

<b>DELEGATED REPORT</b>	
<b>Application Reference:</b>	20/0522
<b>Description of Development</b>	Alterations to the structure and curtilage of the agricultural barn to facilitate the conversion to a flexible Prior notification application submitted concurrently for the change of use
<b>Case Officer</b>	Rachel Lightfoot
<b>Appraisal</b>	
Site	The site is a barn on an agricultural unit at Colt Close Farm, Southwaite. The barn has timber external walls with a sheeting roof. The barn is adjacent to the main road and the farm yard. There is a concrete area around the barn which will be upgraded. The building has been subject to an accompanying application for change of use under Part 3 Class R of the General Permitted Development Order which allows for agricultural buildings to be used for flexible business uses.
Proposal	<p>The proposal seeks planning consent for the alterations to the barn to enable its use for business. This involves replacing the existing timber with new timbers and the new roof for the same roof type but in a dark grey.</p> <p>A lean to extension will be removed from the barn and a separate access provided as per the request of the Highway Authority.</p> <p>The proposal will realise 3 small industrial units. This application is in relation to the works to facilitate its use as a flexible unit under Part 3 Class R of the GDPO 2015.</p>
Relevant Site History:	20/0521 Prior Notification Application has been received in relation to the use of the building – it is under 500sqm and meets the requirements of the GPDO for use as a flexible business use.
Policy:	<p><b>Eden Local Plan (2014-32)</b></p> <ul style="list-style-type: none"> <li>• DEV5 Design of New Development</li> <li>• RUR3 Re-use of Redundant Buildings in Rural Areas</li> </ul> <p><b>Supplementary Planning Documents</b></p> <ul style="list-style-type: none"> <li>• Housing (2010)</li> </ul> <p><b>National Planning Policy Framework (NPPF) 2019:</b></p> <ul style="list-style-type: none"> <li>• Achieving well-designed places</li> </ul>

	<p><b>National Planning Practice Guidance (NPPG)</b></p> <p><b>National Design Guide (2019)</b></p>
<b>STATUTORY CONSULTATION RESPONSES</b>	
Highway Authority	Originally expressed concern over visibility splays, a speed survey was carried out and the visibilities supplied
Lead Local Flood Authority	N/a
<b>DISCRETIONARY CONSULTATION RESPONSES</b>	
Parish Council	Raised no objection but comments that they had some concerns in line with those which has been raised by the Highway Authority. A speed survey has been undertaken and the Highways Authority have confirmed that they now have no objection to the scheme
Environmental Health	No objection
United Utilities	n/a
Housing Officer	n/a
<b>NOTIFICATION RESPONSES</b>	
Application advertised by way of immediate neighbour notification letter and site notice posted.	No responses received
<b>OBSERVATIONS</b>	
<b>Main Issues:</b>	<b>Appraisal:</b>
Principle	<p>The application seeks planning consent for the alteration to the barn to enable its use for business. This involves replacing the existing timber with new timbers and the new roof for the same roof type but in a dark grey.</p> <p>A separate application has been submitted to change the use of the barn under Class R of Part 2 of the GDPO. As it is between 150sqm and 500 sqm matters of transport, noise and contamination have been considered under the Prior Notification application 20/0521. This application considers the alterations to the building and its curtilage as required by Paragraph R.3 (3) of Part 2 of the GPDO. The principle of the development is established by the GDPO.</p>

