

Sloley – PF/22/1909 – Conversion of barn to dwelling (retrospective), The Old Workshop, Sloley Road, Sloley, Norwich.

Minor Development

- Target Date: 26 January 2023

Case Officer: Miss J Smith

Minor Development

RELEVANT SITE CONSTRAINTS

- Listed Building
- Contaminated Land
- Countryside
- Landscape Character Area
- Within a nutrient neutrality catchment
- Within Zones of Influence for the purposes of GIRAMS

RELEVANT PLANNING HISTORY

PF/20/0537: Conversion of barns to five dwellings - approved

LA/20/0538: Internal and external works to facilitate conversion of a complex of barns to 5 dwellings – approved

CD/21/1625: Discharge of Conditions 5 (windows and doors) and 6 (materials) of listed building consent
LA/20/0538 – details approved

CD/21/1680: Discharge of Conditions 5 (windows and doors), 6 (materials), 15 (highway plan) and 23 (external lighting) of planning permission PF/20/0537 – details approved

LA/17/0496: Internal and external alterations to facilitate conversion of a complex of barns into 5 dwellings - approved

PF/17/0495: Conversion of barns to 5 dwellings - approved

CDA/17/0495: Discharge of conditions 15 (offsite highway improvement works), 19 (method statement for protected species), 20 (landscaping), 22 (arboricultural method statement and tree protection) of planning permission PF/17/0495 – details approved

THE APPLICATION

This is a retrospective application for conversion of a barn to dwelling which is now occupied at The Old Workshop, Sloley Road, Sloley with associated external alterations and as originally submitted included development carried out within the curtilage of the building (these have subsequently been removed from the application).

There is a concurrent application (LA22/1910) for listed building. The report for that application which considers matters in respect of the effect on the significance of the designated heritage asset is also included on this agenda.

REASONS FOR REFERRAL TO COMMITTEE

The Agent in this matter is a close relative of a member of staff in Planning Services.

PARISH/TOWN COUNCIL

Sloley Parish Council

Object but do not state material reasons why. They rely on the judgement of the Planning Officer to resolve the matter.

REPRESENTATIONS

One objection on the following grounds:

:

- Loss of privacy
- Proximity of garden room to boundary wall and concerns regarding access, damp and remedial works.
- Height of garden room.

CONSULTATIONS

Conservation and Design Officer: has no objections to the alterations to the building itself as:

- The barn in question is of relatively limited significance and is not a '*principal*' listed building, &
- The departures from the approved scheme have had a largely neutral impact upon its character and appearance.

There are however, concerns raised by the works which have taken place within the curtilage of the host building, summarised as follows: -

- By virtue of its form, design and position on site, the garden room not only introduces unwanted domesticity into the agrarian setting, but also blocks and impinges upon views of the main barn group, and in particular the grade II listed Barn 2 which lies immediately behind.
- When this site was first put forward for development in 2016, the proposals included a garage serving Barn 3. However, this deleted due to officer's concerns about its domestic appearance and its impact upon the group as a whole. Although the garage as built now occupies a different position, it has a similar square footprint and pyramidal roof, and is not a built form that would ordinarily associated with a farmyard setting. It therefore appears as an unwanted visual postscript to the group.
- Although not specifically mentioned in the description of the application, it is noted that three means of enclosure have also been erected:-
 - a. A willow-panelled fence approximately 1.8 metres high on the new boundary line adjacent Barn 2. This has introduced unwelcome solidity and discordant domesticity and bears no relation to the post and rail fence which was approved under ref CDA/17/0495.
 - b. Alongside this, and springing off the back of the garden room, is a horizontal slatted fence which appears to frame a storage compound. This has even more of a residential appearance and exacerbates the impact outlined in a. above.
 - c. A second slatted fence springing off the corner of the proposed garage. Again, this is an enclosure which is inappropriate within a former farmyard setting.

