

DEV/SE/17/025

Development Control Committee 1 June 2017

Planning Application DC/16/0788/FUL, Street Farm Barns, Low Street, Bardwell, Bury St Edmunds

Date Registered:	15.04.2016	Expiry Date:	10.06.2016, Extension of Time agreed
Case Officer:	James Claxton	Recommendation:	Approve
Parish:	Bardwell	Ward:	Bardwell
Proposal:	Planning Application - 2 no. detached dwellings and garages (following demolition of barns and store buildings).		
Site:	Street Farm Barns, Low Street, Bardwell,		
Applicant:	Mr N Webber		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is referred to the Development Control Committee because the proposal is contrary to locally adopted planning policies.

Proposal:

1. The proposal is for the erection of two detached dwellings with associated garages, this is to follow the demolition of the existing barns on site, and the proposed would sit in similar positions. Please note all measurements are approximate, and orientations refer to the direction of the ridge lines.

2. The existing barns measure

Northern barn
Ridge height 7m
Length 25.0m
Width 18.0m

Southern barn
Ridge height 8m
Length 16.15m
Width 13.67m

3. The proposed dwellings are both four bedrooms, and measure

Plot 1

4. The overall foot print of this plot is "T" shaped, albeit up-side-down, with the cross bar running east west, and the foot running north south. On the eastern end of the cross bar on its south side, is a single storey element that is orientated north south. In the north eastern corner of the site is the detached garage for this plot.

Two storey T element

Ridge height 8m
Eave height 4.7m

Cross bar

Length 18.17m
Width 6.13m

Foot

Length 6.48m
Width 6.3m

Single storey element

Ridge heights 4.1m
Ridge eaves 2.2m
Length 3.8m
Width 4.2m

Garage

Length	7.4m
Width	6.8m

Plot 2

5. The overall foot print of this plot is "L" shaped, albeit mirrored and rotated 180 degrees. The length of the "L" runs east west, and foot runs north south. On the eastern end of the foot, is a single storey attached garage that is orientated east west. A second single storey element extends south from the foot of the "L", orientated north south, and is joined to the garage by a single storey wrap-around element.

Two storey L element

Ridge height	8.4m
Eaves height	4.7

Length of "L"

Length	15.8m
Width	6.2m

Length of foot

Length	12.2m
Width	6.1m

Single storey extending from south of foot

Ridge height	4.5m
Eaves height	2.4m
Length	5.1m
Width	5.3m

Single storey garages

Ridge height	4.5m
Eaves height	2.45m
Length	7m
Width	6.7m

Materials

6. For both dwellings proposed materials are Clay pantiles for roofs and boarding and brickwork for elevations, with Fenestration to match the non-domestic appearance. Walls to form enclosed courtyards further enforce this aesthetic.

Application Supporting Material:

7. As listed:
 - Application form
 - Site location plan
 - Block plan
 - Cross section
 - Proposed Elevations
 - Proposed Floor plans
 - Land Contamination details
 - Planning statement
 - Flood zone appraisal
 - Biodiversity report

Site Details:

8. The site is located to the west of Low Street, Bardwell, sitting outside of the settlement boundary and conservation areas, which are located on the northern, eastern, and southern edges of the site. Between Low Street and the site is an existing converted barn. To the north is Street Farm and the grade II listed Mansard House, and to the south is a row of dwellings which are circa 1960's in architectural style and are a mix of one and two storeys. To the east of the site on the opposite side of the road is row of two storey dwellings which are a mix of historic and modern architectural styles, two of these dwellings are grade II listed.
9. The topography of the site is that it sits approximately 2.5 metres below Low Street, and is predominately a flat grassed area.

Planning History:

Reference	Proposal	Status	Decision Date
DC/16/0788/FUL	Planning Application - 2 no. detached dwellings and garages (following demolition of barns and store buildings).	Pending Decision	
SE/07/0516	Planning Application - Provision of external staircase	Application Granted	16.05.2007

Consultations:

Environment Agency

First Consultation response received

10. The barns are currently located in Flood Zone 1. The western end of the site falls within Flood Zone 2. A very small portion of proposed Plot 1 lies in Flood Zone 2 whilst Plot 2 will entirely be located in Flood Zone 1. The submitted Flood Risk Assessment (GHB Reference: 131/2010/FRA; dated July 2011) is out of date. We have therefore not reviewed the FRA.

