
- 4.2 07/06385/FU: Change of use of barns to 5 three bedroom and 2 four bedroom houses, single storey extensions, external alterations including raising height of roof of part of barn, erection of stable with bat roost over, and attached double garage to farmhouse -Withdrawn - 07.12.2007.
07/06386/LI: Listed Building application for external alterations to barn including raising height of roof, attached double garage to farmhouse, detached stable with bat roost over and demolition of porch - Withdrawn - 07.12.2007.
22/404/04/FU: Change of use of farm buildings to 6 dwelling houses with garages - Application Withdrawn – 14.10.2005.
- 4.3 Previous applications 08/03405/FU and 08/03398/LI were presented to East Plans Panel on 20th November 2008. Members resolved to refuse the applications for the following reasons:-

“ The proposed development by reason of the extent of the proposed alterations and works to the building, including the creation of residential curtilages, access road and hardstanding , constitutes an inappropriate form of development in the Green Belt causing harm to the open character of the area. In the absence of very special circumstances the proposal is therefore considered to be contrary to the adopted Policies GP5, N33 and GB4 of the Leeds Unitary Development Plan (2006) and Planning Policy Guidance Note 2,-Green Belts (1995)”

“The proposed development will result in the loss of natural habitat for wildlife causing harm to interests of nature conservation contrary to Policies GP5, N49 and N51 of the Leeds Unitary Development Plan (2006) and guidance within Planning Policy Statement 9 – Biodiversity and Geological Conservation (2005)”

4.4 The following Appeals were lodged:-

Appeal A – Application 08/03398/LI.

Appeal B – Application 08/03405/FU

Conversion of an existing group of redundant barns into seven dwellings, erection of a bat roost. Alterations and double garage to an existing farmhouse.

In determining the appeals the Inspector reached the following conclusions:-

Appeals A and B

Listed Buildings

Farmhouse

1. Exact sequence of changes to the building is not identified. Significant changes have taken place internally and externally by the variety of window openings. This change over time forms part of the interest of the listed building and should not be readily obliterated.
2. Main interest lies in preserving the original external eastern elevation (Front) and openings. Reorganising the internal accommodation could be carried out without harming the special interest. A more sensitive approach to planning the internal accommodation would rely on working with the existing openings.
3. Listing description confirms the lesser interest of the rear part of the building.
4. Losing the outbuilding is not cause for concern subject to adequate recording.
5. The proposed garage would form an acceptable new addition to the house.

Overall the Inspector concluded that the proposed alterations as a whole would be harmful to the special interest of the listed building.

Farm buildings

1. The farm buildings form a coherent group with a strong complementary relationship with the listed building. The interest of the group would be enhanced by removing the modern frame buildings and exposing the original stone structures.
2. The proposed alterations are sensitive to the character of the original buildings and makes good use of existing openings.
3. The proposed balconies to the south gable of the main barn and French windows could be replaced by retaining original window openings.
4. Providing the roof matches the existing, the extensions to the north of the main barn and in the south west corner, would have no adverse effect on the character.
5. The raised roof to the proposed house number 1 could also be achieved without harm.
6. The most significant change would be the exposure of the base of the buildings to the north by the lowering of ground levels to allow a new opening to the yard. Subject to a satisfactory treatment of the base of the wall the

altered north elevation should not have an adverse effect on the interest of the group as a whole.

7. The use of the yard for parking to the front of each house would form a sound layout and the existing archway would not form a practical means of access for modern vehicles.

Inspector concludes that while the proposed conversion of the farm buildings could be successfully achieved, the alterations to the farmhouse would be harmful to the special interest of the listed building. For this reason appeals A and B were dismissed.

Green Belt

Farm Buildings

1. The conversion of farm buildings would not have a greater impact on the openness of the green belt. The openness would be significantly enhanced by the removal of the modern agricultural buildings from the site.
2. The access road would be on the line of an existing paved track or within the footprint of existing buildings, and would not be harmful to the openness of the green belt.
3. Car parking would be mainly confined to the courtyard, where its impact on openness would be minimized and where hardstanding would traditionally have been located and farm machinery stored.
4. Removal of modern buildings would more than outweigh the effect of the proposed very modest extensions to the original buildings and of the new freestanding carport. It would also outweigh any marginal increased impact on openness of the use of the land to the west and north of the original buildings as domestic gardens, which would be contained within the existing defined curtilage, reinforced by additional planting.
5. The farmyard buildings are of a permanent and substantial construction. An amount of replacement stonework would be required, however would not regard this as a major rebuilding. The bulk and design of the original form of buildings would be maintained, and in keeping with their surroundings.
6. Conversion of the former farm buildings would not be inappropriate development as defined by PPG2. Very special circumstances in support of this aspect of the proposal do not need to be shown.
7. The Council accepts safe access to the site would be achieved. Within the site satisfied that the access road could be made compliant to recently adopted "Street design Guide".

