

DELEGATED DECISION REPORT

**SMD/2023/0601
AND 0602
Valid 03/01/2024**

**LEE FARM MILL LANE
RUSHTON SPENCER**

**CHANGE OF USE OF
ATTACHED BARN TO
ANCILLARY RESIDENTIAL
ACCOMMODATION TO LEE
FARMHOUSE**

**(FULL - MINOR)
(LISTED BUILDING CONSENT)**

MAIN ISSUES

- Whether or not the works amount to inappropriate development in the Green Belt
- The principle of development
- The impact on a listed building
- The impact on the character and appearance of the rural area
- The impact on residential amenity
- The impact on highway safety
- The impact on the ecological value of the site

DESCRIPTION OF SITE

The site is within the Green Belt and in the open countryside within a mile to the north-east of Rushton Spencer village and is on a working farm on the north-east side of Mill Lane, a typical country lane. It comprises a three-storey traditional farmhouse of part stone part redbrick construction with tiled roof which faces the lane. Attached to the side of it to the north-west is a traditional red-brick barn or shippoon of two-storey height. The farmhouse and most of the barn are Grade II listed buildings. The records show the end part of the barn as not being listed but would be deemed to be listed as a structure within the curtilage of a listed building. Attached to the farmhouse on the south-east side is another farmhouse (a separate property), called "The Lee", made of redbrick and included in the listing and which faces the south-east. This may have been the main part of the original farmhouse with the back part later subdivided to become the separate farmhouse on the application site. The farmhouse on site has its own access off Mill Lane to the south-west and this continues along the front of the barn to a yard area to the north-west of the barn. There are more modern farm buildings to the north-west and north-east of the yard. The yard is included in the application site along with a hard-standing to the rear of the farmhouse and barn (to the north-east of the buildings). The modern farm buildings off the main yard are excluded. The attached farmhouse to the south-east of the site had its own access off Mill Lane to the south-east (front) of the building.

PROPOSAL

This is a full planning application and accompanying Listed Building Consent application to convert the barn into further residential floorspace for the farmhouse on site. The works are shown on amended plans received on 26.2.24. There would be no extensions involved. The external works would comprise replacement windows (made of white painted timber) and doors using the original openings (which would not be enlarged) and with no new openings or windows or rooflights. There is no replacement brickwork or roof tiling shown. Internally, new partition walls and a first floor in some of the open ground-to-ridge spaces would be formed along with internal insulation cladding to the inside of external walls and staircases also inserted. Three bedrooms on the first floor and living and kitchen space on the ground floor would be created. There would be no internal integration with the existing farmhouse. The entrance into the barn would be external using existing door openings. No new works are shown outside of the building within the curtilage. However, the new rooms would be ancillary to the farmhouse and the barn is not intended to be used as a separate dwelling or unit of accommodation. The new floorspace could be used as an annex to the farmhouse although is intended as independent living accommodation for the son of the applicants who is also a full time worker at the farm.

The application is accompanied by a Design and Access Report with Heritage Statement, Structural Survey Report and a Bat Activity Survey Report. The former report includes the listing.

Further more specific details of the proposed works to convert the building (including reference to heating system and insulation methods), included in a Schedule of Works document, were received on 12.3.24 with a covering email stating the following from the agent:

“None of the work proposed goes beyond that which would be expected as part of any barn conversion. We have proposed breathable methods of construction as much as possible, bearing in mind that in much of the building the lower part of the walls are concrete rendered and trying to remove this would cause more damage than any benefit it could bring.”

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

National Planning Policy Framework (December 2023)

Sections 12 (Design), 13 (Green Belts), 15 (Natural Environment) and 16 (Historic Environment).

Staffordshire Moorlands Local Plan (adopted Sep 2020).

SS10 Other Rural Areas Strategy
DC1 Design Considerations
DC2 The Historic Environment
NE1 Biodiversity

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant to the proposal.

CONSULTATIONS

Publicity

Site Notice expiry date: 20.2.24

Neighbour consultation period ends: 20.2.24

Press Advert: 16.1.24 expires 14.2.24.

Public Comments

None.

Parish Council

No objection.

Environmental Health

No objection subject to standard conditions for barn conversions.

Conservation Officer

In response to the original submission, amendments to the windows and other elevational details were requested. Also, requested was more specific details of the existing building and the proposed works to convert it.

No objection was raised to the amended plans. In response to the Schedule of Works document, this was accepted by the Conservation Officer.

Staffordshire Wildlife Trust

No objection subject to a condition to secure mitigation measures for the loss of bat roosts discovered in the building.

