

OFFICER REPORT

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**Development
Management
Ref No**
F/2013/1496

Parish

Hurst

Target date

07/10/2013

Applicant Mr K Corner
Location Hedgerley Stables, Nelsons Lane, Hurst
Proposal Conversion of new barn to 4-bed dwelling
Type Full
Officer Nick Clark
Postcode RG10 0RR

SUMMARY

The application proposes conversion of a barn built during 2012 for equestrian storage purposes (hay, straw & tack etc) to provide a four bedroom dwelling.

This report concludes that the development would be contrary to the development plan. With no circumstances warranting otherwise the application is recommended for refusal.

PLANNING STATUS

- Countryside

PLANNING HISTORY

<u>Reference</u>	<u>Description</u>	<u>Date</u>	<u>Decision</u>
F/1998/68128	Erection Of Stables Barn And Use Of Land As Manège	22/12/98	Approved
F/1999/0170	Erection of stables and barn (Re-siting of barn as approved on 98/68128/F).	12/09/00	Approved
F/2004/1625	Proposed demolition & rebuilding of barn.	08/06/04	Approved
F/2005/4964	Proposed demolition of existing barn and rebuilding of new barn with rooflights.	28/07/05	Approved
F/2005/6584	Demolition of barn and rebuilding to create 2 holiday flats on first floor with storage and tack room on ground floor associated with keeping of horses at the adjoining stables,	23/03/06	Refused
F/2007/0640 & appeal ref: 2056854	Demolition of barn and erection of building to create to holiday flats on first floor with tack room and storage on ground floor associated with keeping horses in adjoining stables.	25/01/2008	Dismissed
F/2013/0267	Demolition of existing barn and rebuilding of new barn with rooflights. Amendment to consent F/2005/4964. (Retrospective)	28/03/13	Approved

PRE-APPLICATION ADVICE

None sought

OFFICER REPORT

[UNCLASSIFIED]

CONSULTATION RESPONSES

Landscape Officer:	Landscaping condition needed to secure additional planting
Highway Officer:	No objection subject to conditions and obligation to contribute towards local highway/ transport schemes
Biodiversity Officer:	Objection – potential bat impact/ lack of assessment
Environmental Health Officer:	"No comment"
Thames Water:	No objection
Hurst Parish Council:	Objection: ▪ No justification ▪ Has never served an agricultural use since built ▪ Inappropriate within the countryside
Local members:	No comments received

REPRESENTATIONS

No neighbour or other comments

APPLICANTS POINTS

- Insufficient housing land supply

PLANNING POLICY & GUIDANCE

National Policy	NPPF	National Planning Policy Framework
Wokingham District Local Plan 1996 – 2006	WLL4 WBE4 WIC8 WR7	Landscape and New Development Landscape and Planting Education provision Provision of public open space
Wokingham Borough Core Strategy	CP1 CP3 CP6 CP7 CP11	Sustainable Development General development principles Managing travel demand Biodiversity Proposals outside development limits
Managing Development Delivery DPD (Examined)	CC01 CC03 CC04 CC07	Development limits Green infrastructure, trees and landscape Sustainable Design & Construction Parking

OFFICER REPORT

[UNCLASSIFIED]

Supplementary Planning Documents and guidance (SPD)	CC09	Flood risk
	CC10	Sustainable drainage
	TB07	Internal space standards
	TB08	Open space, sport and recreation facilities
	TB23	Biodiversity & development
	LCA	Landscape Character Assessment
	BDG	Borough Design Guide
	SDC	Sustainable Design & Construction

PLANNING ISSUES

The principle of development

1. The application states that the barn was completed in 2012 in accordance with the subsequent retrospective consent under reference F/2013/0267 (28/03/2013). The consent was for equestrian use of the building and was subject to a condition requiring that the building only be used for storage of hay and ancillary equestrian equipment.
2. The applicant has been invited to provide a statement in support of the application, for example justifying why the equestrian storage is no longer needed so soon after the building having been completed. No such explanation or justification has been provided, the applicant instead simply seeking to justify the application in terms of a need for additional housing supply.