Farmhouse

1. The proposed alterations would not result in any increase in floorspace but would cover a small area of veranda.
2. The double garage would be an extension to the house that would partly replace the existing outbuilding.
3. Proposals would not result in a disproportionate addition to the original house and would not be inappropriate.
4. Taking the complex as a whole there would be a slight impact on the openness. This would be more than offset by the removal of the large farm buildings.
5. The character and appearance of the Green Belt is defined by the character of the listed building. The harm to the special interest of the listed building identified would also be harmful to the character and appearance of the Green Belt.

The Inspector concludes that the proposed conversion would not be inappropriate development, the alterations to the farmhouse would be contrary to the advice of PPG2. This one issue weighs against the Appeal B proposals in Green Belt terms.

Nature Conservation

1. From the evidence, including the views of Natural England and appellants suggestion that there could be scope to incorporate some habitat for bats within the proposed house number 5, the Inspector is satisfied that the requirements would be likely to be met.
2. The proposal would comply with advice in Planning Policy Statement 9 “Biodiversity and Geological Conservation” (PPS9) and with UDP policies N49 and N51, which respectively seek the protection and enhancement of wildlife resources.

- 4.5. In summary, the Inspector concludes that Appeal A should be dismissed due to the proposals adverse effect on the special architectural and historic interest of the listed building. Appeal B must fail for the same reason, and for the consequent adverse effect on the character and appearance of the Green Belt. This would not be outweighed by the lack of harm to wildlife and nature conservation.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Both applications 08/03405/FU and 08/03398/LI were refused on the impact on the green belt and ecological harm on wildlife at Plans Panel on 20th November 2008. In summary the Inspector dismissed both appeals for the following reasons:- Due to the proposals “adverse effect on the special architectural and historic interest of the listed building “and the consequent adverse effect on the character and appearance of the green belt “which is “not outweighed by the lack of harm to wildlife and nature conservation “.

- 5.2 The appeals were dismissed on the grounds of the harm to the listed building. The Inspector did not consider that the conversions are inappropriate development within the green belt. However the Inspector considered that the alterations to the listed farmhouse affects the character and appearance of the green belt. The reason for the “ecological harm” was not upheld. The appeals were dismissed largely down to the detailed design of the proposed schemes.

- 5.3 Consequently the applicant has resubmitted the applications revising the proposal to address the criticisms raised by the Inspector, as listed in section 1.3. Pre-application discussions have also taken place with officers and the plans have been revised to take into consideration the detailed design in accordance with the Inspectors decision and details which retain the original features of the buildings.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Applications were advertised by site notices on 9th December 2011. One letter of representation received from resident on Royds Green, Royds Lane with the following comments:-

- Object to the planning application for the conversion of farm buildings into 7 dwellings.
- This and application 11/04911 would immediately double the number of properties and people in this quiet little hamlet.
- The buildings have been neglected for some considerable time and nature has taken over, with numerous wildlife and vegetation, there are

both nitre and pipette bats, barn owls and little owls which are all protected.

- These applications have already been turned down once we can't see what has changed.

6.2 A further letter of representation has been received from 13 households resident on Royds Green Farm, Royds Green, Pennington Lane, Sanderson Lane and Sandy acres. The following concerns are raised:-

- Plans Panel East rejected an identical application 2 years ago and rejected it on the grounds that it was a totally unsuitable development for the green belt in general and for Royds Green in particular.
- This decision was made on the grounds of the high levels of protected species of wildlife present at Royds Green Farm.
- The addition of 8 new residential properties would impact seriously on the character of Royds Green, historically a farming hamlet.
- The effect on local services in the area and the lack of need for this type of new property in this area.
- Member's concerned owners had deliberately allowed listed buildings to fall into disrepair with a view to obtaining planning permission.
- Members also expressed concern that should the application be approved this might set a precedence for development in this area.
- These factors are still relevant and the proposed new development is in conflict with all of them. We strongly urge the Panel to once again reject this application.
- Mr Paul Shipley will be speaking on our behalf at the meeting of the Plans Panel on 23rd February.

6.3 Representations have been received from Ward Members .Councillor Golton requests that members consider the impact on the green belt and the access, a narrow lane which could potentially cause problems for access. Councillor Wilson has requested that the application be presented to Plans Panel as the previous applications were considered by members at East Plans Panel.

7.0 CONSULTATIONS RESPONSES:

7.1 11/04913/FU and 11/04914/FU

West Yorkshire Archaeology Advisory Service (WYAAS)

No objections subject to conditions –archaeological recording of the site prior to redevelopment.

Natural England

No objections subject to conditions.

Environment Agency

No objections subject to sustainable drainage scheme to be submitted.

Yorkshire Water

Initial objection as the development could seriously jeopardise Yorkshire Waters ability to maintain the public water network. Maybe possible for the mains to be diverted or abandoned (dated 22nd December 2011)

In negotiations applicant has agreed to abandon this mains supply, and provide a new water supply under the terms of the Water Industry Act 1991.