For these reasons, it is considered that the development carried out has undermined the efforts that went into securing a sensitive scheme originally. Moreover, it continues to have a harmful impact upon the overall setting and significance of this listed group. With no apparent public benefits accruing from the proposals to outweigh this 'less than substantial' harm, this application therefore cannot be considered compliant under paragraphs 130 & 202 of the NPPF, and Core Strategy policies EN 4 & EN 8.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

POLICIES

North Norfolk Core Strategy (adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk
SS 2 - Development in the Countryside
HO 9 - Conversion and Re-use of Rural Buildings as Dwellings
EN 2 - Protection and enhancement of landscape and settlement character
EN 4 – Design
EN 8 - Protecting and enhancing the historic environment
EN 9 - Biodiversity and geology
CT 5 - The transport impact of new development
CT 6 - Parking provision

National Planning Policy Framework (NPPF):

Section 16 - Conserving and enhancing the historic environment

MAIN ISSUES FOR CONSIDERATION

1. The effect on the building's significance building as a designated heritage asset
2. The effect on the living conditions of the occupiers of nearby dwellings

APPRAISAL

There are no material issues in terms of the principle of converting the barn to a dwelling and works necessary to facilitate this as this has been established by the previous planning and listed approvals ref: PF/20/0537, LA/20/0538 and PF/17/0495.

However, given the concerns regarding the development carried out within the curtilage of the building, i.e. the erection of two outbuildings and boundary screening, then the agent has agreed to delete those proposals from this planning application. Any later consideration proposals for curtilage buildings will then be considered separately under a new application. The Local Planning Authority (LPA) has agreed it will allow 6 months for any application to be prepared, submitted and the considered (standing down any potential enforcement action until

the application is determined or otherwise resolved). This has been agreed by the Councils Conservation and Design Officer and enforcement service.

1. Effect on heritage asset

The development carried out which does not accord with the previously approved plans involves:

- A new opening inserted into the east wall of the former cartshed.
- Two additional small windows inserted in the north elevation of the east/west wing.
- Two additional roof lights installed on the eastern roof slope.

The Conservation & Design Officer raises no objections to changes to the historic fabric by way of the insertion of the additional openings. Overall, it is considered that these changes have not had a harmful impact upon the designated heritage asset as a whole.

It is therefore considered that the proposal complies with the requirements of Core Strategy Policies EN 4 and EN 8 and Sections 12 and 16 of the NPPF.

2. Living conditions

The new opening inserted into the east wall of the former cartshed, ground floor window to the northern elevation and rooflights on the eastern roof slope all look into the curtilage of the dwelling. In respect to the new opening inserted into the first floor of the northern elevation, given its size and position on the elevation including distance between the nearest residential properties and garden area, it is not considered to have resulted in significant harmful impact upon living condition by way of loss of privacy or overlooking. The proposal is therefore considered to comply with Core Strategy Policy EN4 and Section 12 of the NPPF.

Other considerations

The barn in has already been converted and is currently occupied. These changes to the approved scheme have not resulted in new material issues in terms of ecology, parking, and highway considerations and are otherwise acceptable in those respects and relevant Core Strategy policies listed above.

With regards to the effect on designated European habitats sites, the application site is within an area affected by the advice from Natural England received in March 2022 in respect of nutrient pollution and within the Zones of Influence of a number of habitats sites in respect of the Green Infrastructure & Recreational Impact Avoidance and Mitigation Strategy adopted in 2022. These are new material issues that have arisen since the previous applications to convert the barn to a dwelling were approved.

The fallback position of the previous approvals remains extant and operable. The small scale nature of the changes to the approved scheme are limited only affecting the appearance of the barn, it is considered that the proposal has not resulted in any materially adverse impact in this respect. A mitigation contribution in respect of GIRAMS payment and evidence of the development being nutrient neutral are therefore not considered to be required in this instance. As such the development complies with Core Strategy Policy EN 9 and guidance issued by Natural England in respect of Nutrient Neutrality.

Conclusion

The development is therefore considered to be acceptable for the reasons stated and compliant with the relevant planning policies as listed above.

RECOMMENDATION –

APPROVAL subject to conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning

- Approved Plans.

Final wording of conditions to be delegated to the Assistant Director for Planning.

Also an advisory note confirming that the approval does not cover the unauthorised garage and boundary screening and a further planning application should be prepared and submitted to the Local Planning Authority for consideration within 6 months of the date of this decision to address these matter.