

Agenda Item A10	Committee Date 29 June 2009	Application Number 09/00401/FUL
Application Site 5 Manor Court, Brookhouse Lancaster		Proposal Erection of a lean-to extension to the side.
Name of Applicant Mr K. Murphy		Name of Agent Mason Gillibrand Architects
Decision Target Date 28.06.2009		Reason For Delay Awaiting consultation responses and Committee cycle.
Case Officer	M. Culbert	
Departure	No	
Summary of Recommendation	Refuse	

1.0 The Site and its Surroundings

- 1.1 This site is located within a prominent group of converted barns which are all curtilage buildings adjacent to the Grade II Listed farmhouse known as Caton Green Farm. The farm group lies within the Forest of Bowland AONB on the edge of the small hamlet of Caton Green, about half a mile to the northeast of Brookhouse village. Conventional modern residential properties lie to the north and west of the group, while open fields lie to its east and south. The application building lies at the rear of the group, but occupies a prominent position within the group, with the site of the proposed development in the centre of the vista formed by the four barns and dominating the view from the communal access to all three. This and the surrounding barn conversions have all been wholly contained within the original former agricultural structures retaining the historic and visual integrity of the group as the setting for the listed building and for its contribution to the character and appearance of the AONB.

2.0 The Proposal

- 2.1 This proposal is a full application to erect a single storey, lean-to, side extension, to the centre of the south side elevation of the barn facing the main access to the surrounding "farm group" development. The proposed extension would project approximately 3.6m out from the side of the barn, be approximately 5.3m long and 2.5m high at the northwest (forward) end of the eaves and 4.4m high at the forward end of its junction with the barn wall. The extension would be traditionally constructed in stone under a slate roof to match the existing building. The fenestration would be traditional in scale and form on the west gable and south side but with a band of interlinked conservation roof lights high on the roof plane and folding patio windows with timber boarding above on the east gable facing out over the fields to the rear. Beyond the patio windows would be a small terraced area surrounded by a low stone wall. The proposed development would extend one of the two dining areas within the barn to form a large dining/sitting room with the original intervening barn wall removed.

3.0 Site History

3.1 The recent history of this site is somewhat unfortunate in that it seems to involve a fundamental misunderstanding by the applicant of generic advice given by the Local Planning Authority. The applicant applied, without prior consultation, for Planning and Listed Building Consent for the erection of a timber framed conservatory in the same location as the current proposal. This proposal was considered to be inappropriate and the applications were refused. Subsequent appeals were also dismissed.

The Council's appeal statement contained the following advice, "A small lean-to extension which provided a slate roof and a predominance of stone over glazing **may** be considered more favourably on this property. Such extensions are **typically** designed as Shippons to incorporate the architectural and visual qualities generally associated with traditional former agricultural buildings. The objection to the location of the extension **may** be significantly **reduced** if a traditional extension, which would be integrated into the development more elegantly, is considered instead."(Bold type emphasises the spirit within which this advice was given and that it was clearly never intended to commit the Council to any particular course of action in relation to any given proposal.)

Following constructive discussions with the case officer substantially modified proposals on the lines suggested were submitted. However, after due consideration these revised proposals were still felt to be in conflict with the councils policies in terms of the visual impact of their location; the principle of an unnecessary extension to the living floorspace of an already adequate residential unit and; the precedent that such a development in this location would set for further similar extension within the group. In order to avoid further refusals therefore, these applications were withdrawn by the applicant to allow further dialogue to take place.

The applicant was subsequently advised that, after further consideration of all likely design options, it was felt unlikely that any extension on the south side of the barn would be able to be supported in policy terms. However, in an attempt to be constructive, the applicant was also advised that in this case, a modified scheme attached to the east gable, where it would have least visual impact on the building group, the Listed Building and the AONB Would be supported. In this location a scheme retaining the existing barn wall and featuring a substantial glazed area in the roof and outer wall, would conform to the councils policies and subject to the detail of the design, would be acceptable.

The applicant has declined to pursue this avenue, and is aggrieved by what he interprets as the council's change of mind. He has therefore resubmitted the scheme which he previously withdrew, seeking a formal determination against which he can appeal if necessary.

