

1.0 Application Number – [WD/D/19/002127](#)

Site address: STONE BARN HOUSE, YETMINSTER ROAD, CHETNOLE, SHERBORNE, DT9 6NY

Proposal: Change of use and conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations

Applicant name: Marble Green Property Ltd

Case Officer: Mr J Lytton-Trevers

Ward Member: Cllr Mary Penfold

REASON APPLICATION IS GOING TO COMMITTEE: At request of Head of Planning.

2.0 Summary of Recommendation: APPROVE subject to conditions

3.0 Reason for the recommendation:

- This is a disused and listed barn which can be converted into a single dwelling without detriment to the setting of it and other buildings around it.
- The domestic use of the building would not be detrimental to the amenity of adjoining property and would not lead to danger to road users.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this listed building.
Setting of heritage assets	The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity. No harm would result in terms of the impact on the designated heritage assets.
Amenity	The conversion would not impact on neighbouring amenity and road safety.
Other matters	There are no significant issues.

5.0 Description of Site

The name given for the building by the applicant is erroneous as the building is a barn not a house. The last application referred to it as a barn. Hereafter it shall be referred to as a barn so as not to mislead.

This is a historic site consisting of the former barns and stables associated with the principal house, Hamlet House and its adjoining Malthouse. Hamlet House, the Malthouse, Dairy and attached Outbuilding (Rose barn) are listed at Grade II*, whilst the Stables (Coach House) and the C19 Barn (Stone Barn) are separately listed at Grade II. The former C19 cow shed (Rose barn) is unlisted, but is considered to be a curtilage listed building II* as it was in existence prior to 1948, appearing on the 1880 historic map analysis submitted with the application. It is situated in countryside some distance away from Chetnole.

6.0 Description of Development

This application follows the recent refusal for the conversion of four barns and outbuildings at Hamlet. A revised scheme seeks to convert the Grade II listed Threshing Barn into a dwelling.

7.0 Relevant Planning History

Application No.	Application Description	Building/type	Decision
WD/D/19/002137	Conversion of building	Rose barn LBC	Accompanying application
WD/D/19/002136	Change of use and conversion of agricultural building to 1 No. dwelling	Rose barn FULL	Accompanying application
WD/D/19/002128	Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations	Stone barn LBC	Accompanying application
WD/D/19/000833	Conversion of 4 buildings	Garden, Stone, Rose and Stable FULL	Refused

WD/D/19/000834	Conversion of 4 buildings	Garden, Stone, Rose and Stable LBC	Refused
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8.0 List of Constraints

Flood zone 2
Listed Building

9.0 Consultations

Yetminster & Ryme Intrinseca Parish Council Objection

Access, visitor parking and turning are unsuitable. The shared access is at a point where the road is narrow, the visibility splay restricted by vehicles parking in the road;

Flood and surface water risk;

Hamlet is outside Chetnole and lacks facilities;

Alternative uses have not been properly explored including a workshop, local rented or tourist accommodation;

No explanation as to how all of the alternatives have been assessed and why they are not possible;

Piecemeal nature of severing off both the Stone Barn and Rose barn.

Chetnole and Stockwood Parish Council: Objection

Detrimental to the setting of listed building;

Within a flood risk zone;

Chetnole has no Defined Development Boundary;

Harm to amenity of Hamlet House through overshadowing, overlooking and noise;

Would detract from the setting;

The road is narrow and close to a bend and there would be a considerable increase in vehicle movements.

Environmental Health - No comment

Wessex Water – No objection conditional

Natural England - No comment

Environment Agency - No objection subject to comments relating to flood risk and escape routes.

Highways Officer - No objection

Technical Services - No reply

Conservation Officer - No objection subject to further information on method of insertion of floor, landscaping, methodology and details of windows etc.

Historic England – Comments

The long-term future of the remaining buildings and land within the applicant's ownership should be clarified as part of the application. This has not been included as part of the current application.