Housing supply

3. The applicant's agent reproduces an argument of support for dwellings in the countryside arising from the favourable presumption under the NPPF where policies for housing delivery are not up-to-date. This ignores the examination in public of the borough's Managing Development Delivery Development Plan Document in May 2013 and the Inspector's interim conclusions, of which the agent is fully aware.
4. The Council's strategy for housing delivery is set out in the Core Strategy and emerging policies of the Managing Development Delivery DPD, with new housing to meet the identified need until 2026 to be delivered in the Strategic Development Locations (SDLs) identified in the Core Strategy and smaller sites allocated in the Managing Development Delivery Development Plan Document (MDD).
5. The site is not allocated for housing delivery under the Core Strategy or the MDD and is located in designated countryside. The principle of residential development is thus not supported by the development plan or the plan-led approach to development advocated by the Core Principles of the National Planning Policy Framework.
6. The Managing Development Delivery Development Plan Document (MDD) underwent Examination in Public between May 14th and 24th 2013. Demand and supply issues raised by the applicant were fully considered by the Inspector in his Examination. The examination of housing supply was conducted in depth and was examined in light of the most up to date information available to developers and the

OFFICER REPORT

[UNCLASSIFIED]

Council.

7. Following the public hearings, and subsequent to submission of the planning application, the Inspector published his interim conclusions on the MDD on Wednesday 26th June 2013. The Council has been "invited to consider the Inspector's preliminary conclusions and put forward the necessary amendments to the policies and accompanying text in a schedule of Proposed Main Modifications".
8. In summary his main findings are that:
9. The MDD Plan complies with all statutory, legal and procedural requirements, including the Duty to Cooperate
10. The Plan is generally consistent with the Core Strategy. The Inspector concludes that the housing target included in the Core Strategy, which was based on the South East Plan requirement, provides the most recent assessment of the overall housing requirement for the Borough and therefore remains the appropriate housing target for the Borough.
11. The Inspector considers that the Council's Strategic Housing Land Availability Assessment (SHLAA) (March 2013) provides a credible evidence base to support the process of allocating sites, which "suggests the annual requirement for assessing a 5 year supply is around 900 dwellings per annum (2013-2018) or just over 1,000 dwellings per annum (2014-2019)". He comments that "the assessment shows sites for around 6,000 in the former case and well over 6,500 in the latter, each equating to around 6-years supply, or providing a 20% buffer" (page 3). Therefore the Inspector is not recommending that any further sites are required to be allocated within the MDD to meet the Borough's housing need.
12. The Inspector also considers that the number of sites allocated in reserve (policy SAL03) is adequate to address any further deficiencies in five-year supply and that no further changes, including the allocation of further reserves sites, are required.
13. The Inspector has therefore indicated in his preliminary conclusions that the MDD is broadly sound. He has endorsed the Council's approach with regard to housing supply and has stated that it is not necessary to find additional sites outside of the previously identified Strategic Development Locations and those already identified within the MDD DPD.
14. Furthermore, the Inspector considers that the risk of harm to the overall strategy for housing delivery attached to additional housing delivery outside the SDLs outweighs the potential benefit of short term housing delivery.
15. Paragraph 216 of the NPPF states that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

 16. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 17. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 18. the degree of consistency of the relevant policies in the emerging plan to the

OFFICER REPORT

[UNCLASSIFIED]

policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

19. The MDD has been through Examination in Public. The Inspector has indicated in his interim conclusions that it is broadly sound. He has indicated that it is not necessary to modify policies relating to housing supply in order to make them sound, other than a change about the intent of the policies, and further suggests that additional housing outside the identified Strategic Development Locations risks harming the strategy for the delivery of housing within the borough.
20. The MDD is now at an advanced stage as the Council progresses towards its adoption anticipated in February 2014. Given the support to the policies afforded by the Inspector's interim findings, significant weight should thus be given to the MDD housing supply policies in planning decisions.
21. The applicant's suggestion that the strategy and policies of the Core Strategy for housing delivery are out of date and not compliant with the NPPF are not supported by the Inspector's interim conclusions on housing supply. Notwithstanding the insignificance of a single dwelling towards meeting the borough's housing needs, there is thus no presumption in favour of the development arising from the need for housing within the borough that would suggest the acceptability of the principle of the development in terms of housing need.

Rural housing

22. The building was completed in 2012, and given the minimal and perhaps 'token' use for equestrian purposes since then, it could be considered to an extent to be more a new-build dwelling. There is however no policy support for new-build isolated dwellings within the countryside unless of exceptional design.
23. The National Planning Policy Framework supports development that would re-use redundant or disused buildings in the countryside where it would lead to an enhancement to the immediate setting.
24. Policy CP11 supports conversion for uses that contribute towards diverse or sustainable rural enterprises or recreation and enjoyment of the countryside.
25. The policy does not support the residential conversion of buildings in the countryside. Any such proposals thus need to be considered under the overarching aim of the policy in seeking to maintain the quality of the rural environment, and the requirements of the NPPF that the building should be disused and that it should result in an enhancement to the immediate setting.