11. We have no objection to the proposed development but we recommend that a sequential approach to site layout should be applied i.e. siting Plot 1 entirely within the lower flood risk area within the red line boundary as shown on drawing 01.
12. The site is located above a Principal Aquifer. However, we do not consider this proposal to be high risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

Second consultation response

13. No objections.

Environment Team

First Consultation response received - Objection

14. The application is supported by an Eviroscreen report and a completed copy of the West Suffolk contaminated land questionnaire (old St Edmundsbury version). This is only considered appropriate on existing residential or greenfield locations. Redevelopment of agricultural sites should be accompanied by a full Phase 1 desk study (including walkover) due to the risks associated with agricultural sites such as fuel/pesticide/chemical storage, storage or on site maintenance of mechanical farming equipment etc.
15. The application does not contain sufficient information on the risk posed by potential contamination at the site and therefore does not accord with the National Planning Policy Framework (NPPF), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policies Document.

Second consultation response received 30 May 2017 – No objections

16. Thank you for providing a copy of the Phase 1 Geo-Environmental Assessment undertaken by Frith Blake Consulting, reference 2016-436, dated June 2016. I can confirm that this is adequate to allow us to **withdraw our objection** to application DC/16/0788/FUL. We can also confirm that we agree with the conclusions of the report that targeted intrusive investigations will be required and that these can be suitably controlled by a condition attached to the planning permission, if granted.

Heritage

First Consultation response received

Relevant policies

17. The following policies have been taken into account in the consideration of this application:

Forest Heath & St Edmundsbury Joint Development Management Policies Document

18.DM17 Conservation Areas

19.DM33 Reuse or replacement of buildings in the countryside

National Planning Policy Framework

Core planning principles

20. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles include:

always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

Supporting a prosperous rural economy

Conserving and Enhancing the Historic Environment

Comments

21. The proposed development involves the replacement of buildings within the countryside and development within the conservation area. These comments consider the impact on the conservation area only and whether the development either preserves or enhances its character or appearance.

22. The site together with Street Farm to the north, the barns to the east and listed buildings on the opposite side of the road form the northern extremities of the conservation area and largely constitute historic development. Converted barns are sited immediately east of the proposed development and are timber clad with pantile roofs and largely retain their agricultural character. The proposed development replaces two large agricultural buildings with wide spans, shallow pitched roofs and modern materials. They are not recognised as non designated heritage assets which contribute towards the character and appearance of the conservation area and therefore their demolition is supported. The

replacement buildings display similar characteristics to the barns to the east and are clad in timber boarding and pantile roofs. The linear form of the barns fronting onto Low Street is not replicated with a number of single storey extensions are proposed projecting off the main range.

23. The principle of redevelopment and the approach adopted is largely supported however concern is expressed with regard to the scale of the proposed buildings where in the context of the existing barns to the east and Street Farm to the North East, replacement buildings of a more diminishing scale would be desirable particularly in the absence of evidence to support historic development in this location.

Second consultation response received 25 April 2017, regarding the submitted cross section – no objections.

24. Whilst the cross section does not demonstrate barns of a diminishing scale they are comparable to that of the existing so as not to cause harm to the character or appearance of the conservation area. I therefore have no objections.

Highways

25. No objections, recommend conditions.

Historic England

26. No objections, recommend application is determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Natural England

27. No objections.

Public Health and Housing

28. No objections.

Parish Council

29. Bardwell Parish Council has no objection in principle to this planning application.

30. However, it concurs with the concerns from the neighbouring property owner and considers that more detailed information is required re the intended boundary treatments of the north and west of the proposed site, prior to this application being decided. Also:
- What is the measurement between the rear of the garages of plot 1 and the boundary/existing hedge?
 - What is the measurement between the Plot 2 and the boundary with The Pheasants?
 - What are the measurements to the boundaries of plots 1 and 2?

Representations:

Mansard House Low Street: Representation

31. In principle we have no objection to the planning application. However this is subject to us getting further details for the boundary treatment to the north and west of the proposed site, as the drawings are vague.