Further consultation from Yorkshire Water dated 26th January 2012:-

Yorkshire Water has visited the site and the valve/tap for the site has been dug out and operated. Confirm that the feed supplies the farm only. Therefore no objection

to the water main being abandoned, and on this basis now prepared to remove our earlier objection.

West Yorkshire Ecology

West Yorkshire Ecology are satisfied with the scope and quality of the assessments and mitigation. Recommend mitigation measures are conditioned.

Land Contamination

Phase 1 Desk study submitted recommends further investigation due to the previous use of the site as a farm. Recommend conditions to address this.

Highways

No objections subject to conditions. A section 38 Agreement will be required for the adoption of the access road and provision /reinstatement of footway along the site frontage. Scheme raises no specific road safety concerns.

Drainage

No objections subject to a detailed drainage scheme to be submitted and agreed prior to development commencing.

Conservation - Sustainable Development Unit

Support the principle of the conversion of the farm buildings. Without a future use the buildings will not be maintained and will continue to decay until their eventual loss. However the proposed scheme includes a number of inappropriate changes that could be amended to be more sensitive to the special character of the complex.

The applicant has submitted revised plans addressing some of these requested details which reflect the advice given by the Inspector.

8.0 PLANNING POLICIES:

- 8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.
- 8.2 UDP Designation – The site is located within the designated Green Belt. The following policies apply:
- Policy GP5: Detailed Planning Considerations: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
 - Policy N14: There is a presumption in favour of the preservation of listed buildings.
 - Policy N15: In considering changes of use to listed buildings, the new and adapted use Should not diminish the special architectural or historical value of the building.
 - Policy N16: Extensions to Listed Buildings will be accepted only where they relate sensitively to the original buildings (design, location, mass materials should all be subservient).
 - Policy N17: Existing detailing and features that contribute to the character of a listed building.
 - should be preserved, repaired or if missing, replaced. The plan form should be preserved.

- Policy N24: Where development abuts the Green Belt, green corridors or other open land, their assimilation into the landscape must be achieved to deal positively with the transition between development and open land.
- Policy N25: Development and Site Boundaries: outlines that boundaries should be designed in a positive manner in regard to local character.
- Policy N29: Sites and monuments of archaeological importance will be preserved and appropriate investigation required.
- Policy N32: Outlines extent of land designated as Green Belt.
- Policy N33: Outlines that except in Very Special Circumstances, approval of the following types of development , will be given only for:
 - construction of new buildings for agriculture and forestry
 - essential facilities for outdoor sport/recreation
 - essential facilities for park/ride
 - other uses compatible with Green Belt purposes
 - limited extension, alteration or replacement of existing dwellings
 - limited infilling in villages and limited affordable housing for local community needs
 - re-use of buildings subject to detailed criteria of policy GB4
 - change of use of land for purposes which do not compromise Green Belt objectives
 - cemeteries
- Policy N36: Proposals for the change of use of rural buildings will be supported. Along with proposals for agricultural land, this will be assessed against issues of severance of buildings, viability of an agricultural holding, land quality, adjoining farms not being harmed, replacement farm buildings not being required, reasonable land take, traditional landscapes features, and habitats being protected. Development should not intrude harmfully into the open countryside.
- Policy N37A: All new development or change in land use in the countryside should have regard to the character of the landscape, maintain particular features and contribute positively to restoration and enhancement objectives through landscaping.
- Policy N39A: Sustainable Drainage: applicants should seek to use sustainable drainage systems where practical.
- Policy N49: Development will not normally be accepted which threatens significant net depletion or impoverishment of the District's wildlife or habitat resources, geological features or landforms. Design and landscaping matters are key to this.
- Policy N51: Nature Conservation and Enhancement: proposals should where possible enhance existing wildlife habitats/provide new areas for wildlife where opportunities arise. Buffer zones should be created adjacent to existing nature conservation interests.
- Policy T2: Development proposals should not create new, or exacerbate existing, highway problems.
- Policy T5: Satisfactory safe and secure access and provision for pedestrians/cyclists will be required within highway schemes /new development.
- Policy T24: Parking provision in all developments should reflect guidelines set out in UDP Appendix 9, Vol 2.
- Policy BD6: Alterations and extensions should respect the scale, form, detailing and materials of original building.
- Policy LD1: Sets out detailed guidance on landscape design.
- Policy GB4: Change of use of building in the Green Belt should conform to the following requirements:-
 - Physical changes to the building/curtilage should maintain openness/character/appearance.