Flood Risk Management - Awaited

10.0 Representations

7 object: 13 Support

Objections:

Access is narrow and sight lines restricted;
Will increase flood risk from River Wriggle and surface water flooding;
Insufficient parking which is limited in the road;
Limited access for emergency vehicles;
Sub-division of the yard inappropriate;
No detail of heating oil tanks, etc;
Reference to the orchard covenant (although it is not part of this proposal);
Illogical floor levels, layout of rooms, distance to parking and cutting through walls.

Support:

Would preserve and re-use an historic building;

11.0 Relevant Policies

West Dorset and Weymouth & Portland Local Plan (2015)

INT 1. PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
ENV 1. LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST
ENV 2. WILDLIFE AND HABITATS
ENV 4. HERITAGE ASSETS
ENV 9. POLLUTION AND CONTAMINATED LAND
ENV 12. THE DESIGN AND POSITIONING OF BUILDINGS
ENV 16. AMENITY
SUS 3. ADAPTATION AND RE-USE OF BUILDINGS OUTSIDE DEFINED DEVELOPMENT BOUNDARIES
COM 7. CREATING A SAFE AND EFFICIENT TRANSPORT NETWORK
COM 9. PARKING STANDARDS IN NEW DEVELOPMENT

Design & Sustainable Development Planning Guidelines (2009)

National Planning Policy Framework (2019):

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty (standard text)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

14.0 Financial benefits

Jobs would be created during the construction stage.

Occupants would make use of local services.

The dwelling would generate council tax.

15.0 Climate Implications

The dwelling would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

16.0 Planning Assessment

Principle

The conversion of a building into an alternative use is addressed by policy SUS3.

The building is within Hamlet, which is unrelated to Chetnole and neither within a settlement boundary nor within a settlement with 200+ population. Chetnole, whilst having a 200+ population, the built up area does not extend as far as the location of this building, being separated from Hamlet by fields. Therefore, the 5th or the 6th bullet of Policy SUS3ii) would not apply. The 5th bullet applies to proposals for open market housing on sites within or adjoining settlements with DDBs or settlements without DDBs with a population of 200+. The barn in question at Hamlet does not meet the locational criteria under this bullet and so it would not apply to any scheme on this site.

As a result, the 6th bullet could potentially apply to the barn given its location outside a settlement with a DDB or outside a settlement with a population of 200+. Para 3.4.2 explains that in such locations, market housing may be permitted, exceptionally if a local benefit can be secured with a tie to a wider holding. This would not be possible in this particular case, as there is no 'wider holding' to tie any local benefit to.

However, the final bullet does potentially relate to this site. It only relates to designated heritage assets, so it would not apply to any buildings that were not listed;

It needs to be demonstrated that it would not be possible to achieve an acceptable scheme under any of the preceding bullets; and

It would need to be demonstrated that any open market housing scheme would secure the optimal viable use to secure the long term future of the buildings.

It is also necessary to apply other relevant policies, including Policy ENV4: Heritage Assets, as well as national policy on heritage assets, considered below.

Setting of heritage assets

Its conversion to residential use is considered to be possible, subject to acceptable details of layout, amenity space and access, so that the historic farmstead is not compromised as a result.

The site has been severed into two ownerships after its recent sale. The four barns/outbuildings and stables, a modern agricultural barn and adjoining land into one, and the house and thatched malthouse into another. The split has unfortunately led to a serious fracture into the historic intimacy of the site, worsened by the close relationship of the buildings, shared driveway and intertwined historic association of the site. The listed barns and stable are simple stone vernacular agrarian buildings, virtually unaltered since being built, with limited openings. The stables have been converted on the first floor into simple residential accommodation, which it is understood was tied to the main house for staff in the past. The ground floor however remains as stables. The site is significant as the principal house and its adjoining buildings are listed at Grade II* and the other buildings are of interest, listed primarily for their group value in this historic context.