COMMENTS

The site is in the Green Belt and the strategy for the countryside, Policy SS10, requires strict control over inappropriate development in the Green Belt. The NPPF lists the exceptional forms of development in the Green Belt which are not inappropriate. The change of use of a building is listed but providing it is permanent and substantial.

A Structural Survey Report was submitted which concludes with the following:

The building has minor structural defects arising from the effects of

lateral roof thrusts. These can be repaired without significant reconstruction.

The proposal to convert the building to domestic use provides an opportunity to strengthen the existing structure to ensure its long term survival. This will entail the insertion of a tie bar, a new cross wall and new floors. The conversion will also require new stairs, internal finishes, services, fixtures and fittings.

It can therefore be taken that the building is permanent and substantial. It is of brick and tile construction and although in poor state of repair is not in danger of collapse and would not require significant structural works to ensure its permanency. The proposal would clearly pass this particular test of the Green Belt section of the NPPF and therefore its conversion into habitable floorspace for the adjoining farmhouse without extension can be deemed to not be inappropriate development in the Green Belt and is therefore by definition in the NPPF, not harmful to its openness. It therefore complies with the NPPF and Policy SS10 in this respect.

Policy SS10 also does allow the conversion of buildings into residential uses in the countryside where they are physically, architecturally and in character terms, suitable for such a conversion. It is already established it is physically capable of a residential conversion. Due to the particular traditional brick-and-tile form, shape and size of the building together with its materials and overall form and appearance, worthy of being listed due to its heritage value, I am also satisfied the building is architecturally and in character terms suitable for the change of use.

Overall, the conversion is acceptable in principle and complies with the Local Plan and NPPF in this respect.

The internal and external works as shown on amended plans and outlined in the Schedule of Works are also considered by the Conservation Officer to respect the character and appearance of the listed barn and its historic fabric. It would appear that some replacement roof tiles or some form of re-roofing would be required. Conditions would be added requiring that any new brickwork and roof tiles matches the existing.

The Conservation Officer approved of the later submitted Schedule of Works document which gives more specific details of the works required to convert the listed building into a dwelling and how this affects the historic fabric of the building.

There are no works proposed to the grounds of the building. The conversion is not to be used as a separate dwelling but as additional living space for the house, to be used by the applicants son who works at the farm. There is no requirement for works to separate garden areas, parking and turning areas or curtilage subdivision via new fences, walls or other boundary works. The proposal would lead to no harm to the character and appearance of the area.

With regard to residential amenity, it would not be possible to overlook any separate residential properties from the new windows as the only nearby neighbours are at "The Lee" which attached to the opposite side of the farmhouse.

With regard to highway safety, as the proposed barn dwelling is an annex or additional accommodation for an existing resident, there would be no increase in vehicle movements as a result of this scheme and therefore no impact on the road network (despite the unsustainable rural location). No changes are proposed to the access.

Finally, with regard to any biodiversity impacts, the building being a rural brick-and-tile barn, has high potential for use by bats, a protected species and a Bat Activity survey in the Summer of 2022 (Summer being the optimal time for the use of rural buildings by bats) revealed that bats were present in the building. There is no requirement to apply the Natural England Protected Species “3 Tests” under the biodiversity legislation as this is a “minor” conversion proposal. However, under Policy NE1, any proposal affecting protected species must demonstrate that such species are not harmed by the proposal via protection and mitigation measures. Such measures are outlined in the Bat Activity Report and Staffs Wildlife Trust (SWT) raised no objection to the report. Such measures include workings at a time of year which would minimise disruption to bats, the installation of bat boxes around the site and new tiles which allow access opportunities for new bat roosts. A condition will be added requiring more specific details of the mitigation measures to be submitted and approved by the Council. It should also be noted that a Natural England Bat Licence will need to be applied for before works commence and that details of mitigation measures would need to be put forward and approved before such a licence can be issued.

With the safeguard of conditions, the proposal would comply with Policy NE1 of the Local Plan and Section 15 of the NPPF.

CONCLUSION / PLANNING BALANCE

The proposed conversion is acceptable in principle and would not amount to inappropriate development in the Green Belt. It would protect the character and appearance of a listed building and would in general not harm either the visual or residential amenities of the area or lead to any other environmental harms with the safeguard of conditions. The development, as amended, would therefore comply with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF) and therefore both planning permission and Listed Building Consent is therefore recommended to be granted for the scheme.

OFFICER RECOMMENDATION : APPROVE FULL AND LBC APPLICATIONS

Case Officer: Chris Johnston
Recommendation Date: 3.4.24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council