APPLICATION: MA/10/2122 Date: 25 November 2010 Received: 12 April 2011

APPLICANT: Mr & Mrs B Hutson

LOCATION: BARN ADJOINING BRIDGEHURST FARMHOUSE, HOWLAND ROAD, MARDEN, KENT, TN12 9ET

PARISH: Marden

PROPOSAL: Conversion of barn from residential storage to single dwelling including demolition of outbuildings as shown on Drawing No.s 1642/02/Rev A, 03/Rev C, 05/Rev B and 07/ Rev A and accompanying Design and Access statement received on 10 December 2010 and, Bat and Barn owl Survey dated 28/03/11, received on 12 April 2011

AGENDA DATE: 22nd September 2011

CASE OFFICER: Laura Gregory

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by the Parish Council

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV28, ENV45
- South East Plan 2009: CC1, CC6, C4, BE6
- Village Design Statement: Marden Village
- Government Policy: PPS1, PPS3, PPS7, PPS5, PPS9

2. HISTORY

- **MA/10/2125** – Application for listed building consent for alterations to barn to form a dwelling in the grounds of a listed building including demolition of outbuildings – APPROVED WITH CONDITIONS

- **MA/97/1104** – A Full planning application for the renewal of planning permission MA/92/1041 being conversion of barn to a residential dwelling – APPROVED WITH CONDITION

- **MA/97/1105** - Application for the renewal of listed building consent granted under ref: MA/92/1058 being the conversion of barn to residential dwelling – APPROVED SUBJECT TO CONDITIONS

- **MA/92/1058** - Listed building consent for conversion of barn to residential use. – APPROVED SUBJECT TO CONDITIONS

- **MA/92/1041** - Conversion of barn to residential use – APPROVED WITH CONDITIONS

3. CONSULTATIONS

MARDEN PARISH COUNCIL: Wish to see the application REFUSED

"Cllrs have NO OBJECTION in principle for these applications but however are aware of the existing gateway and the previous applications MA/92/1041 & 1058 and MA/97/1104 & 1105 both of which make comment of the existing gateway being permanently closed. Cllrs would only support these new proposals if the applications were to be amended to make use of the existing access via Bridgehurst Farmhouse."

KENT HIGHWAYS – Raises No Objections

"I refer to the above planning application and have no objections to the proposals in respect of highway matters subject to the following condition(s) being attached to any permission granted"

On receipt of further information sent by the Parish Council;

"Thank you for providing these additional details in respect this planning application. I confirm that I have no objection to this application subject to the conditions previously sent. The barn, if in use, could generate some traffic movements from the existing access and the dwelling would generate approximately 6-8 movements per day which is not a significant increase in traffic. Howland Road which does not carry heavy traffic volumes and speeds are restricted due to the bends. Visibility is adequate for this location and the traffic generated by a single dwelling will not be significant especially when considering it is replacing an existing use."

KCC ECOLOGY – No Objections

"Having spoken to the ecologist who conducted the survey for confirmation over the likely status of the roost, we are satisfied that sufficient effort has been undertaken to reach the conclusion that the site is only used as an occasional roost by bats. We recommend that a planning condition provides for:

- The inclusion of at least four 'bat tubes' within the walls of the converted building under guidance from a suitably experienced ecologist (recommendation 6.1);

- The presence of a suitably experienced and licensed ecologist during the removal of the ridge and hip tiles of the barn (recommendation 6.2);

- The removal of the ridge and hip tiles by hand (recommendation 6.2)

- The inspection of the mortice joints and the implementation of exclusion measures by a suitably experienced and licensed ecologist prior to work commencing (recommendation 6.3)"

MBC CONSERVATION OFFICER – No Objections

"The principle of conversion to residential use has been previously accepted in 1992 and 1997. If we are satisfied that the figures submitted prove that use as holiday accommodation is not financially viable, I consider that use as a single dwelling is the next best option in this case. The barn probably dates from the 18th Century, although the roof of the main section is a modern structure following storm damage in 1987, and it constitutes an important feature of the setting of the listed farmhouse and may be considered as a heritage asset in its own right. Its loss would diminish the significance of the listed farmhouse, so re-use is to be welcomed.