Policy:

32. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

1. Joint Development Management Policies Document:

DM1 Presumption in Favour of Sustainable Development.
DM2 Creating Places – Development Principles and Local Distinctiveness
DM5: Development in the Countryside
DM17 – Conservation Areas
DM22 Residential Design
DM27: Housing in the Countryside
DM33 – Reuse or Replacement of Buildings within the Countryside

2. St Edmundsbury Core Strategy December 2010

CS2: Sustainable Development
CS4 Settlement Hierarchy and identity

Other Planning Policy:

3. National Planning Policy Framework (2012)

National Planning Practice Guidance.

Officer Comment:

33. The issues to be considered in the determination of the application are:

- Principle of Development
- Housing Provision
- Design, Character and Appearance
- Heritage Considerations
- Highways considerations
- Other Matters
 - Flood Zone
 - Class Q Development
 - Representations

34. This application is for planning permission for two dwellings and is judged on its individual merits, using the locally adopted policies and those provided by the NPPF and NPPG where appropriate.

Principle of Development

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Recent High Court cases have reaffirmed that proposals that do not accord with the development plan should not be seen favourably, unless there are material considerations that outweigh the conflict with the plan. This is a crucial policy test to bear in mind in considering this matter since it is not just an absence of harm that is necessary in order to outweigh any conflict with the Development Plan, rather tangible material considerations and benefit must be demonstrated.
36. St Edmundsbury Borough Council is able to demonstrate at least a five year supply of housing land, plus necessary buffer, and the relevant policies for the supply of housing are therefore considered to be up-to-date. The starting point for all proposals is therefore the development plan.
37. Policies DM1 and RV1 set out the presumption in favour of sustainable development required by all local plans, and which paragraph 49 of the NPPF makes clear applies to all housing proposals. Sustainable development is the 'golden thread' that runs throughout plan making and decision taking and this 'presumption in favour of sustainable development' is embedded in paragraph 14 of the NPPF, and which applies in two scenarios. Firstly, if the proposal accords with the policies of the development plan support should be given for the proposed development, unless material considerations otherwise indicate development should be refused. Secondly, and on the other hand, this presumption in favour of sustainable development also applies if the development plan is absent, silent, or relevant policies are out of date, in which case permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
38. The application site is located in designated countryside, and policy CS4 identifies the settlement of Bardwell as a Local Service Centre. Such villages have a limited range of services, where only limited development within the settlement boundary will be acceptable. Development outside defined areas will be strictly controlled. Core Strategy Policy CS4 identifies development in the countryside as locationally unsustainable. This is due to the reliance on the motor car to get to work, shops, or in the use of other facilities, because of a lack of basic services in the immediate area. There are exceptional circumstances such as the replacement of existing dwellings or the provision of key agricultural workers where development may be allowed. It is also the case, quite rightly, that not all countryside locations are necessarily locationally unsustainable and a more nuanced assessment is required. Nonetheless, on the basis of the location of this development outside the settlement boundary for Bardwell, and noting the starting point for consideration of proposals should be the development plan, there is a clear conflict with the provisions of the Development Plan which must be considered to weigh against the proposal.

39. Policy DM5 sets out the specific instances of development that are considered appropriate in the countryside along with the criteria proposals will need to meet and those policies that set out further criteria depending on the type of development. In this instance, policy DM27 sets out those additional criteria for new market dwellings in the countryside. Proposals will only be permitted on small undeveloped plots where they are within a closely knit cluster, and front a highway. A small undeveloped plot is one that could be filled by either one detached dwelling, or a pair of semi-detached dwellings, where plot sizes and spacing between dwellings is similar and respectful of the rural character and street scene of the locality. Furthermore, Policy DM33 only permits the replacement of buildings in the countryside in 'exceptional' circumstances, none of which are considered to necessarily apply in this instance. This indicates another conflict with the provisions of the Development Plan which must be weighted against approval.
40. With regard to Policy DM27 the proposal is not within a cluster. It is on the edge of the settlement with no built development adjacent the western boundary. However, there is development, in the form of domestic gardens to the north and south of the site, and development fronting Low Street to the east. Whilst the site cannot be considered strictly to be within the cluster of development it is very closely related to it. Regardless, it does not strictly comply with policies CS4, CS13, DM5 or DM27 that all seek to concentrate new development in the countryside within the bounds of existing settlements and clusters albeit there is only modest policy conflict with DM27. However modest therefore, this failure to meet the provisions of the Development Plan, noting the latest Court rulings and interpretation on this matter, indicate that weight should be attached to this conflict against the scheme as a matter of principle. Any harm, including matters of principle and of detail, as shall be set out below, must indicate refusal, in accordance with the Development Plan, unless there are material considerations that indicate otherwise.
41. The National Planning Policy Framework (NPPF) does not define or limit the meaning of the term 'isolated' and neither do adopted planning documents. However paragraph 55 does not indicate that any new home in the countryside which is not isolated should necessarily be accepted. This does not merely relate to the existence or absence of nearby dwellings, but must also be read in the context of the broad overall aim of paragraph 55, which is to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. This approach is similar to that set out in Policy CS4 of the St Edmundsbury Core Strategy.
42. Paragraph 55 advises that, to promote sustainable development, rural housing should be located where it would enhance or maintain the vitality of rural communities. Paragraph 7 of the Framework sets out the three dimensions to sustainable development: economic, social and environmental, and that these roles are mutually dependent and should be jointly sought to achieve sustainable development.