Redundant or disused building?

26. The building was constructed in 2012, with retrospective permission granted on 28th March 2013. A condition of the approval was that the barn must only be used 'for the storage of hay, straw and ancillary equipment in connection with the equestrian use of the site'. The current use appears to be in breach of this condition. Whilst its design and size is questionable for its originally stated intention of use, it cannot be considered obsolete.
27. The application does not make a case for the building being disused or redundant.
28. When inspected in September 2013 it was in partial use for storage of hay and

OFFICER REPORT

[UNCLASSIFIED]

straw for horses kept on the site. It was also in use for storage of tack. A relatively small area of floor space was in use for this purpose, but this is perhaps reflective of the time of year, with horses grazing paddocks rather than being kept in the stables when they would need more straw and hay for bedding and fodder.

29. The building was also in use for storage of building materials and equipment – possibly in connection with the applicant's shop fitting trade, with washing, toilet and kitchen facilities also present and apparently well-used.

30. The applicant's land holding at the site is approximately 1.6Ha and includes paddocks, a manege and stable block. When visiting the site, the applicant stated that one of the horses on the holding will shortly move elsewhere, freeing up space in the adjoining stable block for storage of hay and straw. He also mentioned that steel container(s) would be used for additional storage on the site.

31. It is evident that the barn is used in support of the equestrian use of the land and that whilst the building appears to be underused for this purpose it is neither redundant or disused for the purpose of paragraph 55 of the NPPF. Its conversion would also appear to create pressure for replacement equestrian and storage facilities on the site.

Enhancement of the immediate setting?

32. External changes proposed consist of changes to fenestration. These changes, in conjunction with residential activity at the site, the establishment of a residential curtilage with associated paraphernalia would detract from the rural character of the site and its setting. The Council's Tree & Landscape Officer recommends a scheme of landscaping with native species to provide improved screening of the site, but this is in order to mitigate against impacts arising from the change of use rather than to provide an enhancement of the setting.

33. If converted, the site would inevitably display a residential character by way of and through the access and gates and the residential curtilage, activity and accoutrements beyond.

34. Appeal ref APP/X0360/A/07/2056854 considered a proposal to demolish the previous barn on the site and to provide a replacement barn with 2 first floor holiday apartments. This is in some respects analogous to the current proposal. In the appeal the Inspector considered that the fenestration would result in a residential appearance and that there would be an inevitable 'domestication' of the area immediately surrounding the building, and the associated activity and comings and goings, akin to residential use, would inevitably detract from the rural character of the area. He was also concerned that frontage vegetation was not sufficient to screen the building and its associated activity from the road.

35. It is thus concluded that for the purposes of paragraph 55 of the NPPF the conversion of the building would not result in an enhancement of the immediate rural setting of the building, and that for the purposes of policy CP11 the development would not maintain the quality of the rural environment.

Neighbouring land uses and amenities

36. No impacts identified

Highway safety

OFFICER REPORT

[UNCLASSIFIED]

37. No impacts identified, other than the contribution of an additional dwelling to the cumulative increase in traffic in the area and the resulting need for the development to contribute towards local highway infrastructure improvements.

38. Conditions could ensure appropriate access, parking and turning arrangements.

Contamination

39. The Environmental Health Officer does not suggest a need for any investigation or decontamination works.

Local services, amenities and infrastructure

40. In accordance with Core Strategy policy CP4 new development is expected to make arrangements for the improvement or provision of infrastructure, services, community and other facilities.

41. The catchment primary and secondary schools are currently over-subscribed such and the development needs to contribute towards additional mainstream primary and secondary education as well as post-16 and SEN provision. The highway authority has also identified the need for local highway and public transport improvements to accommodate increased traffic in the area.

42. In accordance with the adopted PAN1 on infrastructure mitigation, the development would necessitate contributions as follows:

Education	£13,412.00
Leisure, recreation & sports facilities	£2,893.94
Country parks, biodiversity & countryside access	£578.00
Libraries	£229.27
Highways	£5,200.00
Monitoring fee	£500.00
Legal costs (minimum)	£1,000.00
TOTAL:	£23,813.21

43. The application does not suggest any willingness on the part of the applicant to enter into obligations. This has not been pursued due to other issues with the application as identified in this report. In the absence of binding obligations in respect of the above the development would be contrary to CP4, CP8, CP6, CP10, WR7 & WIC8.

