

PLANNING APPLICATION NUMBER:P09/1532

Type of approval sought	Full Planning Permission
Ward	HALESOWEN NORTH
Applicant	Mr Ron Willetts
Location:	POTTERY FARM, MUCKLOW HILL, HALESOWEN, WEST MIDLANDS, B62 8BN
Proposal	CONVERSION OF EXISTING BARNs INTO 3 NO. DWELLINGS (RESUBMISISON OF WITHDRAWN APPLICATION P09/0758)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site comprises part of the Pottery Farm complex of outbuildings and associated land. Pottery Farm is a working farm and the barns that are proposed for conversion are designated Barn 1 and Barn 2. There is an existing two storey house attached to the rear of Barn 1 which is the 'Pottery Farm' farmhouse. The existing barns are in very poor visual condition and there is a gated yard/courtyard in front of Barn 1. Barn 2 is located 5m to the north of Barn 1, on the other side of the farm's driveway.
2. Directly to the east of the site is no. 68 Mucklow Hill (a two storey detached house and gardens), to the south the grassed field slopes down to the dual carriageway 'Mucklow Hill', and to the west and north are open fields. There is also a Public Right of Way that crosses the site, along the access road into and out of the site. The site is accessed via the farms existing access way from Mucklow Hill.
3. The application site is within the Green Belt and a Landscape Heritage Area. The site also adjoins a Site of Importance for Nature Conservation (SINC) and a Site of Local Importance for Nature Conservation (SLINC).

- The existing barns are Grade II listed buildings.

PROPOSAL

- The application is for full planning permission to convert the 2 no. existing barns into 2 no. 3 bed and 1 no. 1 bed residential dwellings, gardens and associated parking. Barn 1 would be converted into the 2 no. 3 bed dwellings and Barn 2 would be converted into the 1 bed dwelling.
- The application is accompanied by a Design & Access Statement, Archaeological Report and Ecological Appraisal.

HISTORY

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APPLICATION No.	PROPOSAL	DECISION	DATE
P09/0758	Conversion of existing barns into 3 no. dwellings	Withdrawn	03.09.09
P09/1586	Listed Building Consent for part demolition and alteration to convert existing barns into 3no. dwellings		

The application P09/0758 was withdrawn as there were design issues to be resolved and an archaeological assessment of the site to highlight areas of sensitivity and to inform the design process.

PUBLIC CONSULTATION

- The application has been advertised by way of neighbour notification, press and site notice. Public consultation period expired 4 January 2010. No objections have been received.

OTHER CONSULTATION

9. Group Engineer (Development) – no objection subject to the provision of the parking areas before first occupation and the payment of the planning contributions.

Head of Environmental Health & Trading Standards – no adverse comments

RELEVANT PLANNING POLICY

10. Dudley Unitary Development Plan (2005)

- AM14 – Parking
- DD1 – Urban Design
- DD4 – Development in Residential Areas
- DD6 – Access and Transport Infrastructure
- DD7 – Planning Obligations
- DD10 – Nature Conservation and Development
- H1 – New Housing Development
- H3 – Housing Assessment Criteria
- H6 – Housing Density
- HE1 – Local Character and Distinctiveness
- HE2 – Landscape Heritage Areas
- HE6 – Listed Buildings
- HE11 – Archaeological and Preservation
- NC1 – Biodiversity
- NC4 – Local Nature Reserve and Sites of Importance for Nature Conservation
- NC5 – Sites of Local Importance for Nature Conservation
- NC6 – Wildlife Species
- S8 – Housing
- S01 – Green Belt

11. Supplementary Planning Documents

Nature Conservation
New Housing Development
Parking Standard & Travel Plans

12. Supplementary Planning Guidance

PGN3 – New Housing Development

13. National Policy Documents

PPG2 – Green Belts
PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPS9 – Biodiversity and Geological Conservation

ASSESSMENT

14. The key issues for consideration in this application area as follows:

- Principle
- Residential Amenity
- Design & Listed Building Issues
- Conservation/Heritage
- Highways & Parking
- Nature Conservation
- Planning Obligations

Principle

15. The application site comprises an existing residential farmhouse, the vacant barns and associated outbuildings and the site adjoins no. 68 Mucklow Hill, an existing

residential house on its east boundary. Close to the entrance of the site there are further residential properties located off Mucklow Hill.

16. The site is within the Green Belt and the principle policy document that deals with Green Belt designation is Planning Policy Guidance Note 2 (PPG 2) – Green Belts. The purpose of the designation is to check the unrestricted sprawl of large built up areas, to prevent neighbouring towns from merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and to assist in urban regeneration, by encouraging the reuse of derelict and other land.
17. With regard to the reuse of buildings PPG 2 states that the ‘re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises and may contribute to the objectives for the use of land in Green Belts. The alternative to reuse may be a building that is left vacant and prone to ‘vandalism and dereliction’.
18. Furthermore, the PPG explains that the re-use of buildings inside a Green Belt is not inappropriate development providing that:
 - the proposal should not have materially greater impact than its current use;
 - strict control is exercised over the extension of re-used buildings and that the provision of car parking, hard standing and boundary treatments have regard to the openness of the Green Belt;
 - the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction
and
 - the form, bulk and general design of the buildings are in keeping with their surroundings.
19. Reflecting advice in PPG 2 – Green Belts, the Council’s adopted UDP Policy SO1 confirms that within the Green Belt development would not be permitted except in

very special circumstances unless for limited extension and/or alterations to buildings or the replacement of dwellings.

20. In this case no extensions are proposed to the two barns that are to be reused and gardens would be delineated by post and rail fencing and natural hedging.
21. To ensure that the buildings once converted continue to cause minimal impact to the openness of the Green Belt, it is proposed to remove permitted development rights to extend the converted barns or to construct buildings within the gardens. It is considered extensions such as conservatories and the provision of sheds/greenhouses or further garaging could be harmful if not properly controlled. As such the reuse of these buildings would not prejudice the openness of the Green Belt and the principle of development is therefore acceptable in accordance with Policies H3 and SO1 of the adopted UDP (2005).

