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<b>APPLICATION NO.</b>	<a href="#">P13/S2625/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	28.8.2013
<b>PARISH</b>	GREAT HASELEY
<b>WARD MEMBER(S)</b>	Mr Stephen Harrod
<b>APPLICANT</b>	Mrs Ailish Berry
<b>SITE</b>	Impact, Standhill Court Standhill Lane Little Haseley, OX44 7LN
<b>PROPOSAL</b>	Internal and external changes to 3 offices into two 4 bedroom dwellings after receiving change of use.
<b>AMENDMENTS</b>	As amended by plans received by e-mail on 30 September 2013.
<b>GRID REFERENCE</b>	464155/200533
<b>OFFICER</b>	Mrs G Brown

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1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee as a result of a conflict between the Officer's recommendation and the views of Great Haseley Parish Council.

1.2 The application site is shown on the OS extract **attached as Appendix 1**. Standhill Court lies on the edge of Little Haseley and forms a small cluster of buildings, collectively know as Standhill. The site was originally part of Haseley Farm but was sold off and developed as offices in the early 1990's. There are three buildings in total on the site which incorporate some of the fabric of the earlier farm buildings.

1.3 The site lies just outside the Little Haseley Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks permission for the change of use of the three office buildings to two dwellings and the associated external changes to the buildings and site. This application comes after two unsuccessful attempts by the Applicants over the last 2+ years to gain planning permission for the conversion of the offices to residential use.

2.2 The plans of the proposed development can be found at **Appendix 2**. Full details of the application and the consultation responses can be viewed on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

2.3 In May 2013 the Applicants submitted three prior approval applications for the conversion of each of the office buildings to dwellings. The applications were made following the changes to planning legislation that came into effect on the 30 May 2013. These changes allow for (amongst other things) development consisting of the change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule. This type of development is permitted subject to the developer applying to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –

- (a) transport and highways impacts of the development;

- (b) contamination risks on the site; and
- (c) flooding risks on the site.

2.4 The Local Highway Authority and the SODC Contaminated Land Officer were consulted on the notifications (there are no flood risk issues on the site) and after a Phase 1 Contamination Report had been submitted it was concluded that there were no concerns in relation to the above matters. The Applicants were therefore advised in July 2013 that prior approval was not required for the conversion of the offices to three dwellings.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**  
Original Plans

3.1 **Great Haseley Parish Council** – Object. The PC considers that the site is totally unsuitable for domestic use. Noise is a particular concern in terms of its impact on the amenity value of any gardens. There is also potential for noise and smell problems resulting from the proximity to the farm yard. The PC is also concerned about the proximity of the electricity substation to bedrooms. The second floor window in the northwest end gable of Dwelling A will overlook the adjacent home and garden. The proposed hedges will be difficult to maintain and cause friction between neighbours. Concerns over safety of the shared access road with the farm. Solar panels require cleaning and maintenance and this would need to be done from the farmyard which is unreasonable and unneighbourly.

3.2 **Health & Housing - Env. Protection Team** - Whilst there is still a potential for noise disturbance arising from the adjoining agricultural use, the current application has addressed some of my previous concerns, and I consider it would be a very significant improvement when compared with the situation which would arise if the three new dwellings were created in accordance with the permitted development rights. The current application includes mitigation measures to ensure that the internal levels of noise are acceptable. I remain concerned about the impact of noise in the amenity areas for dwellings A and B in the current application, although there have been significant improvements compared with the designs submitted as part of P12/S1841. These improvements include the provision of a 2.4 metre wall to protect the area to the front of dwelling A, thereby providing a quiet amenity area. However, I would strongly recommend that a similar quiet area is provided for the use of the residents of dwelling B.

3.3 **Drainage Engineer** – Details of the on-site foul drainage system and of surface water drainage should be submitted and agreed in writing prior to development commencing.

3.4 **Highways Liaison Officer** - No objections. Conditions recommended.