43. The site is located outside of the settlement boundary and is therefore deemed to be 'countryside' for the purposes of the Local Plan. However the site is located adjacent to the settlement boundary for Bardwell. The St Edmundsbury Core Strategy categorises Bardwell as a Local Service Centre which are described as having some services and facilities, such as a shop and a school, and tend to be local centers for a wider rural area than the settlement alone. These villages will be able to accommodate some small scale growth which will be dependent upon local environmental and infrastructure capacity of the village concerned.
44. The characteristics of Bardwell, as of Spring 2009, detailed by the Core Strategy showed that there was a population of 690 with a reasonable level of local services for a village of its size. Although it has a post office Bardwell lacks a convenience goods shop, and has poor public transport links to Bury St Edmunds. However, it does have a primary school, two pubs, a village hall, and some employment in the village, and is close to employment opportunities in Stanton and Ixworth, between which is a bus service. A bakery within Bardwell is also a recent addition to the area.
45. Given the proximity of those facilities, at a distance of approximately 500 metres, the location is deemed to be locationally sustainable and whilst it is recognised there would be some reliance on the car for transportation, this is mitigated in part by the facilities available in Bardwell and the bus service. It is reasonable to suggest that due to the site's setting it is not physically nor functionally isolated. Nonetheless, and as advised, it does not fully accord with the written form of policies CS4, DM5, or DM27 and, however slight, and in considering the principle of development, this must be taken as weighing heavily against the proposal.
46. Sustainable development could also be interpreted to include the physical task of developing the barns. Considering possible alternative approaches to planning permission would also lead to different overall construction methods. For example because of the use and design of the barns, it may be possible to use a Class Q Prior Notification application for their conversion. This would require the retrofitting of insulation, windows, and roofing materials. This is in comparison to works involved in their demolition and starting afresh, to provide a purposely designed structure.
47. This is assessed below in detailed in the Other Matters section under the subtitle Class Q Development since the potential for the barns to benefit from a Class Q conversion must be considered as a material fall back and therefore relevant to the assessment of this proposal. This will need a careful assessment in light of the policy harm identified above, which would otherwise point towards a refusal.

Housing provision

48. St Edmundsbury has a demonstrable 5-year land supply, and is not considered to be under additional pressure to release land for new dwellings in areas that are not in line with policy. Within that land supply would be allowances for a number of sites to come forward categorised as "windfall", meaning that they were not previously identified as possible viable locations for developed, due to planning constraints or that they were not previously submitted through call for sites.

49. Justifying departures from the development plan should be carefully considered, judging each application on its individual merits. In this instance it could be considered that the departure is not of a significant level but it is nonetheless a departure that requires material considerations to indicate otherwise if it is to be supported. Taking account of possible development through the use of Prior Notification applications, it may be deemed that accepting development through the planning application route could secure a proposal that provides further positives at a level over and above what may otherwise be achieved via a prior approval route. Plainly this assessment and balance can only be made on the considerations of Class Q of the GPDO have been considered.

Design, Character & Appearance

50. Policy DM2 requires that development recognises and addresses the key features and characteristics of an area. This is reiterated in Policy DM22 which seeks to secure appropriate residential design that accords with the local area, through its built form. The thrust of these policies accords with the NPPF which looks to enhance immediate settings, whilst being sensitive to the defining characteristics of the local area.