This stone built barn has a slate roof and is relatively simple in plan with opposing full height doors to the north and south, where the wheat would have been brought in by cart before being threshed and stored or ground. The barn, like others in the group is no longer used for farming purposes and is empty. The impact of the residential conversion of this building has to be considered within the setting of this group and the potential impact on the significance of the heritage assets.

The proposals represent an improved conversion of the building with little external alteration.

The proposed conversion of the shed into a home office/studio seems ambitious. Whilst it may be possible, the building might be better served as a storage space for garden tools and bikes etc as this is not indicated on the plans.

There is no landscape plan provided. This should demonstrate how the soft and hard surfaces will be treated and planted up and how the boundaries, gates or fences (if any) will be laid out. As the site is sensitive as a former farmyard and for its group value, this aspect is important to determine the subdivision of the site, and to limit the impact on the setting of the listed buildings and the Hamlet farm group.

The applicant states that there would be no impacts on the group, no changes to the physical boundaries on the site. Whilst no physical changes to boundaries are shown between the building and others, it would be necessary to remove all permitted development rights for any development whatsoever to avoid domestic development including new hard surfacing and boundary treatments.

There are no details for the Garden barn. This formed part of the previous application and it was understood it was to be linked to this site as an ancillary building. If this is to be excluded and retained separately, it is important to

understand how this will work and be used, in relation to the Stone Barn and Rose barn. The Surveyors report emphasises the need to re-use historic buildings to give them a purpose and to be viable, yet there is nothing provided on this building at this time. As it is a Grade II* listed building, and forms part of this historic group, it is important and not unreasonable to request information about proposals for this building, and what if anything is planned for it at this stage.

Whilst extensions and outbuildings are currently restricted in the General Permitted Development Order on listed buildings and in the curtilage, it would still be appropriate on amenity grounds for this to be imposed to perform a planning function.

No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the significance of heritage assets.

Amenity

The level of additional activity that the use would bring onto the site would be relatively well screened from Hamlet House and its occupants. There is a stone wall along the common boundary. They do not share access and the building would not directly overlook. The amount of additional activity in proximity to the neighbour would be relatively small in domestic use compared with the potential if remaining in farm use.

The working modern barn is very near and if it was used for purposes other than storage could give rise to noise and odour for subsequent occupants of the conversion although a buyer would be aware of it on viewing the site.

Other matters

Given the past uses of some of the buildings there would be potential for Contamination which would need addressing if encountered.

The proposal would be able to make provision for on-site parking for at least 2 cars as well as turning provision which would meet the daily needs of occupants. Visitor and delivery parking is available in the road where there are no restrictions. The distance of the garage away from the proposed dwelling is noted but not overly excessive to prevent its use. Although the number of parking spaces in the road is limited it is possible to park in the road leaving adequate space for vehicles to pass and for residents without private parking to park. The alignment, narrowness and usage of the road are noted but meet highway requirements in terms of visibility, suitability and the proposed use.

There is adequate access for emergency vehicles, the disabled and for vehicles to pass within the site. It is not considered the proposal would lead to danger to users of the highway.

There is no reason to suppose that the shored up wall would be made more vulnerable to damage as a result of increased use of the access.

There is no evidence to suggest the proposal would lead to additional flood risk as conversion of existing buildings to more vulnerable uses is normally allowed. The site lies within Flood Zone 2 as shown on the published Flood Map and the application is supported by Flood Risk Assessment & Drainage Strategy Report Ref: 4924-RP01 Issue 1 by SDS Consulting dated 20 March 2019. This is change of use of existing buildings, and is two storey, therefore it is not subject to the same level of flood risk requirements as a new development in a flood risk area.

Finished Floor levels The Flood Risk Assessment (FRA) states that finished floor levels will be 62.490mAOD. Although there will be a safe refuge above for this two storey change of use. In order to accept finished floor levels below 100 year flood level plus climate change there must be extra flood resilience resistance and resilience measures to 600mm above 100 year flood level plus climate. The FRA identifies various flood depths at the buildings in the order of 0.05m to 0.21m.