3.5 **Neighbour Representations** (1 objector) - The proposal is for substantial enlargement of the existing structures to form the 2 dwellings and the introduction of many new openings and solar panels on the roof which the current permitted development for change of use does not cover. As previous applications for conversion/extension of these units to residential have been refused by the Council and by the Planning Inspectorate there would not appear to be any significant change of circumstances that would now allow consent to be granted so the grounds for refusal given by the Inspector still stand.

Noise from existing agricultural equipment including the grain dryer will make these dwellings unsuitable for occupation as will noise and smell from nearby cattle sheds.

The case for the loss of the office use has not been made. The development will impact on the adjoining conservation area. Concerns over safety especially to children given the proximity to farm buildings and working machinery. The electricity substation is not within the applicants ownership. Has the relevant notice been served on SSE? Further objections relate to the inferior design and elevational treatment that does not maintain the standard in the village. The introduction of 3m high evergreen hedges will be overpowering and inappropriate. The garden areas are insufficient for the size of dwellings which will lead to children entering the farmyard.

Amended Plans

- 3.6 **Great Haseley Parish Council** – Object. The Parish Council still strongly objects to this application. The "quiet area" for Dwelling B with a 2.4m high acoustic fence would make the area oppressive. There does not appear to be a "quiet area" shown for Dwelling A on the site plan (with acoustic fence) and this building is closest to the farm buildings. The Parish Council still feel, as outlined in the Planning Inspector's report that this site is not suitable for residential occupation due to the proximity of the farm, the grain dryer and cattle in the sheds at the rear of Dwelling A.
- 3.7 **Health & Housing - Env. Protection Team** - I have reviewed the amended plans and can confirm that the proposed site for the quiet area for dwelling B would be acceptable. However, the applicant has not included details of the height or construction of the acoustic fence to be installed. Should planning consent be granted I would therefore recommend a condition is imposed requiring details of the fence to be submitted and agreed by the Local Planning Authority.
- 3.8 **Highways Liaison Officer** - No objections. Conditions recommended.
- 3.9 **Neighbour Representations** (1 objector) – The proposal is contrary to Policy CSQ3 of the Core Strategy. It is not of high quality and does not respect the character of the site. The two new dwellings are at odds with the rest of the village houses both in form and materials. They do nothing to enhance local distinctiveness. The external areas are not well designed and will lead to loss of light for the dwellings and farm office and workshop. They will lead to an unsafe area with potential high risk for the residents and children given the site location adjacent to working farm buildings.
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 [P13/S1646/PDO](#) - (24/07/2013)  
Conversion of unit 3 to residential. As supported by Phase 1 Contamination Report received by e-mail on 18 July 2013.
- [P13/S1645/PDO](#) - (24/07/2013)  
Conversion of unit 2 to residential. As supported by Phase 1 Contamination Report received by e-mail on 18 July 2013.
- [P13/S1642/PDO](#) - (24/07/2013)  
Conversion of office space to 2 bed house. As supported by Phase 1 Contamination Report received by e-mail on 18 July 2013.
- [P12/S1841/FUL](#) - Refused (16/01/2013)  
Change of use of Unit 1 from office to residential, including alterations and extension of existing building. Additional information received 6th September 2012, as clarified by letter and drawing number 3512 PLA 1.01 A (as clarified by additional information received 11 September 2012). Additional information (Environmental Noise Assessment) received dated 6th December 2012.

[P11/W1657](#) - Refused (01/05/2012) - Dismissed on appeal (28/01/2013)  
Change of use from office to private residential to form 3 dwellings and includes alterations and extensions to existing buildings. As amplified by additional information (noise report) rec on 09.01.12. As amplified by additional information (letter from agent dated 3 February 2012).

[P11/W0058/PEM](#) - Other Outcome (18/02/2011)  
Change of use from B1 business offices to residential

[P10/W1109/PEO](#) - Other Outcome (16/08/2010)  
Various miscellaneous alterations to existing dwelling and access.

[P03/N0013](#) - Approved (20/02/2003)  
Installation of satellite dish to provide Broadband Telecommunications.

[P00/N0621](#) - Refused (09/11/2000) - Approved on appeal (04/09/2001)  
Single storey extension for class B1A purposes.

[P98/N0026](#) - Refused (18/03/1998)  
Single storey extension for class B1A use. (Office use).

