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Item No: 7.6

Application: 191525

Applicant: Mr I Jaycock

Agent: Mr Edward Thuell

Proposal: Barn Conversion

Location: Lane Farm, Lane Road, Wakes Colne, CO6 2BP

Ward: Rural North

Officer: Annabel Cooper

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the site is outside the adopted settlement boundaries in an area defined as countryside and relates to the creation of a dwelling. The proposal is therefore a Departure from the Local Plan.

2.0 Synopsis

- 2.1 The key issue for consideration is the principle of development; in particular the location of the site outside the settlement boundary. The proposal has accordingly been advertised as a Departure from the Local Plan as the scheme relates to the creation of a dwelling in the countryside. Matters explored within this report are the optimal viable use of a heritage asset, impact on the landscape character of the area and a wildlife mitigation payment.
- 2.2 The report describes the site and its setting, the proposal itself, and the consultation responses received. Material planning matters are then considered together with issues raised in representations.
- 2.3 The planning merits of the case are assessed leading to the conclusion that the proposal is acceptable, a Departure from Policy is justified and that approval is recommended.

3.0 Site Description and Context

- 3.1 The site lies in the countryside outside of the settlement limits for Wakes Colne.
- 3.2 At its closest the settlement boundary of Wakes Colne is 800m from the barn, a distance of approximately 1500m by road.
- 3.3 The barn is in the same ownership as Lane Farm although sits across from the dwelling separated by Lane Road. It has been resolved that the barn is not within the curtilage of Lane Farm. The barn in question is served by two access's off the highway. The barn is considered to be a non-designated heritage asset.
- 3.4 Lane Farm is listed at Grade II. It is a C16 house, timber framed and plastered, with a C19 front of gault brick.

4.0 Description of the Proposal

- 4.1 The proposal is to convert the barn into a single 4-bedroom dwelling.

- 4.2 The barn comprises a range of single storey former farm buildings arranged in a 'U' shape. The buildings were constructed over time. However, based on the appellant's Heritage Statement, the most recent structure, the main building, was in place by 1897. Whilst there is some evidence of alterations, much of the original fabric of the buildings is intact.
- 4.3 The heritage significance of the buildings lies in their visual and historic functional association with the listed Farmhouse and their historic and architectural interest as an attractive, largely unaltered, group of rural buildings whose vernacular forms, layout and appearance sit comfortably within a countryside setting.
- 4.4 The application site includes sufficient residential private amenity space to be separated from the wider field with an Estate fence. The majority of the private amenity space is in the courtyard created by the arrangement of the building. There is also sufficient parking provided.

5.0 Land Use Allocation

- 5.1 Countryside

6.0 Relevant Planning History

- 6.1 163151 – previous application to convert the barn was refused.

Although a refusal the officer's delegated report stated the following:

Given its value, the loss of the application premises over time would be regrettable. In this particular location, off an unclassified road, any alternative uses for commercial, leisure or tourism would not be supported, given the unsustainable location and the difficulty the highway network would have upon commercial traffic generation. Furthermore, given the public views of the site from the footpath to the south, any alternative type of use may have negative environmental impacts, and would not harmonise with the local character and surrounding natural environment.

Having regard to all of the above, the principle conversion to residential use is accepted and would assist in retaining the building for future generations.

Having accepted the principle of the change of use to a residential dwelling, the scheme of conversion needs to be sympathetic to the character and appearance of the building, and the proposed use would need to be acceptable in highway safety terms. Other concerns would include the impact of the conversion works upon protected species.

6.2 APP/A1530/W/17/3184834 – appeal dismissed

Although the appeal was dismissed, the Planning Inspector agreed that residential use of the appeal buildings may be acceptable in principle although he had concerns that the particular appeal proposal “would harm the significance of the heritage asset.”

6.3 This application is for an alternative scheme which seeks to address the previous reasons for refusal.

6.4 190032 – Approval for independent access to Lane Farm and Cartlodge.