Residential Amenity

22. The scheme proposes to convert 'Barn 1' to 2 no. 3 bed dwellings and 'Barn 2' into a 1 no. bed dwelling.
23. Barn 1 is sited within its own courtyard complex and the 2 no. proposed dwellings would each have their own respective gardens (minimum depth of 19m for unit 1 and 14m for unit 2) and parking areas.
24. Barn (which would comprise unit 3) is sited 5m north of unit 2 and would face the farms access road to Mucklow Hill. The proposed would incorporate a large garden area (10m deep x minimum 25m wide) that would lead down to the proposed parking area for the dwelling.
25. The application/farm site itself is fairly secluded, set away from Mucklow Hill and the nearest residential house is no. 68 Mucklow Hill which adjoins the eastern boundary of the application and separates the farmhouse/proposed from Mucklow Hill. It is considered that the conversion of the proposed barns into residential units would not

adversely impact upon residential amenity in accordance with Policy DD4 and H3 of the adopted UDP (2005).

Design & Listed Building Issues

26. Barn 1 is a traditional drift barn with central wagon doors, constructed in a dense blue brick with a plain clay tiled roof. The roof is supported off traditional oak trusses of varying design with twin purlins to each slope and oak rafters at variable centre spacings. The purlins, rafters and wall plate are all oak. Attached to the main barn, which is of 'two' storey height are single storey wings of similar construction. The long south east wing also has oak trusses with purlins.
27. The proposed scheme would convert Barn 1 into 2 no. dwellings with the separating or party wall positioned centrally where the existing wagon doors and driftway are located. All of the barn is finished in hand made plain clay tiles and the buildings would be re roofed using these and retaining existing wall plates, trusses, purlins and rafters.
28. Barn 2 is a brick built workshop with a plain clay tiled roof and the south west wall has some earlier stonework at low level. This is a smaller building and would be converted into a 1 no. bed dwelling.
29. The conversion proposals have been designed to ensure that there are no structural alterations to the buildings and would aim to maintain the quality of both barns. It is considered that the proposed scheme would preserve and enhance the architectural and historic interest to the existing barns and improve the setting of these listed buildings.

Conservation/Heritage

30. The conservation of these Grade II Listed Buildings would enable a better understanding of the Borough's past and this archaeological heritage constitutes a fundamental component of the historic environment. The proposed scheme set within

the existing empty listed farm buildings would help safeguard the appropriate reuse and enhancement of buildings statutorily listed as being of historic and architectural value.

Access & Parking

31. Access to the site would be from the existing farm access which also serves no. 68 Mucklow Hill. The off street parking provision would provide a minimum 2 no. parking spaces per dwelling in accordance with the Council's Parking Standards & Travel Plans Supplementary Planning Document.
32. There are no highway objections to a condition relating to the provision of parking prior to first occupation of the dwelling and the payment of the planning contribution.
33. In respect of the public right of way that crosses the site it has been agreed that the developer, by planning condition, would reinstate and improve the path within the site to the Council's specification and make good its connection to the remainder of the footpaths length.

Nature Conservation

34. A bat survey was submitted with the application and it was concluded that the very dilapidated state of the majority of buildings make them largely unsuitable for bats with open, draughty, damp and exposed conditions (bats prefer more secluded environments with more stable temperatures). This is also combined with the exposed nature of the site open to the prevailing south-westerly winds. As such there is a very low likelihood of finding bats roosting in these conditions. Furthermore, no evidence of barn owls was found and no evidence of badgers was found within the site boundary.
35. A landscaping scheme will be conditioned to ensure that new native hedgerows are planted to enhance foraging and commuting opportunities for bats. Nature Conservation enhancements have also been required as part of the planning

obligation and with appropriate conditions and mitigation there is an opportunity to enhance the wildlife potential in compliance with UDP Policy NC6.

Planning Obligations

36. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

Offsite Contributions

37. The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

- Libraries - £554.76
- Open Space, Sport & Recreation - £5722.53
- Public Realm - £1387.05
- Transport Infrastructure Improvements - £1203.93
- Nature Conservation - £487.50
- Management & Monitoring Charge - £500.00

Total Offsite Contribution equates to £9855.77

The applicant has agreed to the payment of these planning contributions.

CONCLUSION

38. The proposed development would ensure an appropriate re-use of existing buildings into residential dwellings. In particular, Barn 1 is in a very poor state and the re-use of this Grade II Listed Building would certainly improve its setting and visual appearance. The proposed scheme would not adversely impact on the openness of the Green Belt. Neighbours amenity is not considered to be detrimentally affected and the scheme is in accordance with adopted UDP Policy.

RECOMMENDATION

39. It is recommended that the application be approved subject to:
- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the sum of £9855.77 for the provision, maintenance and enhancement of site public open space and play provision, nature conservation, transport improvements, library and public realm has been submitted to and agreed in writing by the Local Planning Authority.
 - b) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's Planning Obligations Policies.
 - c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.

REASON FOR APPROVAL

The proposed development would ensure an appropriate re-use of existing buildings into residential dwellings. In particular, Barn 1 is in a very poor state and the re-use of this Grade II Listed Building would certainly improve its setting and visual appearance. The proposed scheme would not adversely impact on the openness of the Green Belt. Neighbours amenity is not considered to be detrimentally affected and the scheme is in accordance with adopted UDP Policy.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the application report.

INFORMATIVE

The development hereby permitted shall be built in accordance with Drawing Nos. P.03 Rev A, P08, P09, P10, P11, P12, P13, P20 (Dec 09) and the 1:1250 Location Plan, unless otherwise agreed in writing by the Local Planning Authority.

NOTE TO APPLICANT

The granting of planning permission does not confirm the structural integrity of the proposed development. Local Planning Authorities do not have a duty of care to individual landowners when granting applications for planning permission and are not liable for loss caused to an adjoining landowner for permitting development. Sections 77 and 78 of the Building Act 1984, provides Local Authorities with powers to take action with respect to dangerous buildings/structures. Therefore, should the development raise concerns in the future with respect to its structural stability there are powers under separate legislation to planning that would enable the situation to be rectified.

