

Application Number 07/2022/00272/FUL

Address Middleforth Hall Farm
Factory Lane
Penwortham
Preston
Lancashire
PR1 9TE

Applicant Mr & Mrs Barnard

Agent Mr Chris Homer
46 Jepps Avenue
Barton
Preston
PR3 5AS
United Kingdom

Development Conversion of existing barns together with extensions, rebuilding and demolition works to form a detached dwelling with associated landscaping and external works.

Officer Recommendation **Refusal**

Date application valid 19.07.2022
Target Determination Date 09.12.2022
Extension of Time 09.12.2022

Location Plan



1. Report Summary

- 1.1** This application and the accompanying Listed Building Consent application have been brought to planning committee for determination as the applicants are related to an elected member.
- 1.2** The proposal has been described as the conversion of existing barns together with extensions, rebuilding and demolition works to form a detached dwelling with attached double garage together with access and associated landscaping and external works. However, during consideration of the supporting documents, it appears that most of the existing structures on site are to be demolished. As the case officer's site visit, a number of lean-to structures/outbuildings have already been demolished. The supporting documents confirmed that the smaller of the 2 brick built barns was to be demolished and re-built and the larger of the brick built barns would have its front, rear and side gable removed and rebuilt off new footings.
- 1.3** As the application site is the curtilage of a Listed Building and the structures and curtilage buildings and therefore part of the Listing, the main consideration is whether their removal and replacement with a large detached dwelling would impact on the setting of the listed building.
- 1.4** Growth Lancashire, the Council's advisors in heritage matters consider that the proposal would fail to meet the statutory test 'to preserve' and would cause moderate - less than substantial harm to the significance of Middleforth Farm Hall and, as such, would be at odds with Chapter 16 of the NPPF and Policy 16 of the Central Lancashire Core Strategy. However, they also advise that, if LPA deem the benefit of the proposal to outweighs the level of harm identified, Growth Lancashire would recommend that conditions are imposed to control the external materials/finish and that a historic building record of those buildings to be demolished is undertaken.
- 1.5** It is considered there are no particular public benefits to the scheme and, given that Growth Lancashire consider the proposal is contrary to the NPPF and Policy 16, the application is recommended for refusal.

2. Site and Surrounding Area

- 2.1** The application relates to Middleforth Hall Farm, a Grade II listed Farmhouse and its associated outbuildings including, two substantial brick barns, modern steel frame agricultural buildings, and timber sheds. The site is located off Factory Lane, Penwortham
- 2.2** The land to the north of the application site is land within the Green Belt and also allocated as Green Infrastructure and an Areas of Separation; land to the west and south is safeguarded for future development and the land to the east is allocated for residential development. The application site is not however located within the Green Belt but within the Existing Built Up Area of Penwortham
- 2.3** The site is located within Flood Zone 3 and Flood Zone 2 and there is a shallow (unnamed) stream which runs through the site in a northern direction, to the River Ribble
- 2.4** On the opposite side of Factory Lane is one residential property known as Jesmond Dene

3. Planning History

07/1996/0579 Agricultural Determination erection of an implement shed.

07/2019/5266/FUL and associated Listed Building Consent 07/2019/5267/LBC for the erection of 6 dwellings, following partial demolition and conversion of the existing agricultural buildings and barns and the formation of new access from Factory Lane was approved.