- The building is in generally sound physical condition and its size, structural form and materials suitable for the intended use and does not require substantial rebuilding.
- Safe access can be achieved without affecting the character/appearance of the Green Belt.
- No significant additional expense falls on public utilities/services.
- In case of agricultural buildings, permitted development rights are removed for further new farm buildings.
- Scale of conversion for buildings into residential use would not produce a new 'hamlet' within the Green Belt.
- Proposals should not harm the local economy.
- Policy ARC6: Where preservation by record is required the Council will seek to impose a condition or planning obligation to secure the implementation of an appropriate programme of archaeological investigation prior to development commencing.

Supplementary Planning Guidance Note 13 – Residential Design Guide – 'Neighbourhoods for Living' (2003).

Supplementary Planning Guidance Note 25 – Greening The Built Edge (2004).

Draft Supplementary Planning Document – Street Design Guide (2007).

Planning Policy Guidance 2 'Green Belts' (1995).

Planning Policy Statement 3 'Housing' (2006).

Planning Policy Statement 7 'Sustainable Development in Rural Areas' (2004).

Planning Policy Guidance 9 'Biodiversity and Geological Conservation' (2005).

Planning Policy Statement 5 "Planning and the Historic Environment" (2010)

9.0 MAIN ISSUES

- 9.1
1. Principle of Development in the Green Belt.
 2. Protection of the character and appearance of the Listed Building.
 3. Highway Safety.
 4. Nature Conservation.
 5. Landscape and Trees.
 6. Residential Amenity and Design Issues.
 7. Outstanding Considerations.

10.0 APPRAISAL

1. Principle of Development in the Green Belt

- 10.1 Guidance within PPG2 (Section 3.8) advises that the re-use of buildings within the green belt is considered to be not inappropriate development as long as:-

- The new use does not have a materially greater impact on the openness of the green belt.
- The buildings are of a substantial construction
- The form, bulk and general design of the buildings are in keeping with their surroundings.
- Conversion proposals maybe more acceptable if they respect local building styles and materials.

- 10.2. The Inspector viewed that the use of the existing track as an access road along with car parking confined to the courtyard would minimize the impact on the openness of the green belt. The openness would be further enhanced by the removal of the modern agricultural buildings. Concluding that the residential conversion of the farm buildings is appropriate development within the green belt. In considering the

alterations to the farmhouse the Inspector concluded that the character and appearance of the green belt is defined by the character of the listed farmhouse. The harm to the special interest of the listed building identified in section 1.3 would also be harmful to the character and appearance of the green belt. Therefore the alterations to the farmhouse would be contrary to the advice of PPG2.

- 10.3 The development of a residential conversion of these former farm buildings is considered appropriate in principle. Farming activity has ceased on the site now for a number of years. As traditional farm buildings they are considered to have little marketability to adapt to modern farm practices/machinery etc. It is considered that the conversion will not 'harm' the local economy.
- 10.4 As evidenced in policy N33 (further to PPG2) the re-use of buildings within the Green Belt is deemed to be 'appropriate' development subject to detailed guidance set out in policy GB4. Policy GB4 of the UDP requires that the buildings are of generally sound construction and adaptable to conversion. The farm buildings are considered generally sound, but obviously are now deteriorating with time, further to their redundant nature and exposure to weathering. In more recent times, thefts of roof materials have not helped.
- 10.5 The creation of 7 new dwellings will constitute a significant increase in residences in this relatively isolated location. There are a small number of properties around Pennington Lane and Royds Lane. However, balanced against this is the significant benefit of restoring these buildings and bringing them back into beneficial use. It should be noted that the Inspector did not raise an objection to the principle new residential accommodation at this location.
- 10.6 Overall, the key issue in supporting the scheme is that it will allow for the architectural/historical quality of the listed farm buildings to be protected through a new use and future viability (as required through policy N14), whilst also protecting openness of the Green Belt. This has been done through the design process and removal of a number of more modern agricultural buildings from the site.
- 10.7 It is considered that a residential scheme achieves these objectives in accordance with guidance contained in PPS5 and PPS7. The scheme proposed is therefore considered in principle to meet local and national planning policy.
- 10.8 As a new residential scheme set on a redundant farm in the Green Belt, agricultural permitted development rights have been removed in reference to policy N36 (to ensure that the openness of the Green Belt is not affected) across the remainder of this agricultural holding.

2. Protection of the character and appearance of the Listed Building

- 10.9 In dealing with the appeals the Inspector reached the following conclusions:-
- The alterations to the listed farmhouse over time as part of the listings interest, should not be obliterated.
 - Interest also lies in the original external eastern elevation (The front of the farmhouse).
 - The Internal accommodation could be planned sensitively using the existing openings.
 - Losing the existing outbuilding (subject to recording) is not concerning, and the proposed double garage is considered an acceptable new addition to the house.

- The farm buildings form a coherent strong relationship with the listed farmhouse. Removing the modern frame buildings and exposing the original stone structures enhances this interest.
- Alterations using existing openings are sensitive to the character of the original buildings.
- Balconies and French windows to the south gable of the main barn could be replaced by retaining the original window openings.
- Providing there is a satisfactory treatment, exposing the base of the buildings to the north will not harm, the interest of the group as a whole.
- Parking in front of each house in the yard is a sound layout and is accepted that the existing archway is not a practical access for modern vehicles.