Conditions and/or reasons:

1. The development shall not begin until a scheme for the provision of:
 - Nature Conservation improvements
 - Off site Public Open Space and play area improvements
 - Off site Library improvements

- Management & Monitoring
- Off site Public Realm
- Transport Infrastructure Improvements

has been submitted to and approved in writing by the Local Planning Authority

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Prior to first occupation of the dwelling, the means of access and parking areas will be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out. These areas will be maintained for no other purpose for the life of the development.
4. Prior to the commencement of development, details of the types, sizes and locations of the boundary treatments around the site and between the proposed plots shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in complete accordance with the approved details prior to the occupation of the dwellings hereby approved and thereafter retained for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
5. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
6. The landscaped areas shall be retained in the form shown on the approved plan throughout the life of the development and shall not be used for any other purpose, unless otherwise agreed in writing by the local planning authority.
7. Development shall not commence until details of the type, texture, colour and bond of the brickwork to be used in the construction of the external walls and the roofing tiles and the stone window lintels/cills have been submitted to and approved in writing by the local planning authority. Such materials shall, unless agreed in writing by the local planning authority, closely match in types, texture, colour and bond those of the existing building. The development shall proceed in accordance with the approved details.
8. Prior to the commencement of development, details for the reinstatement and improvement of that length of public footpath within and affected by the development shall be submitted to and agreed in writing by the Local Planning Authority. Such proposals shall include surface materials, levels and landscaping at and within the footpath limits and making good a connection to the remainder of the footpath's length. Prior to first occupation the development shall be carried out in complete accordance with the approved details and thereafter maintained for the lifetime of the development.
9. Prior to the commencement of development the following shall be submitted to and approved in writing by the local planning authority, and then implemented as approved prior to the first occupation of the development.
 - a. Large scale architectural drawings to a scale of not less than 1:5 of all new windows and doors, including drawings of sections and profiles of jambs, heads, cills and glazing bars together with their relationship to masonry apertures.
 - b. Large scale architectural drawings to a scale of not less than 1:5 of all new internal joinery (architraves, doors, skirting etc) and its finish.
 - c. Details of the conservation rooflights and the proposed method of installation

and impact upon the existing ceiling

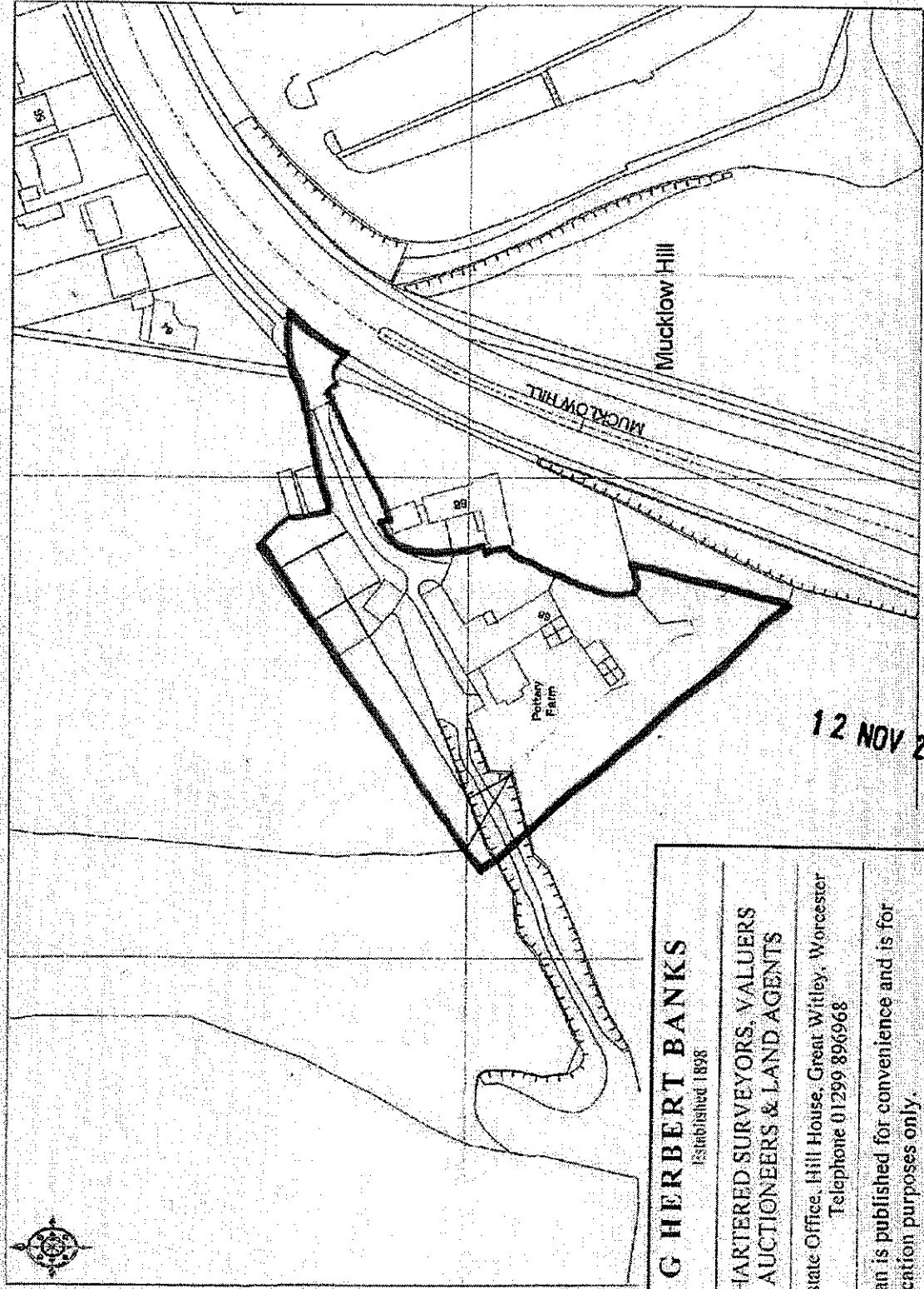
d. Details and samples of the type, texture and colour of the roofing tiles

e. Details and samples of the type, texture and colour of the hard landscaping materials

Such materials shall, unless otherwise agreed in writing by the local planning authority, closely match in type, texture and colour those of the existing building

10. No development shall commence until details of all new joinery (architraves, doors, new staircase, skirting etc and its finish have been submitted to and approved in writing by the local planning authority. Large scale architectural drawings (at 1:1, 1:2 or 1:5) and/or samples of the sections and profiles of balustrades, handrails, skirting etc shall be included in the submission. The development shall proceed in accordance with the approved details.
11. Development shall not commence until details have been submitted to and approved in writing by the local planning authority of the heating appliances, flues, air intake and extraction equipment terminals. Development shall proceed in accordance with the agreed details.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A,B,C,D,E,F & G of that order shall be carried out.
13. None of the development hereby approved shall be commenced until details of all external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided in accordance with the approved details. No further external lighting shall thereafter be provided within the site unless otherwise agreed in writing by the Local Planning Authority.