07/2022/00604/LBC has been submitted to accompany this current application

4. Proposal

- 4.1** The application proposes the conversion of existing barns together with extensions, rebuilding and demolition works to form a detached dwelling with attached double garage together with access and associated landscaping and external works.
- 4.2** The main structure is a two storey storage barn, with pitched roof and constructed of brickwork. To the rear of this is a smaller brick built barn. Other outbuildings on the site have now been demolished.
- 4.3** The proposal is for the conversion of the main existing barn and smaller barn together with a two storey extension to the front and a two storey extension to the rear.
- 4.4** **Main Barn** – as existing measures 12.2m by 7m with a pitched roof over to a height of 8.4m. Much of the barn will need to be demolished and rebuilt. The proposed dwelling will be built on the same footprint and also measures 12.2m by 7m with a pitched roof with a ridge height of 8.4m. A front gable feature will be introduced together with 4 roof light, 2 to each roof slope and a central glazed feature of 2.2m wide with a lower ridge of 8m high. It will provide 3 storeys of residential accommodation
- 4.5** **Two Storey Front Extension** – measures 8m by 8.5m with a a-symmetrical pitched roof over with eaves height of 5m to the eastern side and an eaves height of 3.2m to the western side and a ridge height of 7.2m. It will provide a double garage at ground floor and a bedroom and storeroom at first floor. The front elevation will have a glazed feature window at first floor and 3 narrow windows at ground floor
- 4.6** **Smaller Barn** – the existing barn measured 12.8m by 6.7m with a pitched roof over with a ridge height of 6.8m. This is to be demolished and rebuilt slightly larger with the ground floor extending to 8.7m.
- 4.7** **Two Storey Rear Extension** – will link the smaller rebuilt barn to the main barn. At ground floor it will measure 8.3m by 6.2m and provide a games room and corridor. At first floor it will measure 5.2m wide by 7.8m with a pitched roof over with a ridge height of 8m. Internally, it will provide gallery over the green room

5. Summary of Publicity

- 5.1** Neighbouring properties were notified and a site notice posted with no letters of representation being received.

6. Summary of Consultations

- 6.1** **Arboriculturist** has no objections to the development. The loss of T6 should be mitigated on a 2:1 basis with species, location and size to be agreed in writing by the LPA and secured by condition. Protective fencing and ground protection measures should be installed prior to development commencement as detailed in drawing MHBP/AIS/01, again secured by condition.

- 6.2 Greater Manchester Ecology Unit (GMEU)** initially commented that the ecology report has found that additional bat survey work is required and has been scheduled to be undertaken. This survey work needs to be submitted as part of the application, including the appropriate level of mitigation/compensation details determined by the findings of the results of the additional survey work.
- 6.3** The requested Bat Survey (ERAP (Consultant Ecologists) Ltd Ref: 22-092b, October 2022) was duly submitted and GMEU reconsulted. They provided advice on Bats; Birds; and Biodiversity Enhancement, as reported in the Ecology section of this report. In conclusion, GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the conditions in respect of the above.
- 6.4 Lancashire County Highways** initially objected to the proposal, commenting that, with a previous application on this site (07/2019/5266/FUL) there were concerns regarding visibility at the site access and a 2m footway was provided across the full site frontage to Factory Lane. This was subject to condition 4 of that permission, supported by policy G17. Condition 4 stated: *“Before the commencement of development a scheme for the construction of the site accesses and the off-site works of highway improvement (2m footway along the sites full frontage and relocation of existing lighting column) shall be submitted to and approved in writing by the Local Planning Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development hereby permitted shall be occupied until the approved scheme has been implemented in full.”*
- 6.5** As such amended plans were requested and submitted and County Highways were re-consulted. They further advised that the previous applications on this site (07/2019/5266/FUL), there were concerns regarding visibility at the site access and a 2m footway was provided across the full site frontage to Factory Lane. This was subject to condition 4 supported by your policy G17.
- 6.6** Condition 4 stated: *Before the commencement of development a scheme for the construction of the site accesses and the off-site works of highway improvement (2m footway along the sites full frontage and relocation of existing lighting column) shall be submitted to and approved in writing by the Local Planning Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development hereby permitted shall be occupied until the approved scheme has been implemented in full.*
- 6.7** The submitted plan for this current scheme fails to detail the size of the proposed footway or where the lighting column is to be repositioned and therefore, County Highways requested a further amended plans addressing these two points.
- 6.8** As such, an amended plan was submitted in line with County Highways comments. Any further comments received will be reported verbally at planning committee.
- 6.9 Lancashire County Archaeologist** outlines that the farm buildings at Middleforth Hall are shown on the 1st edition Ordnance survey 1:10560 maps, Lancashire Sheet 69, surveyed in 1845-6. This shows a substantial building on the footprint of the northern buildings and a smaller one occupying part of the current site of the southern barns. The farmhouse is also shown, named as "Middle Ford Hall".
- 6.10** The Archaeologist commented on a previous application for this site and the advice on the historical elements remains the same, namely that an archaeological building record should be made of the buildings prior to their conversion or demolition (although the timing of the work required could be coordinated with the proposed demolition of the modern steel and cement sheet structures attached to the smaller building to