- 10.10 The Inspector concludes that while the proposed conversion of the farm buildings could be successfully achieved, the alterations to the farmhouse would be harmful to the special interest of the listed building.
- 10.11 The revised scheme has retained the general form, character and openings that characterise the farmhouse and its curtilage buildings. The farmhouse now retains the existing openings to front elevation, a detached single garage (previously double), retaining the existing outbuilding. On the farm buildings the balconies and French windows have been removed and the original openings have been retained.
- 10.12 The application is considered to preserve the character and appearance of the farmhouse and its original stone curtilage farm buildings as required under PPS5 and advice contained in policies N15-N17.
- 10.13 Due to the historical and architectural importance of the building and given the new use proposed (with some alteration) it is considered appropriate that the buildings are recorded prior to any development commencing to archaeologically detail the site as per advice set out in policies N29 and ARC6.

3. Highway Safety

- 10.14 In the Inspector's view the access road is in line with an existing track and was satisfied that it could comply to the "Street Design "Guide, and accepted that safe access to the site can be achieved. Using the yard for parking to the front of each house is a sound layout and the existing archway would not be a practical access for modern vehicles.
- 10.15 The access is proposed generally following the route of the existing main access into the site and re-shaped slightly to take an entrance into the courtyard of the farm buildings. The clearance height requirements for a fire tender etc meant that the more historic courtyard entrance could not be utilised.
- 10.16 The proposed arrangement will see much of the existing farm track removed which opens out in the open fields at the top (north-west) corner. This will be replaced with a turning head arrangement designed to an adoptable standard whilst trying to maintain a rural nature as much as possible, e.g. through the incorporation of 600mm margins etc. The proposed turning head will allow for refuge collection on the site and service and any emergency vehicles to turn safely within the access road.
- 10.17 Highways have no objections to the scheme subject to a section 38 Agreement for the adoption of the access road and provision/re instatement of footway along the site frontage.

- 10.18 Visibility has been met by removing the hedge and setting it slightly back into the site. This will improve highway safety sight lines from the site. All dwellings contain two dedicated parking spaces with a further 3 visitor spaces set in the courtyard and further provision for visitors within the plots that contain their own dedicated parking. Policy T24 advises that 1.5 spaces should on average be provided across the District for dwellings. New more recently produced supplementary guidance (Street Design Guide) suggests that for 3-bed+ properties (such as these) 2 spaces should be provided per dwelling + provision for visitors at 0.2 spaces per property. Therefore the scheme provides sufficient and safe off-street parking in accordance with policy guidelines.
- 10.19 The application is acceptable to policies T2 and T24 and guidance in the Street Design Guide.

4. Nature Conservation

- 10.20 In dealing with the appeal the Inspector reached the conclusion that the proposal would protect the interests of nature conservation. In paragraph number 30 particular weight was placed on the appellant's suggestion incorporating some habitats for bats within the proposed house number 5. Concluding that the proposed complies with advice in Planning Policy Statement 9 "Biodiversity and Geological Conservation "(PPS9) and with UDP Policies N49 and N51.
- 10.21 The site (farm buildings) contains evidence of bat and barn owl habitation to which a detailed survey and mitigation report have been produced. The report has been viewed by Natural England who has not raised any objection subject to a condition that the scheme is developed in accordance with its content. The main actions that are proposed to protect the bats are the following:-
- Licensed works required to the loss of the common pipistrelle roost in house 2.
 - Replacement of roosting opportunities in redeveloped buildings. Comprising of a minimum of 10 integral bat bricks into suitable elevations of the buildings.
 - To provide even more common habitat for bats at the site and to shelter their use of site from artificial light, further planting has been provided to the north-western corner around the car port/bat roost. This also helps landscaping objectives as well.
- 10.22 The application is considered acceptable to guidance contained in PPS9 and N49 and N51.

5. Landscape and Trees

- 10.23 There are 4 trees proposed for removal to accommodate the provision of the new road. There is also a further tree proposed for removal to the rear of the farmhouse. Some three trees are proposed for removal to improve sight lines at the site onto Royds Lane.
- 10.24 Whilst regrettable in this loss, a significant extra number of additional trees are proposed for planting which should mitigate this. This includes substantial planting to the north and west boundaries which will help merge the development into the open fields within the Green Belt, in accordance with policy N24 and advice in SPG25. The level of boundary treatment afforded shows native species (hawthorn, hazel, wild cherry etc). The one hedge to be removed is to be relocated behind its original line (Royds) and indeed additional planting is proposed along the north and west boundaries which will provide good wildlife habitat.

10.25 The scheme is considered to meet objectives set out in policy LD1.

6. Residential Amenity and Design Issues

10.26 All of the dwellings proposed show an area of private amenity space which is sufficient to meet the provision requirements of 2/3^{rds} of the floor space required for each individual property.