Pa091532
location plan



12 NOV 2009

G HERBERT BANKS

Established 1898

**CHARTERED SURVEYORS, VALUERS
AUCTIONEERS & LAND AGENTS**

The Estate Office, Hill House, Great Witley, Worcester
Telephone 01299 896968

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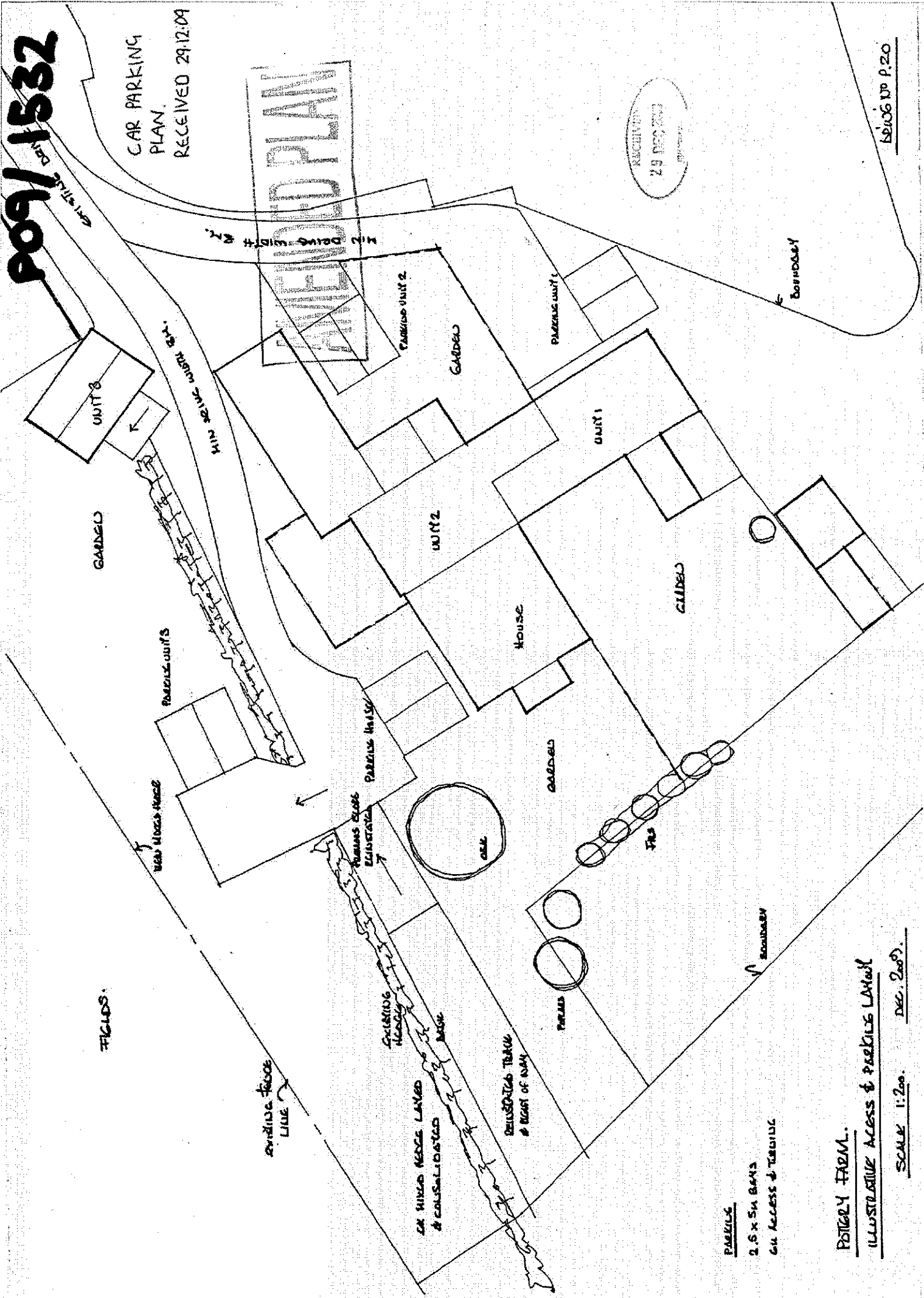
909/1532