7.0 Principal Policies

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester’s Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

- SD1 - Sustainable Development Locations
- H1 - Housing Delivery
- H2 - Housing Density
- H3 - Housing Diversity
- H4 - Affordable Housing
- H5 - Gypsies, Travellers, and Travelling Showpeople
- UR2 - Built Design and Character
- ENV1 - Environment
- ENV2 - Rural Communities

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

- DP1 Design and Amenity
- DP12 Dwelling Standards
- DP13 Dwelling Alterations, Extensions and Replacement Dwellings
- DP14 Historic Environment Assets
- DP16 Private Amenity Space and Open Space Provision for New Residential Development
- DP19 Parking Standards

7.4 There are no relevant policies within the adopted Borough Site Allocations Policies (adopted 2010, amended 2014).SA EC7 University of Essex Expansion

7.5 There are no relevant Neighborhood Plans.

7.6 Submission Colchester Borough Local Plan 2017-2033:

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo a full and final examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

7.7 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Backland and Infill
Managing Archaeology in Development.
ECC's Development & Public Rights of Way

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

8.2 Archaeology:

This proposal concerns the conversion of a group of farm buildings that are of historic interest (undesigned heritage asset), and they are present on the First Edition OS Map dating to the 1880s.

The following condition (**Z00**) relating to historic building recording is recommended in accordance with the *National Planning Policy Framework* (Paragraph 199):

Prior to the commencement of any works, a programme of building recording and analysis shall have been undertaken and a detailed record of the building shall have been made by a person or body approved by the Local Planning Authority and in accordance with a written scheme which first shall have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To secure provision for recording and analysis of matters of historical importance associated with the site, which may be lost in the course of works.

In this case, a historic building survey should be carried out, by a historic buildings specialist. The objective should be to compile a record of the affected building at Historic England Level 3, as described in *Understanding Historic Buildings: A Guide to Good Recording Practice* (Historic England 2016).

I will, on request of the applicant, provide a brief for the investigation.

8.3 Conservation and Built Heritage:

Comment 1:

1.0_ Heritage Asset: Summary of Significance

1.1 The farmhouse of Lane Farm is listed at Grade II (List UID 1225020) with the following description : “ *C16 house, timber framed and plastered with C19 front of gault brick in Flemish bond. Two storeys and range of 3 windows, gabled front porch. Windows small pane hornless sashes with glazing bars. Roof gabled and pegtiled and 2 red brick chimney stacks, main stack central to the roof. Lean-to full length of the rear, and a white weatherboarded wing extending south from east end, of one storey with attics. Various additions.*”

1.2 The farm today comprises additionally of a group of outbuildings which are situated across Lane Road and serve garage and storage uses. The group consists of the main built at right angles to Lane Road, a smaller barn , two stable blocks and an open-front store built at right angles to the main barn, forming a U-shaped group . Although the buildings are not afforded listed status as curtilage buildings to the farmhouse, they have been historically associated to the farm, they are present in historic maps and have sufficient heritage interest for their age, agricultural character and contribution to the understanding of the farm’s historic development to be regarded as non-designated heritage assets.

2.0 Scope of Works: Summary

- 2.1 The planning application seeks permission for the conversion of the agricultural complex into one dwelling. The proposed works for the conversion involve external and internal interventions to the buildings, including the insertion of a floor over part of the main barn's ground floor.
- 2.2 Another set of proposals for the conversion of the buildings into one dwelling had been submitted in 2017 (planning application 163151) but the application was refused by the Council. The subsequent planning appeal with ref. APP/A1530/W/17/3184834 was dismissed as well. The main concerns for the scheme from a heritage perspective involved the extent and form of the proposed alteration which were deemed unsympathetic to the character of the building and detrimental to its fabric, resulting thus in harm to the significance of the non-designated heritage asset and detrimental for their impact on the relationship with the listed farmhouse and the rural setting.

3.0 Relevant Statutory Duties

- 3.1 The relevant legislation for the review of the application includes Planning (Listed Buildings and Conservation Areas) Act (1990), whose Section 66 (1) requires that the decision to grant planning permission for development which affects a listed building or its setting shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.2 The National Planning Policy Framework (2018) is an additional consideration. Section 16, Par. 192(a) states that the determination of applications should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Par. 193 determines that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Par. 194 determines that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Whereas paragraph 195 deals with substantial harm to a designated heritage asset, Par. 196 states that where a development proposal will lead to less than substantial harm to the asset's significance, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Additionally, Par. 197 clarifies that the decision of applications should consider their effect on the significance of a non-designated heritage asset and when applications directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.3 The relevant policies from Colchester Local Plan 2001-2021 include CS ENV1 and DP14 which seek to protect and enhance the historic environment, while CS UR2 and DP1 promote high-quality design.