[P97/N0387](#) - Refused (10/07/1997) - Refused on appeal (15/04/1998)  
Extensions for class B1A purposes together with car parking.

[P96/N0416](#) - Refused (28/08/1996)  
Extensions for class B1 purposes together with car parking.

[P94/N0285](#) - Approved (29/06/1994)  
Installation of two new roof lights in the rear roofslope of existing building.

[P94/N0029](#) - Approved (14/03/1994)  
Use of first floor as office/conference space including additional windows and rooflights, new staircase and repositioning existing entrance doors.

[P93/N0022](#) - Approved (09/03/1993)  
Use of first floor storage area as office/conference space including additional windows and rooflights, new staircase and repositioning existing entrance doors.

[P90/N0506](#) - Approved (23/01/1991)  
Change of use of farm office, mess room and store to general office use

## 5.0 **POLICY & GUIDANCE**

### 5.1 South Oxfordshire Core Strategy policies;

- CS1 - Presumption in favour of sustainable development
- CSH4 - Meeting housing needs
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSR1 - Housing in villages
- CSS1 - The Overall Strategy
- CSR2 - Employment in rural areas

5.2 South Oxfordshire Local Plan 2011 policies;

- A2 - Non agricultural development near to existing agricultural buildings
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON7 - Proposals in a conservation area
- D1 - Principles of good design
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- E6 - Loss of employment uses
- E8 - Re-use or adaptation of rural buildings outside built up areas
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- G2 - Protect district from adverse development
- T1 - Safe, convenient and adequate highway network for all users

5.3 South Oxfordshire Design Guide 2008

National Planning Policy Framework

Schedule 2, Part 3, Class J of The Town and Country Planning (General Permitted Development) Order 1995 (as amended)

6.0 **PLANNING CONSIDERATIONS**

6.1 The relevant planning considerations are:

- The principle of the development
- Retention of the employment use
- Impact on the character and appearance of the Conservation Area
- Design of the development (including residential amenity space)
- Housing mix
- Impact on neighbours
- Traffic movement and parking
- Noise and smell
- Archaeology
- Contamination
- Protected species
- Other considerations

6.2 **The principle of the development**

6.2.1 One of the main aims of the Local Plan is to reduce the need to travel and in turn minimise pollution, congestion and energy use. The provision and retention of local employment opportunities supports this aim. There is a net out-commuting from the district and it is therefore important that local job opportunities are retained. It is accepted that not all jobs will be filled by local people, but it is important to ensure employment opportunities are available locally so that people have an element of choice. The need to retain employment opportunities in the villages of the district is particularly strong as many employment sites have been redeveloped for housing in recent years and as well as providing job opportunities, local employment plays an important role in supporting village services and facilities.

- 6.2.2 The Core Strategy (para 6.22) recognises the need for enough space for small and medium size businesses, including start-up/incubator up to 150m<sup>2</sup> and grow on space of up to 500m<sup>2</sup>. This section of the Core Strategy is supported by the background evidence paper entitled 'Thriving economy'. Para 3.3 of this document states that planning permission for a change of use of vacant B use premises and sites to non B use should not be permitted unless it meets the tests in Policy E6 of the adopted Local Plan. The criteria under this policy are dealt with in the section below.
- 6.2.3 The NPPF on a strong competitive economy, states that local planning authorities should set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth. It also states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Para 28 addresses a prosperous rural economy and supports economic growth in rural areas.
- 6.2.4 Therefore, the principle of the change of use of the building may be acceptable providing it complies with Policy E6 of the adopted Local Plan and the supporting guidance note. The supporting guidance note sets out a list of information and evidence the Council require which is considered relevant to demonstrate whether or not the use is economically viable and has been adequately marketed. This has to be weighed against the aims of Policy E6 and the Core Strategy to retain starter units and employment opportunities in the villages within this district and the advice in the NPPF in relation to the long term protection of employment sites.
- 6.2.5 The new permitted development rights are also a material consideration.