CAR PARKING PLAN RECEIVED 29.12.09

PROPOSED PLAN

RECEIVED 29 DEC 2009

SD/06 UP P.20



FIELDS

EXISTING FENCE LINE

EXISTING HEAVY TRAFFIC MARK

EXISTING TRAILWAY & RIGHT OF WAY

BOUNDARY

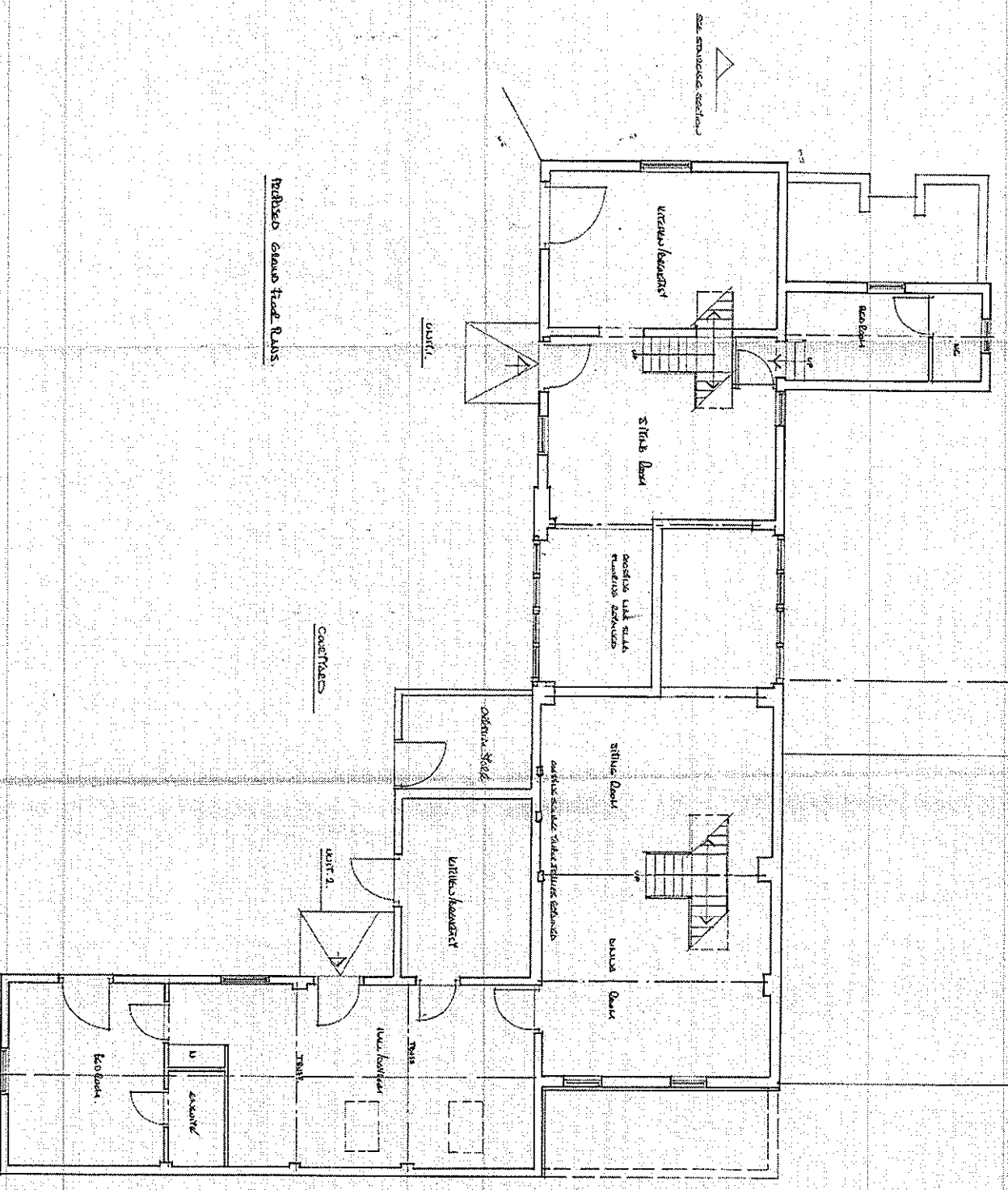
PARKING

2.5 x 5m BAYS

GRASS ACCESS & TRAILING

POSTED FROM ILLUSTRATIVE ACCESS & PARKING LAYOUT

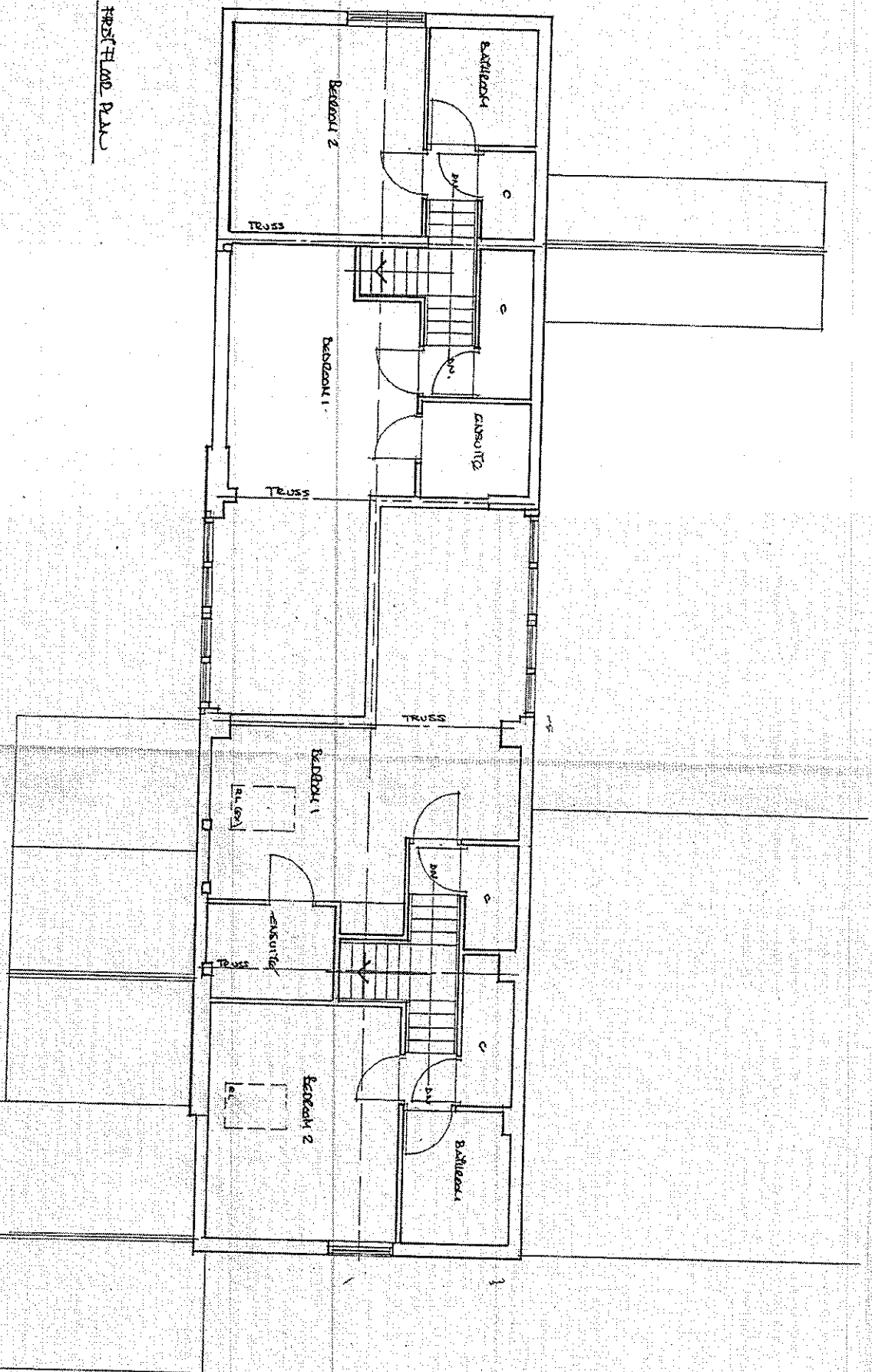
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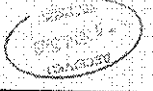
12 NOV 2008