4.0 Analysis of Impact Upon Heritage

- 4.1 The present proposals include revisions to the scheme that was refused in 2017. The Design & Access/ Heritage Statement (pp 10-11) lists the aspects of the proposals that have been modified in order to mitigate the harmful effect to the fabric, appearance and heritage interest of the buildings which provided grounds for the refusal of application 163151.
- 4.2 The proposed changes are welcome as they have limited significantly the impact on the fabric of the complex, while the treatment of the elevations helps to preserve the agricultural character of the buildings to a great degree. Some concerns involve the proposed openings that are inserted to the gable of the south elevation (Barn 1); although the long, full height openings suit the agricultural character of the building, their extension up to eaves level could help the more successful integration in the gable. Similarly, the two windows that are proposed for the east elevation of the Main Barn attribute a domestic character to the building and could benefit from a similar treatment as the windows that are discussed above. Moreover, the glazing of the Main Barn's arched opening on Lane Street should be recessed; this is a common solution for the insertion of glazing in barn doors as it helps preserve the effect of the opening when the timber doors are fixed open.
- 4.3 As for the impact of the proposals to the fabric of the buildings, this scheme has reduced the necessary interventions whereas the proposed floor that is inserted in the Main Barn covers the same number of bays as the version of 163151 but adopts a simpler approach by grouping all first floor level space over the easternmost end of the Barn and omitting elements such as the gallery with the glass balustrade that connects the two first floor areas in the 163151 version. The insertion of the floor, along with other interventions which are necessary for achieving the standards of Building Regulations, requires suitable details, materials and methods of construction in order to ensure that they will not involve any harm to the fabric of the buildings. A programme of building recording is required along with a detailed Schedule of Works which will set out the necessary interventions in detail.
- 5.0 Conclusions and recommendations
- 5.1 The revisions to the scheme that was refused in 2017 have addressed the issues for refusal on heritage grounds to a satisfactory degree. Although there is still margin for certain improvements to the treatment of the elevations, the present solution is more sympathetic to the fabric, character and appearance of the non-designated heritage asset, as well as to the setting of the listed farmhouse and the rural context of the area. According to NPPF's Par. 192(a) the introduction of viable uses consistent with their conservation is desirable for heritage assets. The present set of proposals, subject to potential minor amendments and conditions to the decision, is considered acceptable for the conservation of the building and should this use of the building be considered viable from a planning perspective, there are no objections on heritage grounds to the support of the application.
- 5.2 Recommended conditions include

Comment 2 following revisions:

4.1 The revised drawings 12C:Proposed Ground Floor Plan and 14E: Proposed Elevations include amendments to the treatment of the elevations (South and East elevations), according to suggestions by our previous comment on the application. Therefore, and on the basis of the revised drawings, there are no objections to the support of the application on heritage grounds.

8.4 Landscape:

1.0 Comments:

- 1.1 Regarding the landscape content/aspect of the strategic proposals under drawings 15 lodged on 17/06/19, 09B (not currently lodged on file) and within the Planning Statement:
- 1.2 To accord with the Council's [Landscape strategy for development sites](#) the landscape element of the proposal needs to be cross-checked against the Council's standard generic requirements under Landscape Guidance Note LIS/A (this is available on this CBC landscape [webpage](#) under Landscape Consultancy by clicking the 'read our guidance' link); and where applicable amended accordingly to fully comply with them. In particular, it is recommended the clause(s) of LIS/A noted in the Appendix to this document be cross-checked against the current submission.
- 1.3 In support and addition to this/these LIS/A clause(s) and accordance with policy/policies detailed in 3.1 below, the following point(s) should be taken into consideration as part of any revised proposals:
- 1.4 The site lies outside the settlement boundary and is therefore subject to Core Policy ENV1. ENV1 requires that *'unallocated green-field land outside of settlement boundaries (to be defined/reviewed in the Site Allocations DPD) will be protected and where possible enhanced, in accordance with the Landscape Character Assessment. Within such areas development will be strictly controlled to conserve the environmental assets and open character of the Borough'*.
- 1.5 The site lies within Colchester Borough Landscape Character Assessment Area A5, this describes the character of the landscape in detail and identifies key characteristic(s) of the Area shared by the site as *'Principal road network consisting of narrow tree-lined (sometimes sunken) lanes traversing the valley sides to the north and south'* and *'Settlement pattern consists of small linear village settlements such as Wakes Colne and Eight Ash Green, adjacent to the north-south roads, which cross the River Valley; small hamlets and farmsteads'*, sets landscape strategy objective(s) to *'conserve and enhance'* the landscape character of the Area. Finally, it gives landscape planning guideline(s) to *'Ensure any new development on valley sides is small-scale, responds to historic settlement pattern, form and building materials'* and landscape management guideline(s) to *'Restore*

hedgerows using hawthorn and plant new hedgerow trees, particularly in areas of arable farmland’.