### **6.3 Retention of the employment use**

- 6.3.1 Policy E6 of the adopted Local Plan requires that proposals for the change of use of redundant land or buildings in employment or service trade use to non-employment uses will be permitted providing that the existing use is no longer economically viable and the site has been marketed at a reasonable price for at least a year for that and any other suitable employment or service trade use.
- 6.3.2 In 1993 GDG Management (later called Impact Projects), a company established by the current owners of Standhill Court, was looking for premises to purchase in the area and agreed to purchase the site on the basis that they would become the anchor tenant. Impact Projects continued to occupy the office space until the downturn in the construction market in 2007 when GDG was forced to reduce its workforce and as a consequence use less space. GDG closed down in June 2009.
- 6.3.3 In 2010 the occupants of Unit 1 vacated the premises a year before their lease was due to expire and it has remained empty ever since. Unit 2 is partly occupied and partly vacant. The last occupant of the vacant part of the building gave notice of his intention to move out in June 2012 and vacated the space in July 2012. The business which had occupied the upstairs of Unit 2 gradually reduced the space they occupied until they moved out in January 2012 to work from home due to market conditions. The remainder of the unit is occupied by a company who occupy approximately 40% of the net lettable space They have occupied the space for over 12 years, but their

lease has now expired. The owners asked the company to sign a new lease, but they have refused to do so. The owner has permitted the company to continue to occupy the space with a 3 months notice period on either side. While this arrangement does not give the owner a secure income stream and is unsatisfactory from the owner's perspective since the lack of a secure tenancy inhibits his ability to sell the property or raise funds from the bank, he has little choice but to accept it in the absence of offers for the premises.

- 6.3.4 The occupants of Unit 3 gave notice early in 2011 that they would not be renewing their lease, which was due to expire in April 2012. Reasons given for their wishing to leave the premises were poor broadband availability, lack of local amenities, and poor public transport. When the tenancy agreement expired the tenant had not yet found alternative premises and so the applicants permitted the business to remain on a month to month basis, while they searched for suitable alternative premises eventually leaving in April 2013.
- 6.3.5 A Planning Report prepared by Stupples was submitted as part of the previous planning applications (P11/W1657 & P12/S1841/FUL). The report advised that details of the units were sent to all applicants on Stupples' mailing list looking for offices within the general area as well as to all office occupiers within 20 miles of Thames and to all estate agents specialising in office accommodation in the area. In addition, a marketing board was erected on site in January 2011 and it still remains at the front of the site.
- 6.3.6 The Updated Planning Report dated July 2012 which was submitted in support of the 2012 application stated that a number of telephone enquiries had been received over a period of a year and a half but that they did not result in any interest, viewings or offers and the property consultant strongly believed that this was largely due to the fact that the area suffers from a 'very poor broadband service' as well as a lack of public transport, no retail facilities and no banking facilities.
- 6.3.7 At the time of the report being produced, Unit 1 had been vacant for 24 months, the tenants of Unit 3 had given notice of their intention to move and their lease had expired and Unit 2 was being let on a casual short-term basis at reduced terms.
- 6.3.8 The premises were on the market from January 2011 until this summer- a period of some 30 months.
- 6.3.9 Policy E6 of the South Oxfordshire Local Plan requires marketing for at least a year. This has clearly been complied with.
- 6.3.10 In spite of this marketing the Planning Inspector who dealt with the recent appeal was not convinced that the marketing exercise or the submitted assessment established that the existing use is no longer economically viable or that there is a significant oversupply of office space in South Oxfordshire 'as much would depend upon projections about economic growth and the effects of recession'. He went on to say that 'It seems to me that a longer term perspective should apply in determining the future of employment provision in this rural area, where there is likely to be limited scope for meeting future local employment needs'.
- 6.3.11 The appeal was determined prior to new permitted development rights coming in to force in May 2013 and as such, there has been a material change in circumstance since that decision was made. The government is committed to cutting red tape and to bringing empty and underused buildings back into productive use. Under the relaxed permitted development rights it is now much easier to convert offices to

dwellings and the loss of employment space does not fall to be a consideration in the determination of a prior approval notification. It is also of relevance that the government is seeking to introduce further relaxations to allow agricultural buildings to be converted to dwellings without planning permission.