<p>Scale &amp; Design</p>	<p>The barn is unaltered in terms of overall scale. A side lean to will be removed in order to provide for the parking/loading area.</p> <p>The external appearance of the barn will alter in that the existing timber will be replaced with new timber, windows and roller shutter doors are to be inserted. The design is appropriate in the rural area. The concrete hardstanding to the front of the barn will remain as a hardstanding area.</p> <p>The appropriateness of design is guided by Policy DEV5, which states that high quality design will be supported, where it reflects local distinctiveness. New development must show a clear understanding of the form and character of the built and natural environment, and reflect the streetscene through use of appropriate scale, mass, form, design and materials. The proposal is considered acceptable in regard to the requirements of DEV5.</p>
<p>Impact on the landscape/amenity of the area</p>	<p>The upgrading of the barn will have a positive impact on the appearance of the wider landscape. The farm sits by itself in a location with no greater that immediate impact on views.</p> <p>Policy DEV5 requires that development protects the rural landscape and reflects the existing streetscene, and protects features of local importance. It is considered that this conversion scheme being respectful of the barn and its historic form and function meets the criteria, without adverse impact on the character and appearance of the surrounding area.</p>
<p>Impact on the living conditions/amenity of neighbouring residents</p>	<p>The farm which is owned by the applicant would be the greatest affected. The access is separate and parking shielded by the building.</p> <p>No detrimental impacts arise and as such the proposal is considered to be compliant with DEV5 in respect of protecting the amenity of neighbouring residents.</p>
<p>Impact on the character and appearance of the built environment (LBs/CA)</p>	<p>There are no LBs or CAs in the area which would be affected</p>
<p>Impact on the natural environment (species/habitats)</p>	<p>Due to the very open nature of the barn, it is considered the viability of the building as potential roosting site for bats or barn owls is very low.</p> <p>In view of the above, it is considered the proposal will not have any significant harmful impact on the natural environment, although the applicant's legal requirements</p>

	under the Wildlife and Countryside Act 1990 should be set out as an informative note on the decision notice.
Infrastructure (Highways/Drainage)	<p>The existing field access will be adapted and improved to enhance visibility with roadside hedges to be maintained below 1m in height. The Highway Authority have confirmed that the visibility splays are acceptable.</p> <p>Surface water drainage is as per existing, to soakaway. Foul drainage is by a package treatment plant.</p> <p>The proposal is considered to be in compliance with Policies DEV2 and DEV3 and is therefore acceptable in terms of highways impacts and drainage.</p>
<b>Conclusion</b>	The proposed development is considered to be in accordance with the development plan which is not outweighed by material considerations and therefore the application is recommended for approval.

<b>RECOMMENDATION</b>	<p>That the application is granted subject to the following conditions:</p> <p><b>Time limit for commencement</b></p> <p>1. The development permitted shall be begun before the expiration of three years from the date of this permission.  <b>Reason:</b> In order to comply with the provisions of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p><b>Approved Plans</b></p> <p>2. The development hereby granted shall be carried out in accordance with the drawings hereby approved:</p> <ul style="list-style-type: none"> <li>i. Existing Plans, drawing number 01 received 30 July 2020</li> <li>ii. Site Plan, drawing number 02 Rev B received 16 November 2020</li> <li>iii. Plans and Elevations, Drawing number 01 rev H received 16 November 2020</li> <li>iv. Visibility Splays received 16 November 2020</li> </ul> <p><b>Reason:</b> To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.</p>
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	<p>3. The hedgerows within 25m either side of the access into the site shall at all times be maintained to 1m in height or below.  <b>Reason:</b> In the interests of highway safety.</p>
<p><b>Note to developer:</b></p>	<p>1. This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement.</p> <p>It is the applicant's responsibility to ensure all necessary agreements are in place prior to the commencement of development.</p> <p><b>Informatives</b></p> <p>1. The works are granted in connection with a Prior Approval application for use as B1 units as set out in the Use Classes Order 1987 (Amended) under Part 2 Class R of the General Permitted Development Order 2015 (as amended). Any change from this use to another flexible use would require further permission.</p> <p>2. BATS and BARN OWLS - All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41(1) of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and in the first instance contact the National Bat Helpline on 0845 1300 228. Developers/ contractors may need to take further advice from Natural England on the need for a European Protected Species Licence in order to continue the development in a lawful manner. Natural England can be contacted at <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a> or by calling 0300 060 3900, or Natural England, Consultation Service, Hornbeam House, Crewe Business Park, Electra Way, Crewe, Cheshire, CW1 6GJ</p> <p>3. Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. The Council's Building Control Team should be consulted before works commence. You contact the team directly at <a href="mailto:building.control@eden.gov.uk">building.control@eden.gov.uk</a></p>