The current proposals, in contrast to the earlier permitted scheme, involves the replacement of the modern roof by one which will replicate the pitch and height of the original lost roof; in heritage terms this is considered to be an improvement. In other respects, the current proposals are also largely acceptable and on the main elevations show some reduction in fenestration over the previously approved scheme, which is to be welcomed. My one reservation relates to the inclusion of a roof light to serve a first floor bathroom – it is our normal policy to resist roof lights to non-habitable rooms, and the drawings are wrong in referring to this as "previously approved" as it was removed from the

proposals at the Council's request in 1992. Its removal should, therefore, be requested again."

4. REPRESENTATIONS

None

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application relates to a detached redundant barn located within the curtilage of Bridgehurst Farmhouse; a grade II listed building located off Howland Road, the 18th century, the barn is not listed but it is afforded the same protection as the house itself, being within its curtilage.

5.1.2 The barn is a timber framed structure with black weatherboarding and has a peg tiled roof although as a result of storm damage in 1987, the main part has been reconstructed at a lower angle. It is an interesting and attractive vernacular building which contributes to the setting of Bridgehurst Farmhouse.

5.1.3 Located in the countryside, the site has maintained much of its open and rural character. To the west of the barn is an open paddock and the boundary treatments comprise of low hedgerow and 1m post and rail fencing. The site is in a prominent location on the northern corner of Howland Road as the road sweeps round to the south. The road is narrow with mature hedging and trees on the southern boundary and although the national speed limit is 60mph, I noted from my site visit that approaching vehicles appear to be travelling at significantly lower speeds due to the narrow and meandering nature of Howland Road.

5.2 Proposal

5.2.1 Planning permission is sought for the conversion of the barn into one dwelling. The proposed works include the insertion of new windows and doors on all elevations, and the reconstruction of the main roof to its original angle of 45°, to enable plain clay tiles to be used. Access to the barn would be off Howland Road via an existing gate, once an old farm access; which is south of the barn,

approximately 17m from the existing access and, where the Parish Council prefer the access to be.

5.3 Principle of Development

5.3.1 The most relevant Local Plan Policy is ENV45 which deals with the re-use and adaptation of existing rural buildings for residential purposes. The proposal is assessed against the criteria of this policy as follows: -

Business Re-use

5.3.2 Criterion 1 of the Policy ENV45 states that the re-use and adaptation of rural buildings for residential purposes will not be permitted unless every reasonable attempt has been made to secure a suitable business re-use for the building.

5.3.3 By virtue of its close proximity to Bridgehurst Farmhouse, the building is not suitable for a commercial use, such as office, storage or workshop due to the noise disturbance which would be likely to be caused to the residents of the farmhouse as a result of such uses. With regard to converting the barn to holiday lets, the viability appraisal submitted with the application, indicates that the cost of converting the building to such a use would be so high that, even with a reasonable return from the start of the holiday use, considerable losses would still be made and the business would not be viable. I therefore conclude that the building could not be converted into a viable business use. The only suitable re-use for this building is therefore as a single dwelling if it is to be retained.

Quality of the Building

5.3.4 The building is a curtilage-listed building by virtue of its relationship with the Grade II listed Bridgehurst Farmhouse. It is an interesting and visually attractive building due its vernacular form and forms a good group with, and contributes to the setting of Bridgehurst Farmhouse. Due to its close relationship with the farmhouse, it exemplifies the hisitorical development of the Kentish countryside.