- 6.3.12 Officers also consider that it is entirely unreasonable to expect the owners to carry on marketing the premises for an infinite period of time whilst still paying business rates on the empty offices and this is simply not economically viable for the Applicants’.

**6.4 Design of the development (including residential amenity space)**

- 6.4.1 The change of use of the buildings to residential does involve changes to the external elevations. No objections have been raised over the design of the proposed development under either of the previous two planning applications and indeed, the Appeal Inspector who dealt with the 2012/2013 appeal also raised no objections to the design of the proposed external changes.

- 6.4.2 The only differences between the external changes proposed under the 2011 application and this application in terms of Dwelling A are that a smaller section of roof above Unit 1 is to be raised to the same height as the ridge of Unit 2 and the number of dormer windows that are proposed to the front (north-east) elevation has been reduced from five to one. The number of roof lights to the rear (south-west) elevation has been reduced from nineteen to seventeen and within the north-west elevation the existing area of glazing on the gable has been increased in size. Some other changes have been made to the arrangement and style of ground floor openings to the front and side elevations.

- 6.4.3 In terms of Dwelling B, to the south-east elevation the glazed gable has been replaced by a smaller dormer and a roof light and at ground floor the size and arrangement of openings has been revised. Some modest changes are proposed to the arrangement and style of openings to the north-east and north-west elevations and to the south-west elevation where three ground floor windows were proposed the current plans show no ground floor windows and two roof lights.

- 6.4.4 The proposed car port is of a traditional and uncomplicated form and it is to be finished in materials that are in keeping with the local vernacular.

- 6.4.5 In terms of boundary treatments the existing 0.9 metre high post and rail fence on the front boundary of the site is to be retained and a new hedge planted behind to provide some privacy to the garden for Dwelling B. I consider that this would be wholly in keeping with the rural character of the area.

- 6.4.6 The remaining new boundary treatments (save for the new 2.4 metre high wall) will be formed by hedging which would not on its own require any form of planning permission. It would be reasonable to request as part of a landscaping condition however details of the size, number and species of the plants and to secure their retention so as to maintain an appropriate level of privacy for each of the occupiers. The proposed timber five barred gate to the entrance of the site would also be in keeping with the rural character of the area.

- 6.4.7 It is accepted that the proposed number of roof lights to the rear elevation of Dwelling A is considerable however, the property is not listed nor is it within a conservation area and the roof lights would not be visible in public views from outside the site. It is therefore considered that they would not detract from the character of the area.



- 6.4.8 The Parish Council has commented that ‘solar panels require routine cleaning and maintenance and it is practically impossible to safely access these on Dwelling A without entering the farmyard. This is both unreasonable and un-neighbourly’. Permitted development rights for the installation of solar PV or solar thermal equipment on non-domestic buildings were introduced in 2012 and as such, the proposed panels do not require planning permission. Furthermore, they have been sited sensitively and will not be seen in public views from outside the site and with regards to maintenance the Applicant has advised that they currently have a right of access across the farmyard to maintain the existing roof lights.
- 6.4.9 The land agent acting on behalf of the farmer has asserted that ‘the two new dwellings are at odds with the rest of the village houses both in form and materials. They do nothing to enhance local distinctiveness’. There is no doubt that the buildings are different to those dwellings within the village, many of which are historic, listed buildings built of stone with thatched or clay tiled roofs. However, the office buildings were formally agricultural buildings and so were never designed to look like the residential properties within the village and nor would one have expected them to. Were this to be an application for the erection of two new dwellings on the site then the design and appearance of those dwellings is likely to have been different from what is before us but the fact of the matter is that the buildings exist and it is proposed to convert them rather than to rebuild them. It is my opinion that the proposed changes to the external elevations of the buildings are modest, involving mainly the insertion of new windows and it is pertinent that the existing buildings are not listed and nor are they within a conservation area.
- 6.4.10 The amenity space to the front and side of Dwelling A measures approximately 170 sq metres and to the rear and side of Dwelling B is some 650 sq metres. As the Council’s amenity requirement for 3 bed dwellings and above is 100 sq metres both of the properties would have sufficient amenity areas in terms of their size. I am also satisfied that each dwelling would have an area of private amenity space that would not be directly overlooked from any direction.