1.6 The proposal arguably fails to ‘*conserve and enhance*’ the character of the landscape as:

1. Lane Farm is typical of Landscape Character Area A5, in that it shares key characteristics being a historic ‘*small farmstead*’ set either side of a ‘*narrow tree-lined lane*’ which traverses ‘*the valley sides to the north and south*’, as is illustrated in this extract from the 1881 OS map. The proposal would arguably currently fail to ‘*conserve*’ the character of the Area, as it would act to fragment the ‘*historic settlement pattern & form*’ of Lane Farm, where the subservience of the farmstead to the farmhouse is emphasised by them being set either side of the Lane, allowing the Lane itself to form a key linking feature of the farm. The opening-up of domestic fenestration onto the Lane where it passes through the Farm would therefore, on the face of it, fail to ‘*conserve*’ the character of the Area, this as it would allow the buildings to read as other than subservient farm buildings, with a resulting detrimental impact on landscape character and visual public amenity. Consideration might be given to sensitive design proposals that set the proposed fenestration to the large barn door further back into the barn itself, of a depth sufficient to allow the large barn doorway to still read as a door rather than window and maintain the timber half-moon canopy above. Thereby helping maintain the historic integrity of Lane Farm through retaining the sense of subservience of the farmstead to the farmhouse.
2. To help ‘*enhance*’ the character of Landscape Character Area A5 ‘*hawthorn hedgerows*’ and ‘*hedgerow trees*’ should be proposed to both reinstate the historic hedgeline within the site running north from the existing stand of poplars (as illustrated in the 1881 OS map above and ghosted in this aerial view) and any failing elm within the existing hedgerow enclosure within the blue line area.

2.0 Conclusion:

2.1 In conclusion, taking into account all relevant considerations and for the reasons set out above, this application cannot currently be supported on landscape grounds. To fully consider the proposals, the above point(s) will need to be satisfactorily addressed.

- 8.31 The changes to the door have been made and now satisfies comment made by the Landscape Officer. The field boundaries will be enhanced as per details in plan 09C ‘Block Plan’.

8.4 Environmental Protection:

NOTE: Demolition and Construction

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant

require any further guidance they should contact Environmental Control prior to the commencement of the works.

ZPD - Limits to Hours of Work

No demolition or construction work shall take outside of the following times;

Weekdays: 08:00 – 18:00

Saturdays: 08:00 – 13:00

Sundays and Bank Holidays: not at all

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

No fires on site at any time

8.5 Highway Authority states:

“From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. No unbound materials shall be used in the surface treatment of the proposed vehicular accesses within 6m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to commencement of the proposed development, details of the provision for the storage of bicycles, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ”

- 8.5.1 No new access is proposed and it is considered that there is sufficient space within the outbuildings and the converted barn itself not to require additional details with regards to the bike storage. Therefore neither condition will be recommended by the Planning Officer.

9.0 Parish Council Response

- 9.1 No comment regarding the structure and design but concerns regarding vehicle movements due to the narrow lanes and blind corners.

10.0 Representations from Notified Parties

- 10.1 No representations have been received.

11.0 Parking Provision

- 11.1 There is sufficient parking provision for the proposed dwelling and Lane Farm which currently uses the parking area. However, it is highly likely that planning permission 190032 will be implemented creating a separate access for Lane Farm and separate parking provision.

12.0 Accessibility

- 12.1 The scheme complies with the provision of the Equalities Act and complies with DP17 which covers accessibility and access.