improve visibility of external features of this) and that to ensure that the historical interest of the buildings is preserved by record a condition should be attached to any permissions granted.

- 6.11 Growth Lancashire** have reviewed the supporting documents, which include the existing and proposed plans and elevations, and a Heritage Statement, prepared by the Archaeology Co. The key heritage issue for the LPA to consider is whether the proposal would harm the significance of the Grade II listed building (including curtilage buildings) and their setting. This is discussed in the body of this report.
- 6.12** If a positive balance can be achieved and the LPA deem the benefit of the proposal to outweighs the level of harm identified, Growth Lancashire recommend that suitable conditions are imposed to control the external materials/finish and that a historic building record of those buildings to be demolished is undertaken. This is discussed in the body of this report.
- 6.13 United Utilities** were consulted but had not responded at the time of compiling this report. Any comments received will be reported verbally at planning committee.
- 6.14 Environment Agency** initially commented that in the absence of a flood risk assessment (FRA), they would object and recommend that planning permission is refused until the applicant supplies an assessment of flood risk on their site. However, it was noted that a Drainage Strategy including details of Flood Risk were submitted and these were forwarded onto the EA.
- 6.15** The EA responded that the Flood Risk Assessment (FRA) prepared by Hamilton Technical Services, referenced C-1024 Issue 1 and dated 7/13/2022 has been reviewed in so far as it relates to the EA's remit, and are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with the FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.
- 6.16** Accordance with the FRA can be secured by planning condition should permission be granted.

7. Policy Background

7.1 National Planning Policy Framework

Chapter 16. Conserving and enhancing the historic environment

At paragraph 194, the NPPF requires that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Para 195 requires that Local planning authorities identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation

and any aspect of the proposal; and at para 197 requires that, when determining applications, local planning authorities should take account of:
the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF then provides the following guidance when considering potential impacts:

199. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. 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. Substantial harm to or loss of:

grade II listed buildings, or grade II registered parks or gardens, should be exceptional; assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional*

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that 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.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible⁶⁹. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

7.2 Central Lancashire Core Strategy

Policy 13: Rural Economy seeks to achieve economic and social improvement for rural areas by sustaining and encouraging appropriate growth of rural businesses in a number of ways, including at criteria (f) Supporting sensitive conversions and alternative uses of farm buildings no longer needed for agriculture but which enable farm diversification where they:
Sustain and maintain the core farm business;
Do not compromise the working of the farm;
Are located within or near the existing farm complex.

Allowing limited extension and replacement of existing buildings, with a preference for commercial, tourism and live/work uses.

Policy 16: Heritage Assets seeks to protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:

Safeguarding heritage assets from inappropriate development that would cause harm to their significances.

b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.

c) Identifying and adopting a local list of heritage assets for each Authority.

Policy 17: Design of New Buildings expects the design of new buildings to take account of the character and appearance of the local area, including the following:

siting, layout, massing, scale, design, materials, building to plot ratio and landscaping.
safeguarding and enhancing the built and historic environment.

being sympathetic to surrounding land uses and occupiers and avoid demonstrable harm to the amenities of the local area.

ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.

linking in with surrounding movement patterns and not prejudicing the development of neighbouring land, including the creation of landlocked sites.

minimising opportunity for crime and maximising natural surveillance.

providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm.

including public art in appropriate circumstances.

demonstrating, through the Design and Access Statement, the appropriateness of the proposal.

making provision for the needs of special groups in the community such as the elderly and those with disabilities.

promoting designs that will be adaptable to climate change, and adopting principles of sustainable construction including Sustainable Drainage Systems (SuDS);

achieving Building for Life rating of 'Silver' or 'Gold' for new residential developments.

ensuring that contaminated land, land stability and other risks associated with coal mining are considered and, where necessary, addressed through appropriate remediation and mitigation measures.

Policy 29: Water Management aims to improve water quality, water management and reduce the risk of flooding by:

Minimising the use of potable mains water in new developments;

Working with the regional water company and other partners to promote investment in sewage water treatment works to reduce the risk of river pollution from sewage discharges;

Working with farmers to reduce run-off polluted with agricultural residues into watercourses;

Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham,

Walton-le-Dale and southwest Preston;

- (e) Pursuing opportunities to improve the sewer infrastructure, particularly in Grimsargh, Walton-le-Dale and Euxton, due to the risk of sewer flooding;
- (f) Managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity;
- (g) Encouraging the adoption of Sustainable Drainage Systems;
- (h) Seeking to maximise the potential of Green Infrastructure to contribute to flood relief.

7.3 South Ribble Local Plan

Policy B1: Existing Built-Up Areas permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, provided that the development complies with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

Policy G13: Trees, Woodlands and Development has a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover on a site. Where there is an unavoidable loss of trees on site, replacement trees will be required to be planted on site, where appropriate, at a rate of two new trees for each tree lost. The policy requires that tree survey information is submitted with all planning applications, where trees are present on site. The tree survey information should include protection, mitigation and management measures. Appropriate management measures will also be required to be implemented to protect newly planted and existing trees, woodlands and/or hedgerows.

Policy G16: Biodiversity and Nature Conservation seeks to protect, conserve and enhance the Boroughs Biological and Ecological Network resources. This policy requires that, where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, planning applications must be accompanied by a survey undertaken by an appropriate qualified professional. Where the benefits for development in social or economic terms is considered to outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

Policy G17: Design Criteria for New Development permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; the proposal would sustain, conserve and where appropriate enhance the significance, appearance, character and setting of a heritage asset itself and the surrounding historic environment. Where a proposed development would lead to substantial harm or loss of significance of a designated heritage asset, planning permission will only be granted where it can be demonstrated that the substantial public benefits of the proposal outweigh the harm or loss to the asset; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

8. Material Considerations

8.1 Background

- 8.1.1 The application relates to Middleforth Hall, an agricultural holding, which comprises of a Grade II listed Farmhouse, two substantial brick barns, modern steel frame agricultural buildings, and timber sheds.
- 8.1.2 Previously, planning permission and Listed Building consent have been granted for 6 dwellings following partial demolition and conversion of the existing agricultural buildings and barns together with the formation of new access from Factory Lane
- 8.1.3 The previous scheme sought to retain much of the brick-built barns. It retained the larger frontage barn, converting and adapting it into 4 dwellings and converted and extended the smaller barn into a further dwelling with a further new dwelling directly adjacent. The previous scheme largely retained the ancillary nature of the relationship between the farmhouse and barn and permission was granted.
- 8.1.4 Following a structural survey, this current proposal for a single large dwelling, proposes to demolish and rebuild the smaller barn and much of the large barn.

8.2 Structural Integrity

- 8.2.1 A structural engineer carried out an assessment and a report was submitted in support of this application. The report advises that "*The smaller brick-built structure behind the barn would be removed*". In respect of the larger of the 2 barns, it assesses its suitability for conversion and the report concludes and recommends as follows:

"It is evident from our inspection that the barn is generally in poor structural condition. Some minor structural issues that evident are typical to agricultural buildings of this type. The expansion cracks in the walls are not structurally significant. However, the movement seen in the main external walls is significant. The movement is not due to failure of the foundations but is due to the walls being "un-tied". This is exacerbated by the height of the walls. As is typical of old barns, the walls are not tied to the floor/roof construction and are thus effectively unrestrained from ground level up to roof level. At its greatest, the internal height is approximately 7.6 metres.