**6.5 Impact on the character and appearance of the Conservation Area**

- 6.5.1 The Conservation Area covers all of the built up limits of Little Haseley but excludes Standhill Court and Haseley Farm. Although this site is outside the Conservation Area, it is situated near to it.
- 6.5.2 The adjacent land owner has expressed concerns about the impact of this development upon the character of the Conservation Area.
- 6.5.3 Policy CON7 of the adopted Local Plan states that proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted and Policy CSEN3 of the Core Strategy seeks to protect the district’s designated historic assets which includes conservation areas.
- 6.5.4 The change of use of the buildings will involve alterations to their external appearance, however these are not considered to be detrimental to the character and appearance of the Conservation Area compared to what currently exists. Standhill Court is viewed in the context of the surrounding farm buildings at Haseley Farm due to its close proximity compared to the residential properties to the north. The change of use of these units to residential would not be detrimental to the character of the Conservation Area.

**6.6 Housing Mix**

6.6.1 Policy CSH4 of the South Oxfordshire Core Strategy seeks to secure a mix of dwelling types and sizes on all new residential developments. The plans show that Dwelling A would have three bedrooms and Dwelling B four bedrooms. I therefore consider that a sufficient mix would be provided.

**6.7 Impact on neighbours**

6.7.1 The closest neighbouring property to where the development is proposed is Haseley Farm where some of the buildings abut the common boundary with Standhill Court. Haseley Farm is a working farm that has animals and a grain dryer housed in the buildings nearby. The issue of noise from the grain dryer is addressed later on in this report. There is a neighbouring property to the north-west - Warren Barn which sits some 36m from the application site. At this distance the development is not considered to be harmful to the amenity of the occupiers of Warren Barn.

6.7.2 Whilst no representations have been received from the occupants of Warren Barn, the Parish Council is concerned that 'the second floor window in the northwest end gable of Dwelling A will overlook the adjacent home and garden'. There is some existing glazing with the north west facing gable of the building but the plans show that the area of glazing is to be extended downwards. There is dense evergreen vegetation on the shared boundary with Warren Barn (on the neighbours' side) and as such, there are no views of the neighbouring property from the first floor window and this situation would not change as a result of the proposed development.

6.7.3 The farmer has objected to the proposal to erect a 2.4 metre high wall on the boundary between the garage and side wall of Dwelling A on the grounds that it would 'infringe' on their rights of light to the three windows within the north-west and rights of access to maintain their building. However, the Applicants could erect a 2.0 metre high wall under their permitted development rights and in any event, the proposed wall would be located at a distance of at least 8 metres from the farm building. It is also of relevance that there is currently a hedge along the wall of the farm building which obscures large parts of the three windows.

6.7.4 Having regard therefore to the existing situation with the hedge, to the distance of the proposed wall from the wall of the farm building and to the fact that a 2.0 metre high wall could be erected under permitted development rights I consider that the proposal would not detract from the level of amenity that is currently enjoyed by the occupants of the farm.

6.7.5 The driveway in front of the new garage would be left open to the access road and as such, no changes to the existing access arrangement for maintenance would occur as a result of the proposed development.

6.7.6 In terms of the relationship between the two proposed dwellings I am satisfied that openings have been positioned sensitively so as to avoid any direct overlooking of the other property and the planting of new hedging will serve to secure private amenity areas for each of the dwellings.

**6.8 Traffic movement and parking**

- 6.8.1 The Parish Council and the owner of the adjacent farm have raised concerns over the danger of farm vehicles using the same access from the road as the new house which could be occupied by a family with young children.
- 6.8.2 It is likely that the number of vehicle movements to and from the site would decrease if the buildings were converted to two dwellings and there would be no greater danger in vehicles associated with the office using the same access compared to occupiers of the dwellings. A timber five barred gate (operated electronically) is to be installed at the entrance to the access to the properties which would prevent children from wondering out on to the access drive that is shared with the farm and the Highway Authority has raised no objections to the proposal. Therefore it is not considered that this development would result in an increased risk to highway safety and convenience.
- 6.8.3 The proposal includes designated parking for the properties. Dwelling A would have an attached double garage with space for at least 4 vehicles in front and dwelling B would have a double car port with 2 spaces in front. The level of parking provision that is being provided exceeds the Council's requirements of 2+ spaces for each of the dwellings.
- 6.8.4 Therefore this development is not considered to be harmful to highway safety and convenience.