Sustainable design & construction

44. Notwithstanding the poor sustainability of the location, In accordance with the principles of sustainability and particularly Core Strategy policy CP1, the adopted Sustainable Design and Construction Supplementary Planning Document requires applications to consider how the design and construction of development may contribute towards the aims of sustainability by way of a Sustainability Statement. Emerging policy CC04 as amended following the Examiner's interim conclusions, requires development to achieve Level 4 of the Code For Sustainable Homes unless sound justification is provided to demonstrate that this is not feasible.

45. The application does not include any details to suggest sustainability in the design

¹ Planning Advice Note: Infrastructure Impact Mitigation Contributions for New Development (Nov 2010)

OFFICER REPORT

[UNCLASSIFIED]

and construction of the conversion.

46. In the absence of such detail the Council cannot be satisfied that the development would take the opportunities available to contribute towards the aims of sustainability. As such the development would be contrary to the NPPF and Core Strategy policy CP1 and emerging Managing Development Delivery Development Plan Document policy CC04.

Sustainability of location

47. Locational sustainability is Policy CP6(b) provides that development should be located so as to minimise the distance people need to travel. Policy CP1 similarly only supports development that is able to demonstrate how it supports opportunities for reducing the need to travel, particularly by private car in line with CP6.

48. The NPPF similarly provides as a core principle (paragraph 127) development should be located so as to make the fullest possible use of public transport, walking and cycling. Paragraph 34 accepts that compliance with rural policies can provide otherwise, but the dwelling would be isolated and for the purposes of para. 55 would not be located so as to enhance or maintain the vitality of rural community, with paragraph 55 emphasising that new isolated homes in the countryside should be avoided, with the exception of the re-use redundant buildings as considered above.

49. The site is located over 1 mile from the village shops in Hurst and c. 1.5 miles from the local primary school. It is 2.6 miles to Twyford Station and 1 mile from the nearest bus route. The catchment secondary schools and leisure facilities are located in Wokingham, 3 miles from the site. The dwelling would thus not be conveniently located in respect of local services and amenities and occupants of a dwelling on the site would be heavily reliant on the use of private cars for daily activities.

Biodiversity

50. The site is located in a rural area of suitable bat foraging habitat. Although the barn is relatively new, its timber clad construction would readily lend itself to roosting bats, especially by crevice dwelling bats. The application proposes removal of large areas of timber cladding to accommodate additional windows. The Council thus concludes that there is a reasonable likelihood of bats being affected by the development and that a bats survey is required to identify the extent of any impact and any necessary mitigation measures. In the absence of a bat survey the development would be contrary to Core Strategy policies CP3 & CP7.

CONCLUSION

In consideration of the above it is concluded that the conversion of the barn would be contrary to the development plan. With no circumstances warranting otherwise the application is recommended for refusal for the reasons set out below.

RECOMMENDATION

REFUSAL of planning permission for the following reasons

OFFICER REPORT

[UNCLASSIFIED]

1. In the absence of a survey, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not have an adverse impact upon bats, which are protected species. As such, the development would be contrary to Wokingham Borough Core Strategy policies CP3 & CP7.
2. The residential conversion of the barn, by reason of the additional fenestration and the resulting 'domestication' of the site and residential curtilage and the associated activity would detract from the rural character of the area, contrary to Core Strategy policies CP3 & CP11.
3. The site is located in the countryside in an area with poor access to local services and amenities such that occupants of the dwelling would be likely to be heavily reliant on travel by means of private car, contrary to the principles of sustainability and Core Strategy policies CP1(11) , CP6(b) CP11 and the National Planning Policy Framework.
4. The application does not include any details to demonstrate that the residential conversion of the barn would take the opportunities available to contribute towards the aims of sustainability in accordance with the Code For Sustainable Homes and the Council's aspirational target of all new homes achieving Level 4. As such the development would be contrary to the NPPF and Core Strategy policy CP1 and emerging Managing Development Delivery Development Plan Document policy CC04.
5. The proposal fails to make satisfactory provision for adequate services, amenities and infrastructure needs and consequently would have an unacceptable adverse impact upon the amenities of the area. As such, the development would be contrary to Wokingham Borough Core Strategy policies CP1 & CP4 and Policies WIC8, WR7, of the Wokingham District Local Plan.

Recommendation: REFUSAL

Date:

Case Officer:

NC

Recommendation agreed by:

Position: Team Leader – Development Management

Date:

7.10.13