51. The existing barns are of their time, and could be reasonably categorised in an architectural style based on achieving functional agricultural buildings. The southern barn is constructed from buff coloured brick forming the lower elevations with an equal section of corrugated asbestos sheeting above. This material is also used for the roof, and the open sided lean to element located on the northern elevation of the barn. Within the brick elevation section are buttresses of the same buff colour, but these are provided purely for structural reasons only, and are not ornate. The overall form is bulky, utilitarian and voluminous with little physical articulation provided by the buttresses or by the use of materials.

52. The northern barn consists of three elements. The southern element is open on its southern elevation, and is made from corrugated asbestos sheeting over a machine sawn timber frame. North of that is an element made from brick, which could be described as providing a spine to the building. The most northern element is constructed from corrugated asbestos sheet which is also used for the roof.

53. It is reasonable to suggest that the barns do not represent buildings that are of significant architectural merit. However they do not create significant levels of visual harm in their existing form to the street scene or conservation area by virtue of their location and their obviously agricultural nature in a rural landscape. However, nor do they create any significant positives.

54. The proposed dwellings are consistent with the Suffolk vernacular for barns. The overall form provides interest by using a two storey element appended by single storey lean to elements and gable end projections. The overall scale of the proposed dwellings is similar to the existing barns, but through using a range of building heights the overall scale and mass is notably reduced. This is further complimented by the choice of materials, such as black weather boarded elevations set over a brick plinth, and clay pan roof tiles.

55. Assessing the proposed dwellings against the existing barns, it is reasonable to suggest that they could be deemed to be positive additions to the street scene. When read as a whole, or via glimpsed views afforded from public vantage points, the proposed building form would be commensurate with that of the existing street scene, according with the pattern and characteristics of development that might be expected in this location. This is supported by the proposed dwellings being located in similar positions to the existing barns.

56. The proposal would comply with paragraph 9 of the NPPF which seeks to secure positive improvements to the quality of the built environment. This is reiterated in para. 56 of the NPPF which attaches great importance to the design of the built environment, which is deemed to be indivisible from good planning and should contribute positively to making places better for people. Therefore it is reasonable to suggest that the proposal would accord with thrust of the NPPF in regards to design, and with policies DM2 and DM22 and this must be taken as weighing in its favour in the balance of considerations.

Heritage Considerations

57. The first Consultation response largely supported the principle of redevelopment. However concerns were expressed with regards to the scale of the proposed buildings in the context of the existing barns to the east and Street Farm to the North East. It was suggested that replacement buildings of a more diminishing scale would be desirable particularly in the absence of evidence to support historic development in this location. A cross section was provided by the agent which detailed how the changes in levels across the site would create barns of a diminishing scale comparable to that of the existing. It was confirmed in the consultation response received 25 April 2017 that no harm was caused to the character or appearance of the conservation area, and that there were no further objections

58. The Planning Officer agrees with the findings of the Heritage officer.

Highways Considerations

59. No objections were received from the highways department and recommendations for conditions were made.

Other Matters

Flood Zones

60. As per the consultation response received from the Environment Agency, it was recommended that sequential testing was performed on the site. This was due the western end of the site falling within Flood Zone 2, and a very small portion of proposed Plot 1 lying in Flood Zone 2, whilst Plot 2 would be entirely located in Flood Zone 1. Revised information was supplied by the agent which confirmed that the proposed development would all be located in Flood Zone 1. No sequential test or exception test was therefore required and it was confirmed in the second consultation response from the Environment Agency that they had no objections.

Class Q Development

61. It is important to give consideration to the implications arising from the provisions of the GPDO. The policy considerations set out above indicate a conflict with the provisions of the Development Plan. Noting the requirement to determine applications in accordance with the provisions of the Development Plan the relevance of Class Q as a fall back is important.
62. When determining Class Q applications relevant regulations require the local planning authority to have regard to the National Planning Policy Framework (NPPF) when determining applications for prior approval as if they were planning applications, where relevant to the subject matter of the prior approval. The relevant legislation is the Town and Country Planning (General Permitted Development) (England) Order 2015.
63. For the conversion of agricultural barns to be considered, the floor space of the buildings subject to the proposed change of use should be below the threshold of 450m². The barns in their current form measure approximately 450m² for the Northern barn and 220m² for the Southern barn. However, based on the measurements provided, these figures include the lean to elements on the building which are constructed from corrugated asbestos and which would therefore probably be unsuitable for conversion. With those removed, respecting that the provisions of Class Q allow for "partial demolition to the extent reasonably necessary to carry out the building operations", the cumulative floor space of the two existing barns would fall under the threshold set for Class Q at 379 m². This compares with a proposed floor area of 464.98 metres across both proposed dwellings indicating the potential for the provisions of Class Q to be a material consideration that might otherwise justify development contrary to the Development Plan. However, before this decision can be reached, a further assessment against the provisions of Class Q must be made.
64. As of 6th April 2014 development consisting of a change of use of an agricultural building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order is permitted development under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) Order 2015. Developers are required to apply to the Local Planning Authority for a determination as to whether their prior approval will be required.
65. This assessment is limited to the following criteria -
- a) Transport and highways impacts of the development
 - b) Noise impacts of the development
 - c) Contamination risks on the site
 - d) Flooding risks on the site
 - e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a residential use
 - f) The design and external appearance of the building.