Due to the risk of fluvial flooding and local concerns about an element of surface water and groundwater flooding on this site, the lead local flood authority could be consulted. As there would be no additional new build or hard surface on the land, the amount of run off would be unchanged.

In relation to flood emergency response and evacuation arrangements for the site, a Flood Warning and Evacuation Plan for future occupants should be secured through an appropriate condition.

The proposal would be CIL liable with an estimated charge £7,450.00 plus index linking.

Provision for storage of refuse is not shown but would be achievable without undue risk to health. Oil tanks can normally be provided without formal permission in some cases and are normally small enough to screen off.

Any existing covenants on the property may restrict implementation of the scheme which is a legal matter relating to the land rather than a planning consideration.

The biodiversity report requires mitigation measures in the conversion.

17.0 Conclusion

Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this listed building. No harm would result in terms of the impact on the significance of the designated heritage asset. The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity. The conversion would not impact on neighbouring amenity and road safety. There are no significant issues.

18.0 RECOMMENDATION Grant, subject to conditions.

CONDITIONS:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Block Plan - Drawing Number PL-1302-200B received on 29/08/2019

Existing Elevations - Drawing Number S -1302-05C received on 29/08/2019

Floor plans & Elevations - Drawing Number PL-1302-201B received on 29/08/2019

Floor Level - Drawing Number PL-1302-202A received on 29/08/2019

Garden Office Floor plans & Elevations - Drawing Number PL-1302-203A received on 29/08/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 No development above ground level shall be commenced until details and samples of all new external facing materials for the walls and roof shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To safeguard the setting of the heritage asset.

4 No development for the insertion of new doors and windows shall commence until a schedule and detailed sections (scale 1:10) of all new windows in the development has been submitted to and approved in writing by the Local Planning Authority. All windows shall be constructed of timber and shall be painted, but the schedule shall include additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included). Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.

REASON: To safeguard the setting of the heritage asset.

5 No development above ground level shall commence until a scheme showing precise details of all vents, flues, meter boxes and letter boxes shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter.

REASON: To safeguard the setting of the heritage asset.

6 No development shall be occupied until full details of hard landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units), proposed and existing functional services above and below ground (eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc), retained historic landscape features and proposals for their restoration where relevant.

REASON: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

7 NS Before occupation of the dwelling details of flood resilience and proofing measures to be undertaken to the fabric of the building shall be submitted to and approved by the Local Planning Authority.

REASON: To ensure measures to incorporate flood resilience do not detract from the setting of the heritage asset.

8 Before occupation of the dwelling, details of an emergency access shall be submitted to and approved by the Local Planning Authority and shall be completed. This access shall only be used if the existing access becomes unusable due to flooding. This access shall be permanently retained and maintained and kept clear of any obstruction.

REASON: To provide emergency access and/or egress if the existing access becomes flooded and in the interests of highway safety.

9 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175.

Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements, improvements, or other alterations of the dwellinghouse; no buildings etc incidental to the enjoyment of the dwellinghouse; no hard surfaces (other than those agreed under condition 6) and no chimneys permitted by Classes A, B, C, D E, F and G of Schedule 2 Part 1 of the 2015 Order shall be laid within the land shown edged red on the approved plan.

REASON: To safeguard the setting of heritage assets.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no gates, fences, walls etc (other than those agreed under condition 6) permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected within the land shown edged red on the approved plan.

REASON: To safeguard the setting of heritage assets.

12 The existing private drainage sewers re-used for redevelopment must be

tested prior to site construction to ensure that groundwater is not able to enter the system. Results of the testing and any remedial work should be submitted to and approved by the Local Planning Authority. The system must be entirely in accord with the agreed details.

REASON: To ensure no groundwater enters the foul water drainage system within the site.

13

The protected species mitigation proposals set out in the approved KP Ecology Protected Species Survey and Mitigation Report dated 17 June 2019 shall be undertaken in full before the development hereby approved is first brought into use and shall be maintained in the approved condition permanently thereafter.

REASON: To ensure adequate habitat is provided and protected to accommodate protected species.