5.3.5 It is of good quality and positively contributes to the main listed building and character of the area. Its retention is therefore a desirable outcome. The Conservation Officer considers it to be of sufficient historic interest to justify conversion to residential use as this would secure its long term preservation and

I therefore conclude that this building meets the tests to justify residential conversion as an exception to the general theme of countryside restraint. Residential use has been previously approved under applications MA/92/1041 and MA/97/1105.

5.4 Historic Building Considerations

5.4.1 Under Policy HE7 of PPS5 local planning authorities are advised to consider the extent to which new development makes "*a positive contribution to the character and local distinctiveness of the historic environment*". It is stated that consideration should be given to the design in terms of the scale, height and massing. In cases where development affects the setting of a designated heritage asset such as Bridgehurst Farmhouse, and if the application preserves the elements of the setting of the listed building and makes a positive contribution or better reveals the significance of the asset, then it should be treated favourably.

5.4.2 In terms of the impact on the historic building I consider that the proposed development is acceptable. The barn is of permanent and sound construction which does not require complete or major reconstruction to facilitate its residential use and its re-use would ensure the long term conservation and protection of the barn and the adjacent listed building is secured. The barn constitutes an important feature of the setting of the listed farmhouse and its loss would diminish the significance of the listed farmhouse, so its re-use is welcomed.

5.4.3 In terms of the design, the proposal is in keeping with both the rural and historic character of the building. The vast majority of the proposed windows and doors will be new but given the number of new openings has been reduced; these are welcomed by the Conservation Officer. Where existing openings do exist these have been maximised with the use of vertical, single casement windows. This is acceptable given that these openings such as the old cart entrance on the north east elevation are fundamental elements of the barn's character and give legibility to the original form and function of the building and therefore should be preserved. The mirror image of the cart entrance on the south west elevation is acceptable, designed with the original character and form of the barn in mind.

5.4.4 Overall, the fenestration proposed would be simple, of vertical emphasis and not of regular pattern and would ensure that the barn does not appear overly

domestic. In accordance with the Conservation Officer's advice the applicant has agreed to remove the proposed bathroom roof light on the north east elevation and this improves the proposal, is considered acceptable, ensuring that the simple rural appearance of the barn is preserved. With a condition imposed requesting that joinery details are submitted, I consider that a high quality finish to the fenestration can be achieved.

5.4.5 With regard to the historic fabric of the barn, no significant alterations are proposed. It is proposed to remove the modern roof constructed after the 1987 storm and this is considered acceptable especially as it is proposed to reconstruct the roof to the original angle and height using traditional materials. In heritage terms this is considered to be an improvement and, would help towards restoring the barn back to its original appearance and thereby enhancing the setting of the listed building. A condition requesting that details of the materials and the new roof structure are submitted for approval is necessary, to ensure that a high quality finish to the building is achieved.

5.4.6 No objection is raised to the demolition of the adjacent pole barn. This is an unlisted single storey shed which is of no architectural merit or historic significance to the setting of the listed building or barn. Its loss would serve to improve the overall appearance and historic character of the site.

5.5 Highway Considerations

5.5.1 The main objection from the Parish Council to this proposal relates to the access arrangements. It is proposed that vehicular access to the barn will be obtained via the existing farm access gate which is approximately 17m to the west of the main house. Marden Parish Council are concerned over the impact the use of this access would have on highway safety due to the visibility splays which are in place, and have commented on the fact that on the previous applications, MA/92/1041 and MA/97/1104, the development was approved subject to the condition that this gateway was permanently closed.

5.5.2 The condition which requested that the gateway was closed permanently was imposed in lieu of comments received from the Highways Engineer at the time. The Highways Engineer objected to the proposal and considered that "*the access was inadequate to serve the development being on an unrestricted classified road on a bend*." However visibility splay requirements have changed since these approvals.

5.5.3 Having inspected the site, the Highway's Officer has observed that the proposed development will generate some traffic movement from this access. However considering that only one dwelling is proposed and the traffic generated from a single dwelling is approximately 6-8 vehicle movements per day, the Highways Officer is satisfied that the resultant increase in traffic will not be detrimental to highway safety.