CLIENT DR. R. WILKINS PROJECT PERI 2 V - EXHIBIT 2	
DRAWING ADDENDUM 1 - Ground Floor Plans Revised	
DATE 11/5/08	DRAWN BY PJB
CHECKED BY PJB	PROJECT NO. 008
DESIGNER NEIL SHEPHERD DESIGN 111 200 WEST 10TH AVENUE, SUITE 200 DENVER, CO 80202	

FIRST FLOOR PLAN



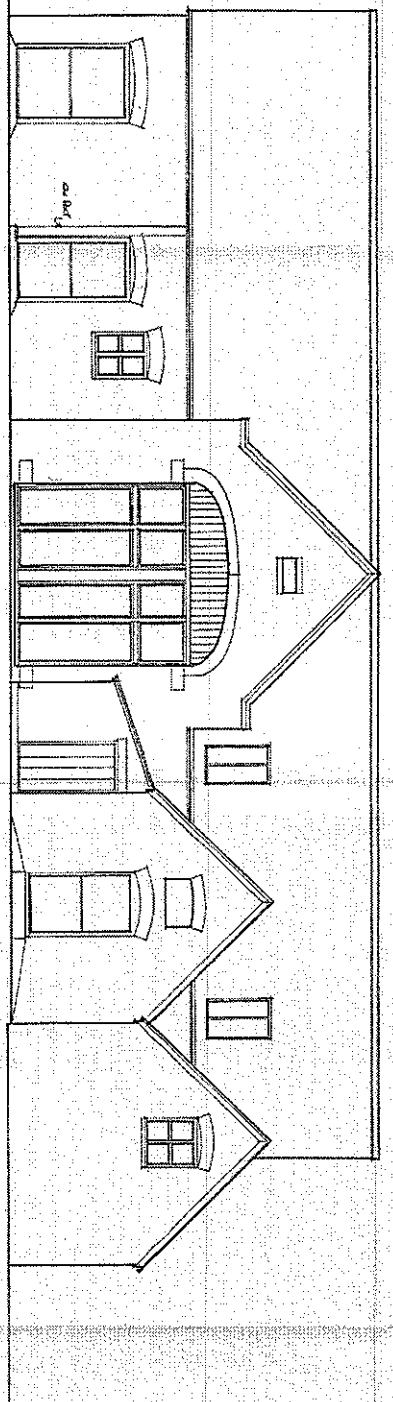
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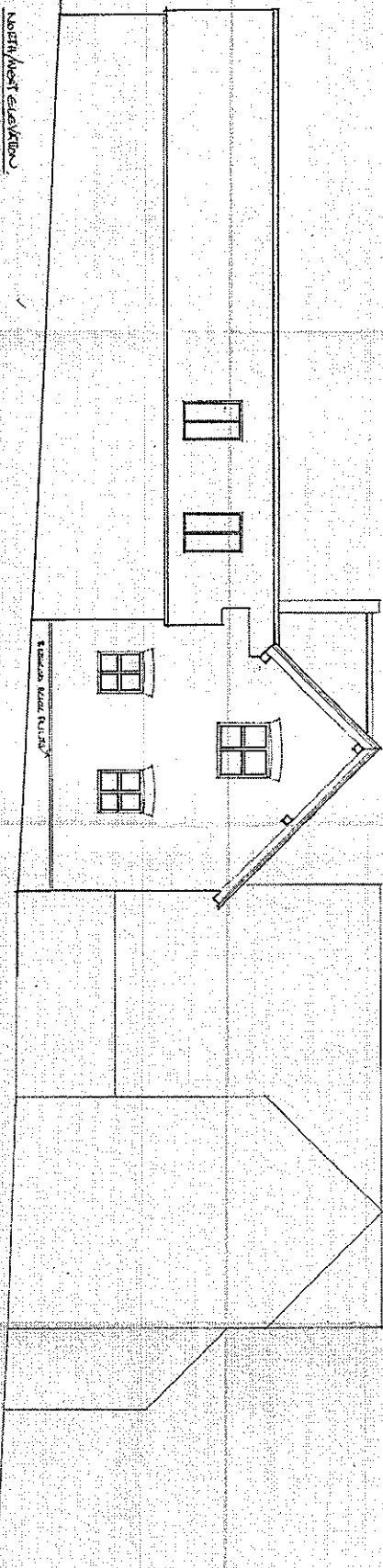
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PROJECT	ESTERLY TRAIL			
DRAWING	SHEET 1 - FIRST FLOOR PLAN, PARTIAL			
SCALE	1:50	DATE	MAY 2009	DRAWING NO.
				PO9
NEIL SHEPHERD DESIGN ARCHITECTS Oskan Lane, Gravel Lane, Ridge, Sandstone Ave CV31 9TZ TEL: 01793 751885 FAX: 01793 751886				