As part of the refurbishment works, it is standard practice to form a new foundation and tied ground floor slab internally. This will support a new masonry inner leaf which will form a cavity and also carry the loads from the new upper floor(s) and roof structure.

In their current condition, the walls are bordering on being structurally unstable. This would only be made worse when the existing roof is removed, which would effectively leave the full height of the walls completely unrestrained.

Ignoring the cosmetic issues, the movement in the walls dictates that it is not feasible to temporarily brace and prop them during the course of the works.

In the interests of health & safety, we would consider it to be a danger to site operatives to excavate for the new foundations in the vicinity of the existing masonry.

*As such, we would **recommend that the front, rear, gable and internal dividing walls are taken down and rebuilt off new foundations** to eliminate this risk. The existing bricks can be re-used in the rebuilding.*

The single-story external walls are generally sound and can be retained.

In conclusion, we can confirm that the barn structure is suitable for conversion (subject to the rebuilding of the walls noted previously) into a dwelling and that any rebuilding or alteration works would be in accordance with the Local Authority policy for barn conversions."

8.2.2 Having established that the smaller barn is to be demolished and the larger barn is only suitable for conversion subject to rebuilding the front, rear, gable and internal dividing walls and re-built off new foundations, consideration of this work and the scheme's impact on the significance of the heritage asset, the Grade II Listed Farm has been carried out below.

8.3 Heritage Asset

8.3.1 The application site forms part of the curtilage of the Grade II Listed 'Middleforth Hall'. The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting.

8.3.2 The Farmstead consists of an 18th century farmhouse, constructed from Roughcase brick, with stone dressings, finished in white rough render and a slate roof; and two barns. Both barns are constructed from brick with slate roofs; most likely, in the 19th Century, the northerly barn (Barn 1), probably built in the early part of 19th Century, with the most southerly barn (Barn 2) a combination barn, erected in the latter part. The barns have been extended overtime with add on and lean to additions. It was noted during the case officer's site visit that these extensions have now been demolished with just the 2 brick barns remaining.

8.3.3 The NPPF at Chapter 16 sets out that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

8.3.4 At paragraph 200 the NPPF advises 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.*

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) *the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) *the harm or loss is outweighed by the benefit of bringing the site back into use.*

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

8.3.5 Additionally, Core Strategy Policy 16 seeks to protect and seek opportunities to enhance the historic environment, heritage assets and their settings by a number of measures, including criteria a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.

8.3.6 Growth Lancashire, the Council's advisors on matters of heritage, were consulted on the planning application and accompanying Listed Building consent. They advise: "... I note that, it is difficult to fully determine the extent of demolition and

rebuilding works from the submission documents, particularly of Barn 1. From the plans provided it appears that the demolition works include the removal of the modern steel frame structures and Barn 2, with Barn 1 being rebuilt on a similar footprint.....

..... The design context of the proposed dwelling is contemporary, whilst reflecting the elements of the original farmstead, with materials of brickwork to match existing with timber and metal cladding and large amount of full height contemporary glazing. In this respect, I accept that the design solution moves away from the appearance of a single mass of building and provides a group of interconnecting blocks with some variation in appearance/materials.....

..... The significance of Middleforth Hall farm is based in its historic and aesthetic value. This is primarily, evidenced in the building fabric and architectural form of the early C18 farmhouse and this is enhanced by the contribution made by the associated barns, which are themselves long established and form part of a lowland farmstead. In this regard Middleforth Farm Hall can be attributed as being of high significance and the out buildings/barns as having a moderate significance.

In relation to setting, Historic England's advice is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets. This describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas, which have public access. Whilst setting is often expressed by reference to visual considerations, it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.