**6.9 Noise and smell**

- 6.9.1 Concerns have been raised by the Parish Council and the farmer (via his land agent) in relation to the impact of the use of the farm on the amenity of the occupiers of the proposed dwellings.
- 6.9.2 Haseley Farm has animals and a grain dryer in buildings close to Standhill Court. The owners of Haseley Farm have concerns that during the harvesting months the grain dryer will be running 24 hours a day 7 days a week. There is concern that this is likely to cause noise and disturbance to the occupiers of the new dwellings and could result in noise complaints that may put pressure on the farm to reduce the use of the dryer which would impact on the productivity and business.
- 6.9.3 The Environmental Health Officer (EHO) has been consulted on this and the previous application and a noise assessment was requested during the processing of the 2011 application. As part of this noise assessment the owner of Haseley Farm was asked to turn on the grain dryer so that the sound could be assessed. The Environmental Health Officer is satisfied by the findings of the report which show that the *internal* noise levels may be controlled by glazing, roof and wall insulation and the installation of a ventilation system to each room so as to allow the windows to remain closed in the event of a noise peak in the surrounding environment allowing internal levels of noise to comply with the 'good' values detailed in Table 5 of BS 8233:1999 "Sound insulation and noise reduction for buildings - Code of Practice".
- 6.9.4 During the course of the second application for the conversion of Unit 1 (P12/S1841/FUL), the Environmental Health Officer became concerned about the levels of noise to which any future occupiers would be exposed in the amenity area at the front of the unit. Due to the limited size of the amenity area and its close proximity to the farm, officers considered that it was unlikely to be possible to provide a 'quiet

area' utilising acoustic fences etc, to try and ensure that there would be at least part of the garden which would be protected from noise.

- 6.9.5 In determining the appeal against the Council's refusal of planning permission for the change of use of the three offices to dwellings in 2012 (under application ref P11/W1657) the Inspector concluded that the working farm has the potential to generate significant noise that would be likely at times to affect future occupiers of the appeal premises. He acknowledged that the design could include appropriate insulation, airtight windows, and sound attenuated passive ventilators that would provide for acceptable internal noise levels. With regard to the impacts on external areas however the Inspector concluded that, 'given the proximity of noisy farm activities to the external amenity areas of the proposed dwellings, I consider that the appeal scheme would be likely to result in an unacceptable standard of living accommodation for future occupiers'.
- 6.9.6 Under this latest scheme the living accommodation within the dwelling in the south-western part of the site has been moved further away from grain dryer and workshop with a garage now being situated in the single storey element next to the farm office/workshop. The number of dwellings being proposed has been reduced from three to two and this allows the garden area for Dwelling A to be located on the northern side of the property, away from the grain dryer.
- 6.9.7 The Council's Environmental Health Officer is satisfied that a 'quiet' area can be provided for both of the proposed dwellings which can be used by occupiers of the properties during the weeks of the year that the grain dryer is in use.
- 6.9.8 Officers are therefore satisfied that the Applicants have successfully overcome the concerns that have previously been raised in relation to the residential development of the site. It is also a material consideration that at the time of the Appeal Decision the new permitted development rights for office to residential conversion had not come in to effect and so the Inspector was unable to give them any weight. The new pd rights came in to effect in May 2013, after the Appeal decision was issued and I therefore consider that there has been a material change in circumstances that would justify the granting of planning permission. It is also of relevance that under the new permitted development rights, the noise impacts of the development is not one of the matters that can be considered by the LPA when determining whether or not prior approval is required.