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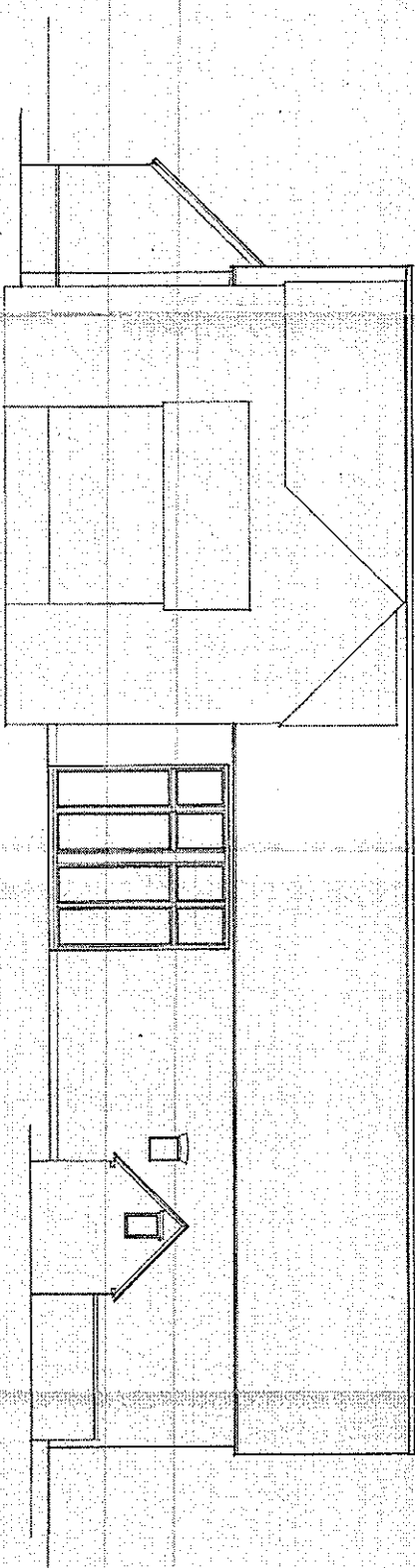
Project 11/09
 12/11/09
 10/11/09



NORTH WEST ELEVATION



NORTH WEST ELEVATION



SOUTH WEST ELEVATION

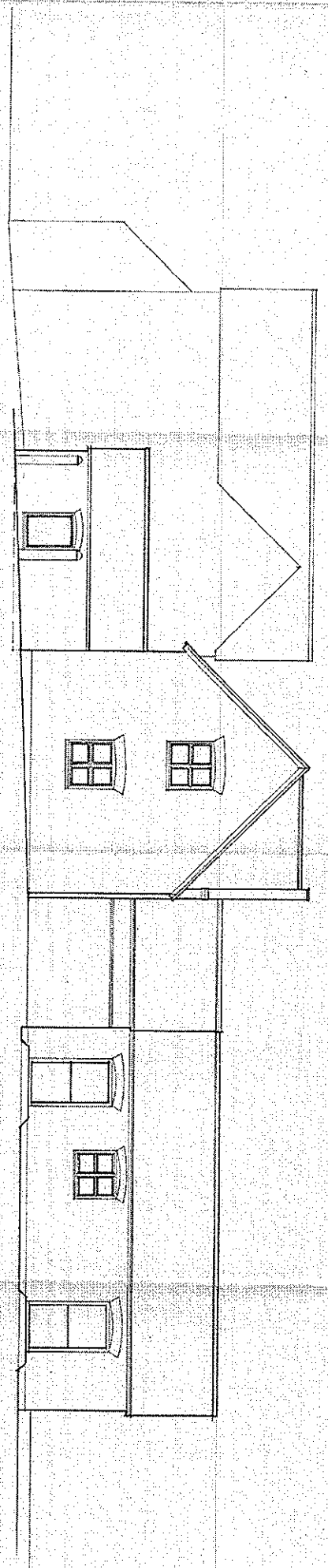
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CONTACT
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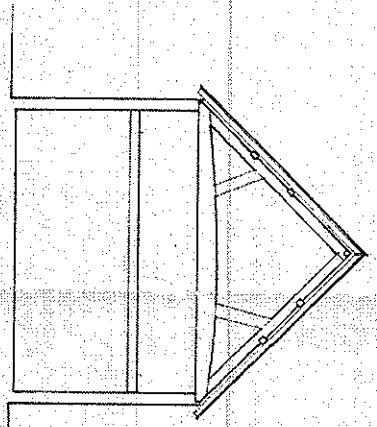
MR. R. WILKES			
BIRLEY FRAM.			
EASTON 1 - ELEVATIONS - ROOFINGS			
DATE	BY	REVISED BY	REV.
11/5/09	WKS/2009	RT/0	
NEIL SHEPHERD DESIGN			
SHEPHERD DESIGN LTD. 111 BUCKINGHAM PALACE ROAD, WINDSOR, MIDDLESEX SL4 1DF			
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Post 1552
Original Set in East Room
(Rev. 1)



South East Elevation



Typical Section

12 NOV 2009

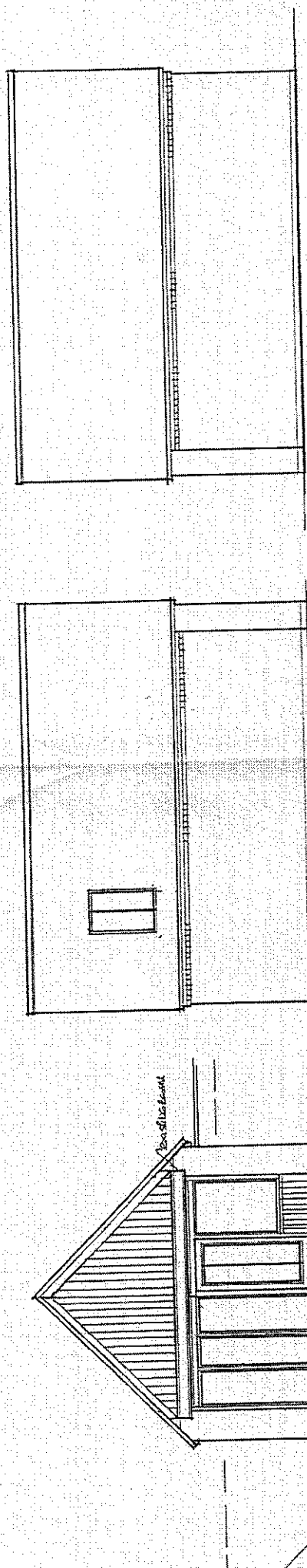
Client: HIG. P. WILLIAMS
Project: PORTLAND EXHIBIT - BARN 1
Drawing: ELEVATIONS & TYPICAL SECTIONS
Scale: 1/8" = 1'-0"
Date: MAY 2009
Author: DJL
Title: P1