On viewing the site and completing map regression, it is evident that the listed building and curtilage barns that form the current site are visually and historically connected. The barns and farmhouse form a typical farm grouping and all the buildings contribute positively to this group interest and general historic setting. I note that whilst the extant planning consent appears to largely retain the existing barns, with alterations and extensions; this current application essentially, because of the level of change, results in the demolition of both barns.

In respect of the proposed works and demolition, I agree with the Heritage Statement (Chapter 9 – conclusions and mitigation recommendations), which concludes that, "the demolition of the barns will have a major impact on the significance of these buildings. Barn 1 has been identified as having medium historical and archaeological interest, with barn 2 having low-medium historical and archaeological interest".

In terms of heritage and the loss of significance caused by the demolition alone, when measured against the extant permission, I find this current scheme to be worse.

In this context it is my view that, the demolition of the existing historic farm buildings will have a harmful impact on the heritage of the site and the loss of both buildings will have a detrimental impact on the collective significance and value of the relationship (group setting) to the Middleforth Farm Hall. The loss of heritage in this regard would be considered to be at a moderate level and fall within the less than substantial category as covered by P.202 of the NPPF.

With regards the proposed scheme I am mindful of the relationship between Barn 1, in particular, and the adjacent listed farmhouse. Middleforth Farm is a relatively small, traditional farmhouse finished in white render. The proposed new dwelling will lie adjacent with its main range largely occupying the same footprint of the existing barn. Smaller, but still substantial new additions are to be located to the front and rear of the main block. In this regard whilst the existing relationship between the two buildings is preserved the larger mass of the new building particularly the addition at the front,

substantially changes how the two buildings would be viewed. The increased scale/mass of the side extension facing the listed farmhouse, does not preserve the views of the listed building across the frontage to the site and again this would appear to be a worse than the existing permission.

Whilst I acknowledge that the existing permission is not ideal because of the multiple residential units it nevertheless largely retained, through its design, the ancillary nature of the relationship between the farmhouse and barn. In this case I feel the new dwelling not only competes with the listed farmhouse but would visually dominate the immediate setting and fails to respond to the characteristics of the immediate context. Taking this into account I feel the proposed new house would cause some additional harm to the contribution made by the setting to the overall significance of the listed farmhouse.

Whilst I appreciate that the design has attempted to incorporate agricultural elements; I do not feel this has been wholly successful and the sheer scale and overall form and appearance of the new building results in an overpowering design, not typical of historic farm complexes.

Given the contribution made by setting is low to moderate I would regard the harm to the setting to be low.

On the above basis, I feel the current proposal will result in a moderate level of harm to the significance of the buildings, which should be regarded as being less than substantial harm and assessed under Para.202 of the NPPF test.

As indicated above I feel the scheme, will cause additional harm to the heritage of the site, than the previously approved scheme (07/2019/5267/LBC & 07/2019/5266/FUL.

8.3.7 In conclusion, Growth Lancashire advises that the proposal “*would fail to meet the statutory test ‘to preserve’ and would cause moderate - less than substantial harm to the significance of Middleforth Farm Hall (Grade 2 listed building). As such, the proposal would be at odds with Chapter 16 of the NPPF and Policy 16 of the Central Lancashire Core Strategy.*”

8.4 Planning Balance

8.4.1 As advised by Growth Lancashire, it is for the LPA to consider the planning balance and whether there are any public benefits and other material matters.

8.4.2 The only benefit of the scheme would be the formation of a new substantial dwelling, presumably to be used as the applicants’ residence. There are no benefits to the wider public and therefore this attracts little weight in the planning balance.

8.5 Archaeology

8.5.1 The farm buildings at Middleforth Hall are shown on the 1st edition Ordnance survey 1:10560 maps, Lancashire Sheet 69, surveyed in 1845-6. This shows a substantial building on the footprint of the northern buildings and a smaller one occupying part of the current site of the southern barns. The farmhouse is also shown, named as "Middle Ford Hall".