Application Number	Proposal	Decision
00/01115/CU 00/01116/LB	Change of use and conversion of barns to form six dwellings	Approved
05/01118/FUL 05/01119/LB APP/A2335/A/05/2005353 APP/A2335/E/05/2005526 08/01293/FUL 08/01294/LB	Erection of a timber framed conservatory Erection of a lean-to extension to form new snug/living space.	Refused Refused Appeal Dismissed Appeal Dismissed Withdrawn Withdrawn

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultees	Response
Parish Council	No response received

5.0 Neighbour Representations

5.1 No representations received.

6.0 National Guidance

National planning advice of relevance to this proposal is set out in Planning Policy Statement 7 (Sustainable Development in Rural Areas) and Planning Policy Guidance note 15 (Planning and the Historic Environment).

PPS 7 Paragraph 12: *“Many towns and villages are of considerable historic and architectural value, or make an important contribution to the local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities”.* Para 21 *“AONB’s have the highest status of protection in relation to landscape and scenic beauty. The conservation of the landscape and countryside should therefore be given great weight in these areas.”*

PPG15 Paragraph 2.16 *“section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires authorities to have regard to the desirability of preserving the setting of Listed Buildings. The setting is often an essential part the building’s character.”* Para 3.12 *“the elements that make up the special interest of the building...may comprise not only obvious visual features...but the spaces and layout of the building and the archaeological or technological interest of the surviving structure and surfaces. These elements are often just as important in simple vernacular and functional buildings as in grander architecture.”*

7.0 Principal Development Plan Policies

7.1 Policies SC3 (Rural Communities) and E1 (Environmental Capital) of the Core Strategy of the Lancaster District Local Development Framework.

Saved Policies E3 (Development affecting Areas of Outstanding Natural Beauty and the Yorkshire Dales National Park), E20 (The Re-use of Buildings in the Countryside), E33 (Alterations or Extensions to Historic Buildings) and Para 5.7.14 (Preserving the Setting of a Listed Building) of the Lancaster District Local Plan.

Policy SC3 seeks (amongst other things) *“To protect, conserve and enhance rural landscapes and the distinctive characteristics of rural settlements.”*

Policy E1 seeks (amongst other things) *“To protect conserve and enhance landscapes of national importance, listed buildings and conservation areas, by resisting development which would have a detrimental effect on environmental quality and public amenity.”*

The preamble to Saved Policy E3 states *“The primary objective within the AONB is to conserve the natural beauty of the landscape. The City Council intends to do this by resisting inappropriate development and insisting on high standards of design for proposals which are approved.”* The policy therefore requires that, *“Development within the AONB’s which would either directly or indirectly have a significant effect upon their character or harm the landscape quality will not be permitted.”*

The preamble to Saved Policy E20 states *“In the case of residential conversions, only buildings which have a positive impact on the character and appearance of the landscape are appropriate for conversion. Conversions should be designed to reflect local traditions, maintain the character of the building and minimise the need for new doors and windows or extensions to the building.”* The policy therefore requires that, *“In the countryside, the conversion of buildings to residential use will only be permitted where (amongst other requirements) the building makes a positive contribution to the rural landscape; the proposal would not result in the loss of traditional architectural character; the conversion can be carried out without major extensions to the existing building or the construction of ancillary buildings and; the proposal does not adversely affect the character and appearance of the surrounding countryside.”*

The preamble to Saved Policy E33 states *“New extensions should not **dominate** the existing building but be sympathetic in scale, materials and **position**. There are some historic buildings where **any extension would be damaging**.”* The policy therefore requires that *“proposed*

alterations to a Listed Building which would have an adverse effect on the special architectural or historic character or interest of the buildings or their surroundings will not be permitted.” Para 5.4.14 goes on to state that, “The city council will seek to preserve the setting of listed buildings by applying appropriate control to the design of neighbouring development.”

8.0 Comment and Analysis

8.1 No 5 Manor Court is one of a number of former agricultural buildings previously associated with and within the curtilage of, the adjacent listed Grade II, Caton Green Farmhouse. Having regard to Section1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 therefore this dwelling must also be treated as a listed building.

In this case therefore the main issues are considered to be the effect of the proposal on the special architectural and historic interest of the listed building, the setting of the listed building and the wider complex and the character and appearance of the AONB.

The proposed development is located in a widely visible position at the rear of the group, in the centre of the vista formed by the four barns and dominating the view from the communal access to all four. This dwelling and the surrounding barn conversions were all deliberately wholly contained within the original former agricultural structures, without extensions or out buildings, This followed the requirements of the saved policies referred to above, specifically to ensure that the historic and visual integrity of the group was retained as the setting for the listed building and for its contribution to the character and appearance of the AONB.