13.0 Open Space Provisions

- 13.1 N/A

14.0 Air Quality

- 14.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

15.0 Planning Obligations

15.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

16.0 Report

16.1 The main issues in this case are:

- The Principle of Development
- Design, scale and form
- Landscape and Impact on the Countryside
- Parking Provisions and Private Amenity Space Provision
- Wildlife Mitigation Payment

Principle of the Development

16.2 The main issue in terms of the principle of the proposal is that the site is located outside the settlement boundary and accordingly the creation of an independent dwelling is a Departure from the Local Plan that needs to be justified. Whilst such development would be acceptable in principle within the settlement boundary (Core Strategy Policy SD1), development outside settlement boundaries is strictly controlled in order to protect and enhance the character of the countryside, as well as safeguard the biodiversity, geology, history, and archaeology of undeveloped sites (Core Strategy Policy ENV1). Accordingly, the application has been advertised as a Departure to the Local Plan as it involves the provision of a new residential unit in the countryside. It is important to note, however, that planning policy does not rule out development in the countryside altogether, but there are tighter controls to development in these locations. The main planning considerations for the principle of development in these cases are: whether the proposal represents sustainable development, having either a positive or negligible impact upon economic, social, and environmental factors; and its impact upon the character of the countryside.

16.3 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by

- fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

16.4 The NPPF goes on to state that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. It also states that to ensure sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

16.5 Paragraph 79 of the NPPF states the following:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling;
- e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

16.6 At its closest the settlement boundary of Wakes Colne is 800m from the barn a distance of approximately 1500m by road.

16.7 The barn comprises a range of single storey former farm buildings arranged in a 'U' shape. The buildings were constructed over time. However, based on the appellant's Heritage Statement¹, the most recent structure, the main building, was in place by 1897. Whilst there is some evidence of alterations, much of the original fabric of the buildings is intact.

16.8 Paragraph 79 (b) of the NPPF states the following:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

16.9 The National Planning Policy Framework (2018) is an additional consideration. Section 16, Par. 192(a) states that the determination of applications should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Par. 193 determines that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

16.10 Although the buildings are not afforded listed status as curtilage buildings to the farmhouse, they have been historically associated to the farm, they are present in historic maps and have sufficient heritage interest for their age, agricultural character and contribution to the understanding of the farm's historic development to be regarded as non-designated heritage assets.

16.11 Another set of proposals for the conversion of the buildings into one dwelling had been submitted in 2017 (planning application 163151) but the application was refused by the Council. The subsequent planning appeal with ref. APP/A1530/W/17/3184834 was dismissed as well. The main concerns for the scheme from a heritage perspective involved the extent and form of the proposed alterations which were deemed unsympathetic to the character of the building and detrimental to its fabric, thus resulting in harm to the significance of the non-designated heritage asset and a detriment in terms of their impact on the relationship with the listed farmhouse and the rural setting. The proposals in the current scheme are welcome as they have limited significantly the impact on the fabric of the complex, while the treatment of the elevations helps to preserve the agricultural character of the buildings to a great degree.

16.12 It is therefore considered that the conversion of the barn to a residential dwelling is a suitable use of the heritage asset to secure its future preservation.

16.13 The NPPF requires the economic, social and environmental roles of sustainability to be considered together. The proposal is likely to have a positive or negligible social and economic impact. It is considered to have a positive environmental impact.

16.14 Wakes Colne has a village hall, pub, train station, church, primary school and general store. The expenditure by future occupiers would help to

support local services in Wakes Colne. Also, in the short term the construction works would generate local employment.

- 16.15 The preservation of the heritage asset will have a positive environmental impact. It is also considered that the proposed may have a positive ecological impact due to the enhancement measures set out in the phase 1 ecology survey.
- 16.16 Given the above factors, it is considered that a Departure to Policy has been justified and that the issues raised by the Inspector at appeal have been overcome.

Design, scale and form

- 16.17 It is considered that the design, scale and form of the proposed is of a high standard and preserves the heritage asset, with the use of sympathetic fenestration and retention of fabric, as mentioned above. New openings have been minimised. A void within the barn is also retained, thus preserving another element of the character of the barn. The application has been subjected to a number of amendments as suggested by the Planning Officer, Built Heritage and Landscape Officer. It is considered to be acceptable and compliant with Development Policies DP1, DP12, DP13 and DP14, as well as Core Policy UR2.

Landscape and Impact on the Countryside

- 16.18 The site lies outside the settlement boundary and is therefore subject to Core Policy ENV1. ENV1 requires that *'unallocated green-field land outside of settlement boundaries (to be defined/reviewed in the Site Allocations DPD) will be protected and where possible enhanced, in accordance with the Landscape Character Assessment. Within such areas development will be strictly controlled to conserve the environmental assets and open character of the Borough'*.
- 16.19 The site lies within Colchester Borough Landscape Character Assessment Area A5. This describes the character of the landscape in detail and identifies key characteristic(s) of the Area shared by the site as *'Principal road network consisting of narrow tree-lined (sometimes sunken) lanes traversing the valley sides to the north and south'* and *'Settlement pattern consists of small linear village settlements such as Wakes Colne and Eight Ash Green, adjacent to the north-south roads, which cross the River Valley; small hamlets and farmsteads'*, sets landscape strategy objective(s) to *'conserve and enhance'* the landscape character of the Area. Finally, it gives landscape planning guideline(s) to *'Ensure any new development on valley sides is small-scale, responds to historic settlement pattern, form and building materials'* and landscape management guideline(s) to *'Restore hedgerows using hawthorn and plant new hedgerow trees, particularly in areas of arable farmland'*.