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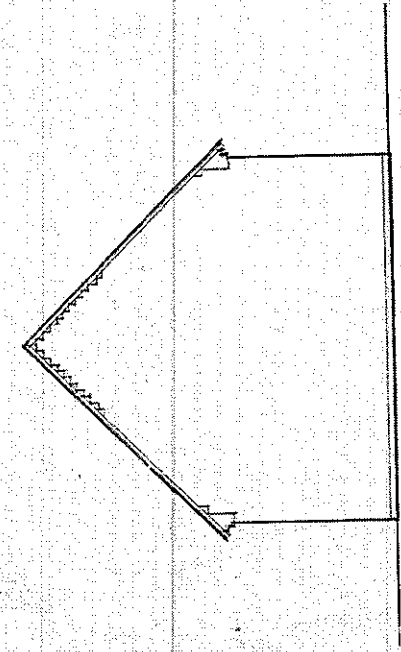
09/11/09
Proposed plans
BLEN 2



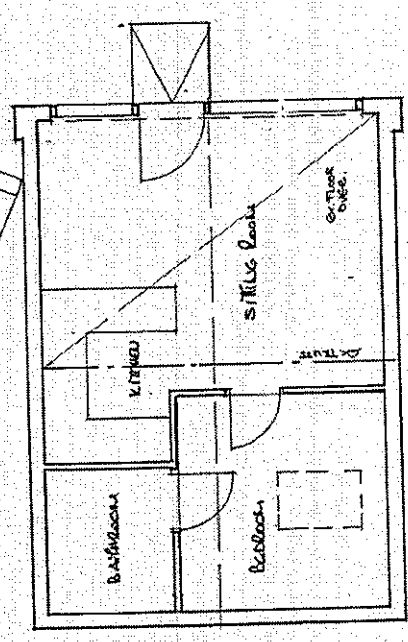
Side elevation (north/east)

Side elevation (south/west)

Front elevation (southeast)



Rear elevation (north/west)



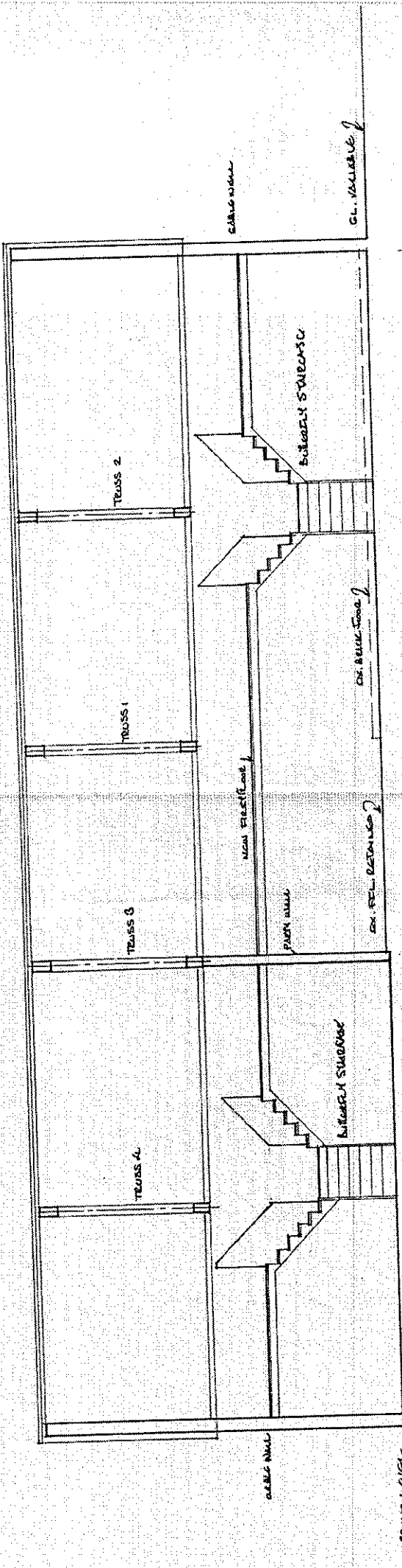
PROPOSED PLAN

12 NOV 2009

CLIENT	MR. R. WILLEITS		
PROJECT	PATELY STRM.		
DRAWING	BLEN 2, RANS & ELEVATIONS, REPOSED.		
SCALE	DIMS	DRAWING NO.	REV.
1:50	1000 2000	P12	1
NEIL SHEPHERD DESIGN ARCHITECTS Gordon Lane, Bham, Staffordshire AV6 3YF Tel: 01827 75185 Fax: 01827 75186			



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WOODEN ARCHIVE FLOOR LINDON
 APPROX 150mm LINING/BOARDING
 ON PREVIOUS LOWER STONE
 FLOOR.

UNIT 2

DIFFICULTY - LIME STONE FLOOR
 IN GOOD CONDITION & TO BE
 MAINTAINED.

UNIT 1:
 BRICK FLOORING TO BE
 REPLACED. SEE NOTES
 FLOOR AS EXISTING.

LONGITUDINAL SECTION

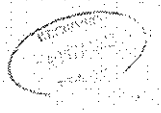
- NOTES:
- EXISTING ROOF TRUSSES ARE IN S/LH. TO BE MAINTAINED.
 - DIFFICULTY - LIME STONE FLOOR TO EITHER SIDE OF TRUSS'S.
 - SEE THIS SECTION'S EXISTING FLOOR TO BE LIFTED. MAY BE RECONSTRUCTED TO EXISTING GRADE OF 325.5mm.

Proposed by Neil Shepherd
 Section on BAEN 1

CLIENT	ME R. WILLETTS
PROJECT	PIPERY-TARM
DRAWING	BAEN 1, PROPOSED SECTION (STAIRS)
DATE	OCT 2009
SCALE	1:50
DATE	P.13
DATE	

NS
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