66. Developers are also required to apply to the LPA for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the building. As part of their assessment the Local Planning Authority is required to determine whether the proposed development complies with any conditions, limitations or restrictions specified within the relevant regulations as being applicable to the development in question.
67. The consultation responses detailed in this report show that in regards to the criteria listed above, parts a) through to e) would be deemed acceptable. It can also reasonably be assumed that the buildings are or were last used for agricultural purposes thereby being capable of conversion under Class Q. Part f) relates to the design and external appearance of the building and would look at the structure of those buildings, and it is reasonable to suggest that in their current form they would likely be appropriate for conversion. However as assessed in this report, it could be argued that the conversion would not represent an opportunity to enhance the street scene, and it is questionable if the conversion would be more sustainable than the demolition and creation of new dwellings.
68. It is reasonable to suggest therefore that it is likely that the submission of a Class Q application for the conversion of these two agricultural barns with a floor space of up to 450 square metres would be supported, providing a material fall back position for residential development in this location. Any such Class Q approval could also be for up to three dwellings, compared to the present proposal for two. This indicates that great weight should be attached to this material fall back, as a material consideration that indicates that the policies of the Development Plan could be set aside in this instance, not least noting the only limited conflict.

Representations

69. Neighbour comments were received which detailed no objections to the developed and requested clarification of the proposed boundary treatments. To ensure a suitable treatment between the proposed dwellings and those surrounding the site, it is recommended that the submission of landscape details are conditioned.

Conclusion:

70. From the assessment detailed in this report, it is reasonable to conclude that development in this location would not be significantly harmful from a countryside and locational sustainability aspect, but would not accord with the thrust of locally adopted policies. In terms of design whilst the development may be visible from some public view points, visibility of the new development would not in itself render the proposal unacceptable. As recognised in the heritage consultation response, no harm is caused to the conservation areas that border the site, and the demolition of the existing agricultural buildings is not deemed to be a negative factor and in fact can be judged as being beneficial given the overtly utilitarian scale and appearance of the existing buildings to be replaced.

71. However, policy conflict is apparent in this application, and the intrinsic weight attached to the development plan and to this conflict is a factor which weighs against the proposal in the balance of considerations. However, in its favour are the Permitted Development fall-back position, and the positives that could otherwise be achieved through the creation of well designed dwellings compared to the conversion of the existing buildings.
72. Balancing what positives the proposal may have against negatives, is it deemed from the overall assessment detailed in this report that there are benefits to the allowing development in this location. Whilst the Borough is not under additional pressure to release land for development, the fall back position of permitted development could enable development in this location of up to three dwellings within an overall floor area of 450 square metres. Granting permission through this application could allow for greater control over what is built at this location, but also secure a development that provides enhancements to the surrounding area. From these points it is reasonable to conclude that whilst the proposal is contrary to the written form of local policy, the weight to be attached to the potential PD fall back indicates that approval should be granted. The application is therefore recommended for approval.

Recommendation:

73. It is recommended that planning permission be **APPROVED** subject to the following conditions:
1. Time Limit
 2. Approved drawings
 3. Submission of samples of Materials
 4. Details of hard and soft Landscaping
 5. Provision of access
 6. Submission of bin storage areas
 7. Provision of parking areas
 8. Provision of visibility splays
 9. Land contamination scheme of investigation
 10. Land contamination verification report
 11. Land contamination remediation works
 12. Details of boundary treatments.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/16/0788/FUL](https://www.bournemouth.gov.uk/DC/16/0788/FUL)