

Officer Report

Application No.	Y19/0517/FH
Site Address	Brenzett Place Farm Yard Ivychurch Road Brenzett TN29 0EE
Officer Name	Ross McCardle
Proposal	Listed Building Consent for the erection of a 1 No. 3 bed dwelling using existing external walls of listed former barn structure, conversion of granary building to 3 No. 2 bedroom dwellings, and adaptation of barn involving minor alterations to provide garaging and storage.

Recommendation

Report Number	RD-423224
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	09 November 2020

Report

SITE

The application site is a former farmyard complex situated outside of any defined built up area boundary and within the countryside to the east of Brenzett. The land contains a two-storey former granary on the western boundary, a dilapidated single storey cart shed to the north, and the ruined remains of a listed barn (which was largely destroyed in the 1987 storm, I believe) roughly central on the site. The former farmyard area comprises roughly level rough ground and hard standing.

The farmyard would once have been associated with the nearby listed Brenzett Place farmhouse to the west, but this was carved off as a separate residential dwelling several years ago, and the two are now unrelated.

The site is generally surrounded by agricultural land, and falls within a designated Local Landscape Area. It also lies within flood zones 2 and 3a of the Environment Agency's flood risk maps and according to the Council's Strategic Flood Risk Assessment, is in an area at significant risk, should flooding occur, based on predicted 2115 flood levels and accounting for climate change.

RELEVANT HISTORY

Y19/0516 is a concurrent application for planning permission for these works.

Y13/0619/SH granted PP for conversion of the granary to 3 dwellings; demolition of the barn and erection of a single dwelling in its stead; and conversion of the cart shed to associated parking and domestic storage. This permission has now lapsed, however.

89/0118/SH granted PP for conversion of the granary and barn into 6 dwellings, and erection of a new access to serve the site. The barn has, since that permission, substantially collapsed, but the access had been installed and the Council has issued a letter confirming that the permission had been implemented and remains extant. The fall-back position for consideration of this current application is therefore that there is a valid and implementable permission for conversion/erection of 6 dwellings on the site.

PROPOSAL

This application seeks listed building consent for works associated with

- Redevelopment of the ruined barn to provide 1 x three-bed dwelling;
- Conversion of the granary to 3 x two-bed dwellings; and
- Conversion and alteration of the cart shed to provide associated garages and storage.

The submitted drawings show the development in detail, and planning permission has been sought under concurrent application ref. Y19/0516, which is an identical resubmission of Y13/0619/SH.

CONSULTATION RESPONSES

The Council's conservation consultant suggests redevelopment of the site as a way to bring back some of the historical character and importance that has been lost through degradation of the buildings. He suggests a number of design changes that would better reflect the traditional character of the buildings and importance of the listed ruined barn, and these are included within the conditions set out below.

REPRESENTATIONS

None received.

PUBLICITY

The application was publicised in accordance with the regulations.

RELEVANT POLICIES

Core Strategy Local Plan:

DSD (delivering sustainable development).

Core Strategy Review Submission Draft February 2020:

None particularly relevant.

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Following changes to national policy, a further consultation was undertaken from 20 December 2019 to 20 January 2020 on proposed changes to policies and text related to housing supply. The Core Strategy Review was then submitted to the Secretary of State for independent examination on 10 March 2020.

Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which states that the more advanced the stage that an emerging plan has reached,

the greater the weight that may be given to it (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

Places and Policies Local Plan 2020:

HE1 (heritage assets).

The PPLP was adopted by the Council on 16.09.20 after a formal Inspection and review process. It is therefore a material consideration and carries full weight.

NPPF and NPPG:

Section 16 of the NPPF relates to conserving and enhancing the historic environment. Paras. 189, 191, 192, 193, 194, 195, and 198 are relevant.

APPRAISAL

While the 2013 permission has since lapsed, that it was approved also remains a material consideration for this application. The current application was largely identical in its proposals to that approval and I therefore must give regard to the fact that it was approved.

The layout of buildings is as-existing, and access, parking, hardstanding, etc. is as approved under the previous applications. I have no serious concerns in any instance, but I note the precedent set by those previous approvals and that the 1989 permission is extant.