5.5.4 On the issue of visibility, whilst the speed limit on Howland Road is 60mph, the conditions of the section of road where the access is located control the speed at which vehicles will travel. The section of road in question is narrow, bounded by tall hedging and trees on one side. Approaching a sharp bend in the road, vehicles are likely to be travelling at half the speed limit set for Howland Road.

5.5.5 The Department of Transport's Manual for Streets advises that on a 30mph road, visibility splays should be no less than 43m in either direction. The access has visibility splays of more than 43m in both directions. Considering that vehicles on this section of road are likely to be travelling at speeds of 30mph and, that the access is already in place, the Highways Officer considers that the visibility splays provided are acceptable for the proposed use.

5.5.6 Turning space is proposed within the site on the drive along with two off road parking spaces. This is acceptable and ensures that no turning in the road will take place and that vehicles will be able to enter and exit the site in forward gear.

5.5.7 In conclusion, given that the Highways Officer is satisfied with the proposed access arrangements in terms of visibility and traffic movements, I consider that the development is acceptable on this matter and that a condition which requires the permanent closure of this access is not necessary.

5.6 Ecology Considerations

5.6.1 Bat and Barn Owl surveys have been carried out and conclude that the barn does have features of potential suitability for use by bats as an occasional roost and indeed two bats were observed during the internal inspection of the building. No evidence of the presence of owls was found in the barn KCC Ecology has been consulted on the findings and is satisfied with the details which have been submitted stating that "*sufficient effort has been undertaken to reach the*

conclusion that the site is only used as an occasional roost by bats". The Ecology Officer raises no objection requesting only that a condition is imposed which ensures the development is carried out in accordance with the survey's recommendations. This includes the installation of at least four 'bat tubes' within the walls of the converted building, the presence of a consultant on site when the roof is replaced and the planting of soft landscaping to enhance the site for wildlife in general and bats in particular. I consider that this is reasonable and accords with the principles of PPS9.

5.7 Residential Amenity Considerations

5.7.1 With regard to the residential amenity of the future occupiers of the barn, the area of land to the north of the barn is shown on the submitted layout plan to be used as garden land; this is acceptable and would provide a sufficient level of outdoor space for the occupants without intruding significantly into the countryside or on the residential amenity of Bridgehurst Farmhouse.

5.7.2 The development would not result in any loss of privacy to the Farmhouse and given that it is for the conversion of an existing building I do not consider that any loss of light would be caused. Overall I consider that the development would result in minimal harm to the residential amenity of the farmhouse and as such the development is considered acceptable on this matter.

5.8 Landscaping

5.8.1 On the issue of landscaping, it is proposed that a new indigenous hedgerow and post and rail fencing will be planted on the south west boundary of the site, this is acceptable given that this will be visible from the main road. As details of the species of the hedgerow have not been submitted, I propose a landscaping condition which requires details of the species to be used in the hedgerow and, details of suitable protection measures to ensure the longevity of the hedgerow.

5.8.2 An area is proposed for the parking and turning area and this is to be constructed of gravel. Given that there is an existing gravel drive to the farmhouse, the use of gravel is acceptable and would compliment the setting of this historic building.

5.9 Sustainability

5.9.1 On the issue of sustainability, I note that the development is in the open countryside. However, located some 70m outside the village envelope it is not in an isolated position and is within walking distance of Marden village centre and local facilities such as public transport, the local school and health services. Considering that the development is the conversion of an existing building and will ensure the long term preservation for a protected building I consider that the development accords with principles of PPS1 and is sustainable.

5.9.2 With regard to the Code for Sustainable Homes, the code is not applicable to building conversions. However, the BREEAM Eco Homes rating can be applied to residential conversions. The agent has indicated that a BREEAM rating could be achieved within this development. I therefore propose that a condition requiring that a report be submitted showing what BREEAM level will be achieved as a result of this development.