- 16.20 The residential curtilage of the dwelling is for the most part contained within the courtyard created by the U shape of the buildings and will be separated from the remaining field by an Estate fence. Therefore, retaining the open countryside and Landscape Character of the area.
- 16.21 The hedges within the applicant's ownership will be enhanced in accordance with the Landscape strategy objectives. The barn door to the Lane has also been amended in accordance with the Landscape Officer comments. It is therefore considered that the proposed will not harm the landscape and that the development will conserve and enhance the landscape character.

Private Amenity Space and Parking Provision

- 16.22 There is also sufficient private amenity space provided in accordance with Policy DP16. There is enough space to provide adequate parking for both Lane Farm and the Barn. Also, it is highly likely that planning permission 190032 will be implemented creating a separate access for Lane Farm and separate parking provision. There would then be extensive parking provided for the Barn. Therefore, the proposed is compliant with policy DP19.

Wildlife

- 16.23 As outlined above, all required ecological surveys have been undertaken and an appropriate condition has been recommended. Under the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitat Regulations) a Habitat Regulations Assessment (HRA) is also required for land use plans and for planning applications, which are likely to have significant effects on a Habitat Site.
- 16.24 Habitat Sites are protected at the highest level and are of international importance. They are designated through the EU Birds Directive and EU Habitats Directive, and these Directives are transposed into UK law. In Colchester we have the Colne Estuary Special Protection Area (SPA), the Blackwater Estuary Special Protection Area (SPA), Abberton Reservoir Estuary Special Protection Area (SPA) and the Essex Estuaries Special Area of Conservation (SAC). The three SPAs are also Ramsar sites, which are wetlands of international importance. The Essex Estuaries SAC includes the Colne and Blackwater estuaries. Due to the close proximity of the River Stour, the southern shore of the Stour and Orwell Estuaries Special Protection Area (SPA) is also likely to be affected by development in Colchester.

16.25 Population growth in Essex is likely to significantly affect Habitat Sites through increased recreational disturbance in-combination with other Local Plans. Consequently, in partnership with Natural England, the Government's advisor on the natural environment, and other LPAs in Essex, Colchester Borough Council is preparing a Recreational disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex Coast. The RAMS identifies necessary measures to avoid and mitigate likely significant effects from recreational disturbance in-combination with other plans and projects. The RAMS sets out a tariff of £122.30, which applies to all residential development within the Zone of Influence (Zol). The whole of Colchester Borough is within the Zol. All residential proposals within the borough should make a contribution towards the measures in the RAMS to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected and the proposal complies with the Habitat Regulations.

16.26 Therefore should the application be granted approval a payment of £122.30 will be required.

17.0 Conclusion

17.1 Given the specific circumstances of the proposal described above, the preservation of a heritage asset, the lack of harm to the character and appearance of the area, the proposed development would not conflict with Core Strategy Policy ENV1 which aims to conserve and enhance Colchester's countryside. Overall it would achieve the three dimensions of sustainable development sought by Core Strategy Policies SD1 and H1, and which the Framework promotes.

17.2 Whilst the proposal is contrary to Local Plan policy in terms of its location outside the village settlement boundary, planning approval is justified due to the particular site circumstances which would enable a change of use to take place within a building that has some historic value and without any negative impacts. The preservation of the heritage asset is in accordance with national policy and should be given considerable weight. The environmental aspects of the application are considered to be positive and the proposal will also provide limited social and economic benefits by affording a permanent new home for a family. Consequently, a conditional approval is recommended.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