In this case the dwelling so created is a substantial unit comprising four bedrooms and two bathrooms on the first floor, with a lounge, two dining rooms, a kitchen, a utility room, a cloak room with a separate WC and an integral garage on the ground floor. In terms of providing sufficient accommodation to create a reasonably workable residential unit therefore, the proposed development cannot be justified in terms of need, in conflict with the provisions of saved policy E20.

Although of an appropriate architectural style, and materials, the proposed development, would represent a substantial extension to the exposed side of this converted barn, which at the present time still retains its original simple agricultural form. The addition of the proposed extension in the centre of this elevation of the building would result in the loss of that traditional architectural character and simplicity which is fundamental to the character and appearance of the group as a whole. In this respect, therefore, the proposed development would again conflict with the requirements of saved policy E20.

The proposed development, in this location, would dominate this side of the building and detract from the shape, character, appearance and historic integrity of the barn and because of its visual prominence at the focal point of the vista through the group would also detract from the integrity of the group as a whole. The proposed development would in consequence therefore be in conflict with the requirements of Core Strategy policy E1 and saved policy E33.

It follows therefore, that the further development of the site in the manner proposed would detract from the distinctive characteristics, appearance and landscape quality of this particular settlement and its surrounding countryside and have a detrimental effect on the environmental quality and public amenity of the locality. It would also detract from the wider rural landscape of national importance within which it is located and be contrary to the aims and objectives of the Forest of Bowland AONB. In this respect therefore the proposed development would conflict with the requirements of Core Strategy policies SC3 and E1 and saved policies E3 and E20.

9.0 Conclusions

9.1 After due consideration of all of the relevant facts of this case, it is considered that, notwithstanding any advice given on the form of development appropriate for extensions to barn conversions, this proposal is unnecessary to provide a reasonable, working unit of residential accommodation and would be detrimental to the historic integrity, character, appearance and setting of this building, the listed group and the countryside within which they are located. As such it would conflict with the Council's policies in relation to barn conversions, listed buildings and the countryside and be contrary to the aims and objectives of the Forest of Bowland AONB. In these circumstances the

proposed development would undoubtedly set a strong precedent for further similar extensions elsewhere within this group which would become difficult to resist thereby prejudicing the Council's policy in seeking well planned development.

It is recommended therefore that this proposal be resisted.

Recommendation

That Planning Permission be **REFUSED** for the following reasons:

1. Although of an appropriate architectural style, and materials, the proposed development, would represent a substantial extension to the exposed side of this converted barn, which at the present time still retains its original simple agricultural form. The addition of the proposed extension in the centre of this elevation of the building would result in the loss of that traditional architectural character and simplicity which is fundamental to the character and appearance of the group as a whole. The proposed development would therefore conflict with the requirements of saved policy E20 (The Re-use of Buildings in the Countryside).
2. The proposed development, is in a prominent location which would dominate this side of the building and detract from the shape, character, appearance and historic integrity of the barn. Because of its visual prominence at the focal point of the vista through the group it would also dominate and detract from the character, appearance and historic integrity of the group as a whole. The proposed development would in consequence therefore seriously detract from the character, appearance and historic integrity of the setting of the listed building and its former curtilage structures and would conflict with the requirements of Core Strategy policy E1 (Environmental Capital) and saved policy E33 (Alterations or Extensions to Historic Buildings).
3. The development of the site in the manner proposed would detract from the distinctive characteristics, appearance and landscape quality of this particular settlement and its surrounding countryside and have a detrimental effect on the environmental quality and public amenity of the locality. The proposed development would therefore detract from the wider rural landscape of national importance within which it is located and be contrary to the aims and objectives of the Forest of Bowland AONB. In this respect therefore the proposed development would conflict with the requirements of Core Strategy policies SC3 (Rural Communities) and E1 (Environmental Capital) and saved policies E3 (Development affecting Areas of Outstanding Natural Beauty and the Yorkshire Dales National Park) and E20 (The Re-use of Buildings in the Countryside).
4. In terms of providing sufficient accommodation to create a reasonably workable residential unit, the proposed development cannot be justified in terms of need, and in these circumstances, would conflict with the provisions of saved policy E20 (The Re-use of Buildings in the Countryside) which seeks to contain barn conversions within the original traditional structures.
5. The proposed development would set a strong precedent for further similar unnecessary extensions elsewhere within this group which would become difficult to resist thereby prejudicing the Council's policy in seeking well planned development.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

1. None