10.27 The angles and orientation of the units and their windows do not lead to any conflicts of privacy for the incoming residents. The layout of the barns helps achieve this i.e. there is some 31m of facing separation between plots 2 & 7.

10.28 No concerns are raised in respect of residential design. To protect the openness of the Green Belt and integrity of the historical structure, domestic householder permitted development rights have also been recommended for removal.

10.29 The small extensions that are proposed are small and discreet in their /location/materials. Their 'lean-to' nature and part timber construction style replicates images of agricultural buildings.

7. Outstanding Considerations

10.30 The drainage will discharge to a private treatment facility which as advised by Drainage, can be achieved under policy N39A. The existing mains water supply is to be abandoned with a new supply being provided under the Terms of the Water Industry Act 1991.

Representations received

Residents concerns

10.31 Since the applications were previously refused the circumstances have changed in that the appeals were not upheld on the grounds of the effect on the green belt or the ecological harm.

Ward Member concerns

10.32 The Appraisal section of the report addresses the concerns raised by Members in reference to the wildlife and effect on Green Belt. With regards to the access concerns Highways have raised no objections to the access and the Inspector reasons that the access road would be largely on the line of an existing paved track.

11.0 CONCLUSION

11.1 The proposed is considered as appropriate development in the Green Belt that has the additional significant benefit of bringing listed buildings back into beneficial use. The proposed alterations to the listed buildings are sympathetic to their historic fabric and character. Taking into consideration the Inspectors reasoning for dismissal of the appeals the applications are recommended for approval subject to conditions.

Background Papers:

Application Files: 11/04913/FU and 11/04914/FU

History Files : 08/03405/FU and 08/03398/LI

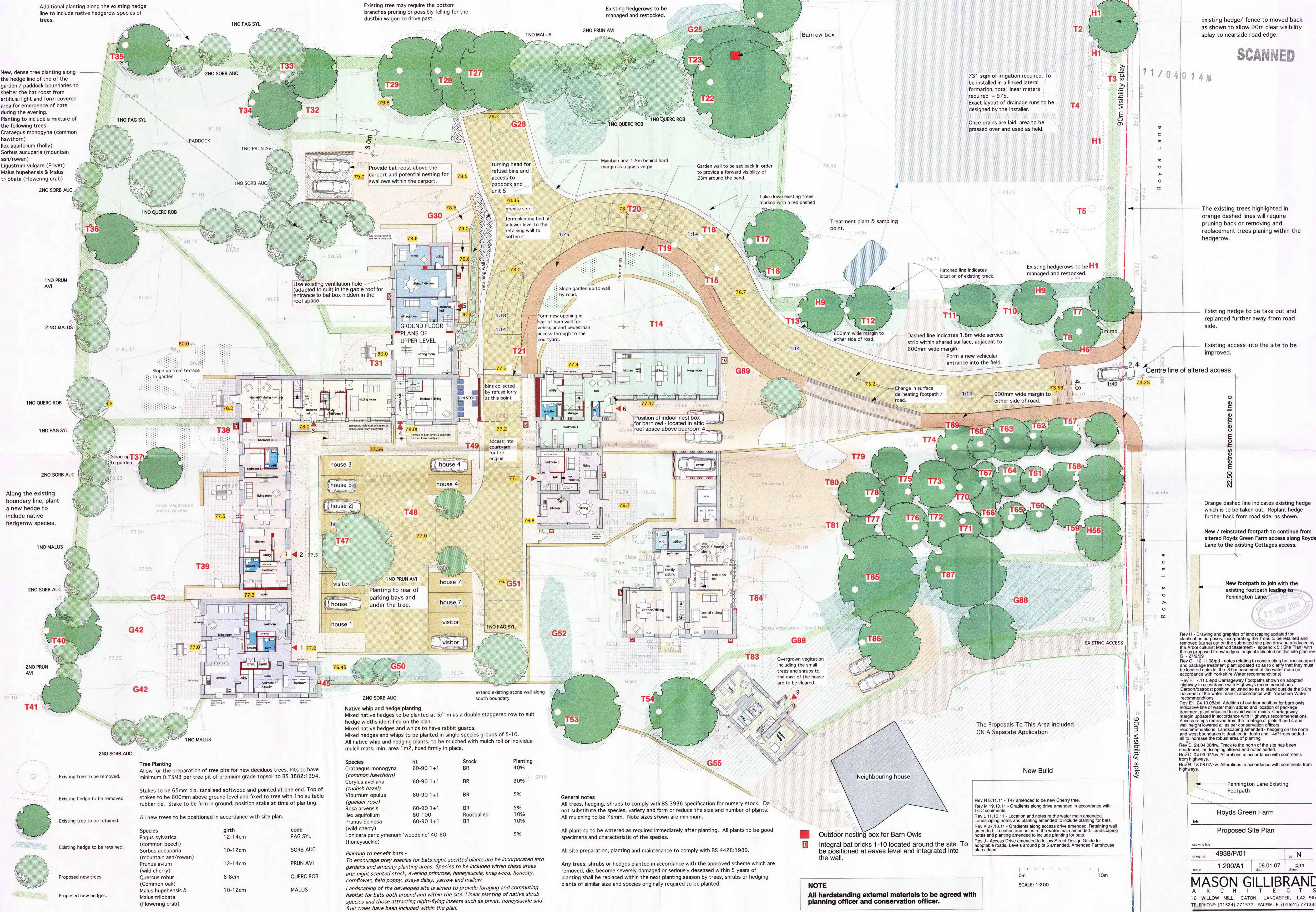
Appeal Decision: APP/N4720/E/09/2107226

APP/N4720/A/09/2107240

Certificate of ownership:

Owners notified in accordance with Notice 1 under section 65 of the Town and Country Planning Act 1990.

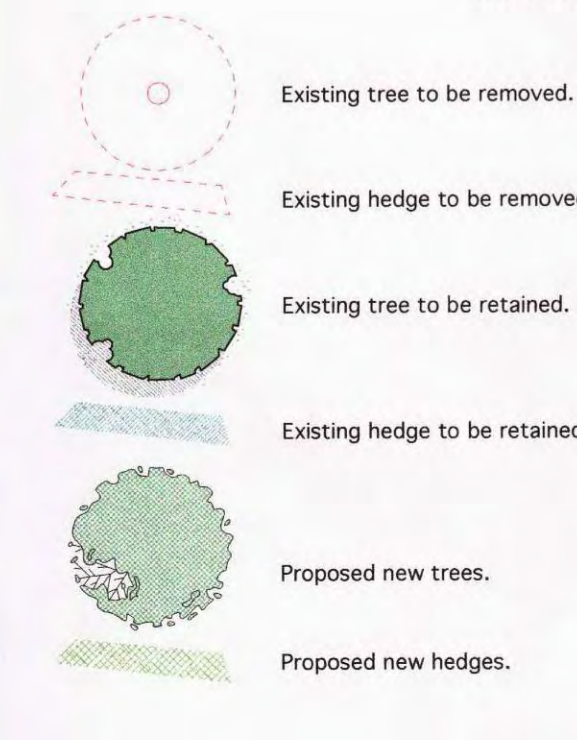
Mr Paul Shipley Royds Green Farm Oulton Leeds.
RF Steel and Sons Moss Carr Farm Methley Leeds.



Additional planting along the existing hedge line to include native hedgerow species of trees.

New, dense tree planting along the hedge line of the garden / paddock boundaries to shelter the bat roost from artificial light and form covered area for emergence of bats during the evening. Planting to include a mixture of the following trees:
 Crataegus monogyna (common hawthorn)
 Ilex aquifolium (holly)
 Sorbus aucuparia (mountain ash/rowan)
 Ligustrum vulgare (Privet)
 Malus hupehensis & Malus trilobata (Flowering crab)

Along the existing boundary line, plant a new hedge to include native hedgerow species.



Tree Planting
 Allow for the preparation of tree pits for new deciduous trees. Pits to have minimum 0.75M3 per tree pit of premium grade topsoil to BS 3882:1994.
 Stakes to be 65mm dia. tanalised softwood and pointed at one end. Top of stakes to be 600mm above ground level and fixed to tree with 1no suitable rubber tie. Stake to be firm in ground, position stake at time of planting.
 All new trees to be positioned in accordance with site plan.

Species	girth	code
Fagus sylvatica (common beech)	12-14cm	FAG SYL
Sorbus aucuparia (mountain ash/rowan)	10-12cm	SORB AUC
Prunus avium (wild cherry)	12-14cm	PRUN AVI
Quercus robur (Common oak)	6-8cm	QUERC ROB
Malus hupehensis & Malus trilobata (Flowering crab)	10-12cm	MALUS

Native whip and hedge planting
 Mixed native hedges to be planted at 5/1m as a double staggered row to suit hedge widths identified on the plan.
 Mixed native hedges and whips to have rabbit guards.
 Mixed hedges and whips to be planted in single species groups of 5-10.
 All native whip and hedging plants, to be mulched with mulch roll or individual mulch mats, min. area 1m², fixed firmly in place.