Notwithstanding the conservation consultant's comments in regards the position or orientation of the detached garage building to serve the barn; the farmyard doesn't seem to have a particular rhythm or logic to its layout, and buildings appear to have been erected in whatever position was available rather than in a more traditional, roughly circular, farmyard formation. In that regard the new building won't necessarily, in my opinion, appear out of context in its proposed siting, and it is separated from the (remains of) the listed barn such that it would unduly not affect its significance (which has, to my mind, largely been lost due to the building's condition).

The historic or architectural significance of the listed barn has, in my opinion, been lost – not especially through deliberate neglect, but through storm damage – and what remains is minimal that, with regard to paras. 194 and 195 of the NPPF, the significance of the building has largely gone already. All that remains of it are relatively small sections of brick walls which don't allow for appreciation of the entire structure or any special design features it may have once possessed, and I somewhat question it remaining on the list at this stage. I am aware of policy and legislation pertaining to protection and repair of listed buildings, but the argument has largely been lost here in terms of what remains to be protected and what has previously been approved by the Council. In that regard I don't consider it reasonably justified to seek wholesale changes to the barn conversion scheme, but I do consider it appropriate to secure as many details as possible through the conditions below, which will at least ensure that the resultant development is of a suitably high standard to – in effect – replace the listed barn while incorporating what little of the original fabric remains.

I am also very mindful that the proposed drawings are *identical* to those approved in 2013, and in that regard the Council could be viewed as unreasonable or unjustified to now seek changes (arguably) on the basis of advice from a different conservation officer, while national and local policy remains largely materially unchanged (in terms of its aims and requirements) since that previous consent.

I do, however, agree with conservation's comments in regards minor design changes that should be implemented to ensure the conversion works properly reflect the historic character of the buildings (such as the correct window units within the granary). These can be appropriately addressed through conditions requiring details to be submitted, which I have set out below.

Subject to the above, and the conditions set out below, I don't consider that the development would be significantly harmful to the special historic or architectural interest of the site.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

DUTY TO COOPERATE

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance the application was acceptable as submitted.

RECOMMENDATION

Taking the above into account the application is recommended for approval subject to the following conditions.

CONDITIONS

The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

No development shall take place other than in complete accordance with drawings 2017-386 (P) 006, 110, and 111.

Reason: For the avoidance of doubt.

Prior to the commencement of works on its construction, details of the proposed roof to the replacement barn structure, including sections through the roof and details of the hammer beam roof structure, shall be submitted to the local planning authority for approval, with such details as approved implemented in full.

Reason:

To ensure the satisfactory appearance of the completed development and in the interests of visual amenity.

Prior to commencement of any works on the listed barn a building survey and details of how the remaining historic brickwork remains of the barn will be incorporated into the new building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

The window details for the granary shall match the remaining 8/8 sash window at the southern end of the building; window openings shall be restored back to their original shape; and joinery details thereof (at a suggested scale of 1:1 or 1.5) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works to the windows.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

No development in association with the panelled screens to be inserted into granary's arched openings shall be carried out until construction details (at a suggested scale of 1:5) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

The cart shed shall be re-roofed in clay tiles, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to carrying out any works associated with this roof structure.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

Case Officer: Ross McCardle

Report and draft decision notice completed and passed to senior officer.

Name: Ross McCardle Position: Principal Planner Date: 04.11.20

Report and draft decision notice agreed and passed to admin to issue decision.

Name: Helena Payne Position: Strategic Sites Team Leader Date: 10.11.2020

Recommended Conditions (7)

1

The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2

No development shall take place other than in complete accordance with drawings 2017-386 (P) 006, 110, and 111.

Reason: For the avoidance of doubt.

3

Prior to the commencement of works on its construction, details of the proposed roof to the replacement barn structure, including sections through the roof and details of the hammer beam roof structure, shall be submitted to the local planning authority for approval, with such details as approved implemented in full.

Reason:

To ensure the satisfactory appearance of the completed development and in the interests of visual amenity.

4

Prior to commencement of any works on the listed barn a building survey and details of how the remaining historic brickwork remains of the barn will be incorporated into the new building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

5

The window details for the granary shall match the remaining 8/8 sash window at the southern end of the building; window openings shall be restored back to their original shape; and joinery details thereof (at a suggested scale of 1:1 or 1.5) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works to the windows.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

6

No development in association with the panelled screens to be inserted into granary's arched openings shall be carried out until construction details (at a suggested scale of 1:5) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.

7

The cart shed shall be re-roofed in clay tiles, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to carrying out any works associated with this roof structure.

Reason: In the interest of visual amenity and the special architectural or historic interest of the building.