**Smell**

- 6.9.9 Cattle are kept on the farm during the winter and concerns have been raised over the proximity of the new dwelling to the farm and the potential for smell disturbance for the residents. However, officers consider that any future purchaser would be aware of the existence of the farm when they made their decision whether to buy the property or not and I consider that anyone buying a dwelling in a rural area immediately next door to a farm can reasonably expect that there will be smells associated with the keeping of farm animals.
- 6.9.10 It is also of note that the government is proposing to relax permitted development rights further to allow agricultural buildings to be converted to dwellings and that as the proposals stood during the recent consultation phase the impact of farm smells on the development is not one of the matters that a Local Planning Authority can take in to account when assessing whether or not prior approval would be required.

**6.10 Archaeology**

6.10.1 The site has the potential to be of archaeological interest. I therefore recommend that a standard informative is attached to any planning permission advising the applicant to contact the archaeologist if any finds did occur.

**6.11 Contaminated Land**

6.11.1 Under the recent prior notification applications the Applicant was asked to submit a Phase 1 Contamination Report in order that the Council's contaminated land officer could determine whether the site was contaminated. After reviewing the Soil Consultants Phase 1 Desk Study and Contamination Testing Report the officer concluded that sufficient information had been provided to determine, as a result of the proposed residential use, that the site would not be contaminated land as described under Part 2A of the Environmental Protection Act 1990.

**6.12 Sustainability**

6.12.1 There are no specific requirements under the Core Strategy for dwellings that are created through the conversion of non-residential buildings to meet any particular level of the Code for Sustainable Homes. However, the plans and supporting information show that roof insulation would be improved significantly (as part of the noise attenuation works) and the windows are to be double glazed. The plans also show that Solar and PV panels are to be installed on the roofs of the dwellings to generate electricity and hot water. The gardens are generous and there is plenty of space for drying clothes as well as space inside the dwellings to allow for home working.

**6.13 Protected species**

6.13.1 The buildings have the potential to provide a suitable habitat for bats. I therefore recommend that an informative be attached to any planning permission alerting the Applicant to the fact that approval is required under UK and European legislation and a licence may be necessary if protected species are affected by the development.

**6.14 Other considerations**

6.14.1 The Parish Council has raised concerns over the proximity of the electricity substation to the bedrooms within Dwelling A. The health implications of this situation is not a material planning consideration and in any event, anyone looking to purchase the property would be aware of this situation and could make an informed decision as to whether they wanted to proceed with the purchase.

6.14.2 The land agent for the farmer has pointed out that the land on which the substation is situated is not within the Applicants' ownership. The Applicants have stated that the substation is on land belonging to the farmer whom they have served notice on but they have also met with the way leave officer for SSE to discuss the implications of the changes to the site and no objections have been raised. The District Council has also consulted SSE on the application but no representations have been received.

**7.0 CONCLUSION**

7.1 Your officers recommend that planning permission is granted because the loss of the employment use can no longer be resisted as a result of the government's relaxation of permitted development rights for the conversion of offices to dwellings. The scale

and design of the proposed external changes is considered to be in keeping with the character of the existing buildings and would not detract from the character or appearance of the adjacent conservation area. Parking and amenity areas comply with the Council's standards and a housing mix has been provided. The scheme is otherwise generally in accordance with Development Plan Policies.

**8.0 RECOMMENDATION****8.1 Grant Planning Permission subject to the following conditions:**

- 1. Commencement 3 yrs - Full Planning Permission**
- 2. Approved plans \***
- 3. Matching materials (walls and roof)**
- 4. Matching materials (dormers)**
- 5. Materials as on plan**
- 6. External ducts and flues (details required)**
- 7. Withdrawal of P.D. (Part 1 Class A) - no extensions etc**
- 8. Withdrawal of P.D. (Part 1 Class E) - no buildings etc**
- 9. Withdrawal of P.D. (Part 2 Class A) - no walls, fences etc**
- 10. Parking & Manoeuvring Areas Retained**
- 11. No Surface Water Drainage to Highway**
- 12. No Garage conversion into accommodation**
- 13. Landscaping Scheme (trees and shrubs only)**
- 14. Noise attenuation (internal noise)**
- 15. Noise**
- 16. Noise**
- 17. Noise**
- 18. Surface water drainage works (details required)**
- 19. Foul drainage works (details required)**

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