6. CONCLUSION

6.1 In conclusion considering the above, I conclude that for the reasons stated above the proposed development is in accordance with the provisions of the Development Plan and that there are no overriding material considerations to indicate a refusal. I therefore recommend approval with conditions as set out below.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

   Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not commence until, written details and samples of the materials (including stain colour) to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

   Reason: To ensure a satisfactory appearance to the development in accordance

with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and advice contained within PPS5 Planning and the Historic Environment .

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, details of the indigenous species which comprise the proposed boundary hedgerow, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

   Reason: No such details have been submitted in accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and PPS1 Delivering Sustainable Development.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

   Reason: To ensure a satisfactory setting and external appearance to the development in accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and PPS1 Delivering Sustainable Development.

5. The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter;

   Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers n accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and PPS1 Delivering Sustainable Development.

6. The development shall not commence until, full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-

a) New internal joinery in the form of large scale drawings.

b) New external joinery in the form of large scale drawings.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the building are maintained in accordance with Policy BE6 of The South East Plan RSS 2009 and advice contained within PPS5 Planning and the Historic Environment .

7. The development shall not commence until, a detailed schedule of repairs and alterations and a method statement detailing how such repairs are to be carried out has been submitted to and approved in writing by the Local Planning Authority. The repair works shall be carried out in accordance with the approved details

   Reason: No such details have been submitted and to ensure the appearance and the character of the building are maintained and in accordance with Policy BE6 of the South East Plan 2009 and advice contained within PPS5 Planning and the Historic Environment.

8. The development shall not commence until, full details of the new roof structure and eaves treatment, in the form of large scale drawings have been submitted to and approved in writing by the Local Planning Authority.

   Reason: No such details have been submitted and to ensure the appearance and the character of the building are maintained and in accordance with Policy BE6 of the South East Plan 2009 and advice contained within PPS5 Planning and the Historic Environment.

9. All bat mitigation measures recommended within the Bat and Barn Owl Survey Report received on 12 April 2011 shall proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority;

   Reason: To ensure the maintenance of the population of this protected species in accordance with Policy NRM5 of The South East Plan RSS 2009 and the Central Government policy contained in PPS9 Biodiversity and Geological Conservation.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2, Part 1, Classes A - F shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers in accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and PPS1 Delivering Sustainable Development.

11. The driveway and parking area shall be surfaced in accordance with the details shown on drawing number 1642/05A received on 10/12/10 unless otherwise agreed in writing by the Local Planning Authority;

    Reason: To ensure a satisfactory appearance to the development and ensure the rural setting the building is maintained, in accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and PPS1 Delivering Sustainable Development.

12. The development hereby permitted shall be carried out in accordance with the following approved plans:

    Drawing No.s 1642/02/Rev A, 03/Rev C, 05/Rev B and 07/ Rev A

    Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with in accordance with Policies ENV28 & ENV45 of the Maidstone Borough-Wide Local Plan 2000 and Policies CC6, BE6 & C4 of The South East Plan RSS 2009 and advice contained PPS1 Delivering Sustainable Development and PPS5 Planning and the Historic Environment.

13. The development shall not commence until a report outlining the BREEAM level that will be achieved by the development has been submitted to and approved in writing by the Local Planning Authority. The report shall be produced by a competent person and should aim to achieve a 'Very Good' level for the development unless it can be evidenced that such a level is not achievable for sound practical or viability reasons. The development shall thereafter be constructed strictly in accordance with the details subsequently approved before it is occupied.

    Reason: To ensure a sustainable and energy efficient form of development in accordance with policies CC1 and CC4 of the South East Plan 2009 and PPS1.

Informatives set out below

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and

between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

Clearance and subsequent burning of existing woodland or rubbish must be carried out without nuisance from smoke, etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.