Conditions

1. **Time Limit for Permission**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. **Development to Accord with Approved Plans**
The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: 09 C Block Plan indexed 14 August 2019, 15/A - 2 OF 2 Proposed Elevations indexed 12 September 2019, 12 C Proposed Ground Floor indexed 14 August 2019, 14 E Proposed Elevation 1 of 2 indexed 14 August 2019, Site Location Plan indexed 14 August 2019, Preliminary Ecological Appraisal indexed 3 July 2019 and Bat Survey Report indexed 17 June 2019.
Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.
3. **Materials as Stated in Application**
The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings.
Reason: To ensure that materials are of an acceptable quality appropriate to the area.
4. **Removal of PD for All Residential Areas**
Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no extensions, ancillary buildings or structures shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.
Reason: In the interest of visual amenity, protection of a heritage asset and landscape character.
5. **Non Standard Condition – Archaeology**
Prior to the commencement of any works, a programme of building recording and analysis shall have been undertaken and a detailed record of the building shall have been made by a person or body approved by the Local Planning Authority and in accordance with a written scheme which first shall have been submitted to and approved, in writing, by the Local Planning Authority.
Reason: To secure provision for recording and analysis of matters of historical importance associated with the site, which may be lost in the course of works.

6. **ZLA – Only works within Application**
This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved, in writing, by the Local Planning Authority prior to any works commencing.
Reason: For the avoidance of doubt as to the scope of the permission and to ensure that the historic building is preserved from any other potentially harmful works.
7. **Non Standard Condition – Ecology**
The development shall be carried out in complete accordance the mitigation and enhancement measures set out in the 'Preliminary Ecological Appraisal' indexed 3 July and Bat Survey Report indexed 17 June 2019. Enhancement measures shall be retained thereafter.
Reason: In order to safeguard protected wildlife species and their habitats and in the interests of ecological enhancement.
8. **Non Standard Condition – Fencing**
Before the occupation of the dwelling an estate fence shall be erected on the southern and eastern boundaries of the the curtilage of the dwelling as defined by the red line and indicated on Block Plan 09C. The fence shall be retained thereafter.
Reason: To ensure residential curtilage is separated from the remaining field to retain the landscape character of the area.
9. **NonStandard Condition – Limits to hours of work**
No demolition or construction work shall take outside of the following times;
Weekdays: 08:00 – 18:00
Saturdays: 08:00 – 13:00
Sundays and Bank Holidays: Not at all
Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.
10. **ZLQ – Schedule of Repairs/Works**
Prior to the commencement of any works, a full schedule of repairs shall be submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.
Reason: In the interests of preserving the character of the barn and its setting.
11. **Non Standard Condition – Rooflights**

The rooflights hereby approved shall be of the “conservation” type with a single vertical glazing bar and mounted flush with the roof slope.

Reason: In the interests of preserving the character and appearance of the barn and its setting.

12. **Non Standard Condition – Details of chimneys etc**
Prior to the commencement of any works, details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings shall have been submitted to and approved, in writing, by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
Reason: In the interests of preserving the character and appearance of the barn and its setting.
13. **ZLR – Making Good**
Within 4 months of the works being carried out, all adjoining surfaces which have been disturbed by the works (including brickwork, plaster and floor tiles) shall be made good with materials and finishes to match those of existing undisturbed areas surrounding the new opening.
Reason: In order to preserve the historic character of the building.
14. **ZMO – External joinery to be painted**
All external joinery shall be of painted timber.
Reason: To ensure that the approved works are carried out without detriment to the character and appearance of the building where there is insufficient information within the submitted application.
15. **Non Standard Condition – External boarding**
All external boarding to the development hereby approved shall be timber, featheredged, weatherboarding, finished in black tar varnish.
Reason: To ensure that the approved works are carried out without detriment to the character and appearance of the building where there is insufficient information within the submitted application.
16. **ZMW – Rainwater Goods**
All rainwater goods (gutters, downpipes, hopperheads and soil pipes) shall be finished in either LEAD; CAST-IRON; CAST ALUMINIUM and painted BLACK and shall be of HALF ROUND profile.
Reason: To ensure that the approved works are carried out without detriment to the architectural character and appearance of the building where there is insufficient information within the submitted application.

17. **ZCJ – Foul Sewage Drainage**

Prior to the first occupation of the development, precise details of the foul drainage shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be provided prior to first occupation of the dwelling and thereafter retained as such.

Reason: In order to avoid unnecessary environmental, amenity and public health problems that could otherwise arise.

Informatives

1. No fires on site at any time.

2. The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

3. PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

4. PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either BEFORE you commence the development or BEFORE you occupy the development.

****This is of critical importance****. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. ****Please pay particular attention to these requirements****.

To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.