Species	ht	Stock	Planting
Crataegus monogyna (common hawthorn)	60-90 1+1	BR	40%
Corylus avellana (turkish hazel)	60-90 1+1	BR	30%
Viburnum opulus (guelder rose)	60-90 1+1	BR	5%
Rosa arvensis	60-90 1+1	BR	5%
Ilex aquifolium	80-100	Rootballed	10%
Prunus Spiniosa (wild cherry)	60-90 1+1	BR	10%
Lonicera periclymenum 'woodbine' (honeysuckle)	40-60	BR	5%

Planting to benefit bats -
 To encourage prey species for bats night-scented plants are incorporated into gardens and amenity planting areas. Species to be included within these areas are: night scented stock, evening primrose, honeysuckle, knapweed, honesty, cornflower, field poppy, oxeye daisy, yarrow and mallow.
 Landscaping of the developed site is aimed to provide foraging and commuting habitat for bats both around and within the site. Linear planting of native shrub species and those attracting night-flying insects such as privet, honeysuckle and fruit trees have been included within the plan.

General notes
 All trees, hedging, shrubs to comply with BS 3936 specification for nursery stock. Do not substitute the species, variety and form or reduce the size and number of plants. All mulching to be 75mm. Note sizes shown are minimum.
 All planting to be watered as required immediately after planting. All plants to be good specimens and characteristic of the species.
 All site preparation, planting and maintenance to comply with BS 4428:1989.
 Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species originally required to be planted.

NOTE
 All handstanding external materials to be agreed with planning officer and conservation officer.

731 sqm of irrigation required. To be installed in a linked lateral formation, total linear meters required = 975.
 Exact layout of drainage runs to be designed by the installer.
 Once drains are laid, area to be grassed over and used as field.

Rev H - Drawing and graphics of landscaping updated for clarification purposes, incorporating the Trees to be retained and removed (as set out on the submitted site plan drawing produced by the Arboriculturist Method Statement - appendix 5 - Site Plan) with the as proposed trees/hedges original indicated on this site plan rev G - 27/2/09
 Rev G - 12.11.08/ptd - notes relating to constructing bat roost/carpport and package treatment plant updated so as to clarify that they must be located outside the 3.0m easement of the water main (in accordance with Yorkshire Water recommendations).
 Rev F - 7.11.08/ptd Carriageway Footpaths shown on adopted highway in accordance with Highways recommendations. Carport/roost position adjusted so as to stand outside the 3.0m easement of the water main in accordance with Yorkshire Water recommendations.
 Rev E1 - 24.10.08/ptd. Addition of outdoor nestbox for barn owls. Indicative line of water main added and location of package treatment plant adjusted to avoid water mains. Carriageway margin updated in accordance with Highways recommendations. Access ramps removed from the frontage of plots 3 and 4 and wall height lowered all as per conservation officers recommendations. Landscaping amended - hedging on the north and west boundaries is doubled in depth and 14m trees added - all to increase the robust area of planting.
 Rev D - 24.04.08/kw. Track to the north of the site has been shortened. Landscaping altered and notes added.
 Rev C - 04.09.07/kw. Alterations in accordance with comments from highways.
 Rev B - 18.06.07/kw. Alterations in accordance with comments from highways.

Royds Green Farm

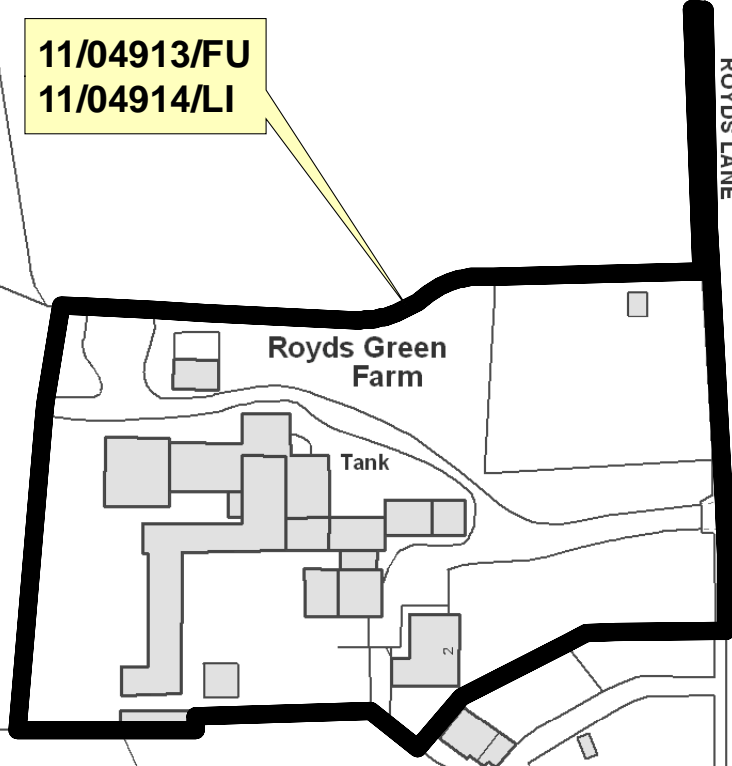
Proposed Site Plan

job: 4938/P/01 rev: N

SCALE: 1:200/A1 08.01.07 pjm

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11/04913/FU
11/04914/LI



ROYDS LANE

LB

Nursery

Royds Gr

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EAST PLANS PANEL