8.5.2 The submitted Archaeology report concluded that the demolition of the barns will have a major impact on the significance of these buildings. Barn 1 has been identified as having medium historical and archaeological interest, with barn 2 having low-medium historical and archaeological interest. Mitigation recommendations are for a historic building recording of these prior to demolition. The subsequent development has a medium potential to reveal post-medieval archaeology, although likely in the form of artefacts from the period, rather than earlier structures. No mitigation is deemed necessary.

8.5.3 Lancashire County Council's Archaeology commented on the previous application for this site and the advice on the historical elements remains the same, namely they advise that an archaeological building record should be made of the buildings prior to their conversion or demolition, although the timing of the work required could be coordinated with the proposed demolition of the modern steel and cement sheet structures attached to the smaller building to improve visibility of external features of this and that to ensure that the historical interest of the buildings is preserved by record. As such, a condition should be attached to any permissions granted.

8.6 Other Material Considerations

8.6.1 The site is outside of the green belt boundary which lies to the north and is within existing built-up area. Policy B1 permits new development for the re-use of undeveloped and unused land and buildings, or for redevelopment, provided that the development complies with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

8.7 Access, Parking and Servicing

8.7.1 The site is accessed off Factory Lane via a newly formed access to the eastern side of the site. County Highways initially commented that, with the previous application on this site (07/2019/5266/FUL) there were concerns regarding visibility at the site access and a 2m footway was provided across the full site frontage to Factory Lane. This was subject to condition 4 of that permission, supported by policy G17.

8.7.2 Condition 4 stated: *"Before the commencement of development a scheme for the construction of the site accesses and the off-site works of highway improvement (2m footway along the sites full frontage and relocation of existing lighting column) shall be submitted to and approved in writing by the Local Planning Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development hereby permitted shall be occupied until the approved scheme has been implemented in full."*

8.7.3 Without this improvement to both visibility and highway safety, County Highway object but request that amended plans be submitted to accord with the previously agreed plans. As such, amended plans were requested and submitted. County Highways have considered this amended plan and further advised that the previous applications on this site (07/2019/5266/FUL), there were concerns regarding visibility at the site access and a 2m footway was provided across the full site frontage to Factory Lane. This was subject to condition 4 supported by your policy G17.

8.7.4 Condition 4 stated: *Before the commencement of development a scheme for the construction of the site accesses and the off-site works of highway improvement (2m footway along the sites full frontage and relocation of existing lighting column) shall be submitted to and approved in writing by the Local Planning Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development hereby permitted shall be occupied until the approved scheme has been implemented in full.*

8.7.5 County Highways considered the submitted plan for this current scheme failed to detail the size of the proposed footway or where the lighting column is to be repositioned and therefore, they requested a further amended plans addressing these two points.

8.7.6 As such an amended plan was submitted in line with County Highways comments (ref CH_094 P03 Rev C) and County Highways were reconsulted. Any comments received will be reported verbally at planning committee.

8.8 Residential Amenity

8.8.1 The closest residential property is Middleforth Hall farmhouse which is located 12m to the west of the main barn to be converted. The proposal extends the barn at 2 stories to

the front but due to the slight angled relationship, this will run away eastwards from the farmhouse. No windows are to be introduced in the elevation facing the farmhouse to either the barn or the proposed extension. The proposal will have no undue impact in terms of overlooking/loss of privacy. There will be an angled view of the proposed extension from the windows in the main elevation of the farmhouse, but it is considered it will not appear unduly prominent or overbearing when viewed from those windows.

8.8.2 On the opposite side of Factory Lane is a detached residential property, Jesmond Dene. This is located some 21m from the farmhouse and 30m to the north-west of the main barn. The proposal is for a 2-storey extension to the barn which will project 8m towards Factory Lane but given the relationship of the two properties and the separation distance, there should be no undue impact on this property.

8.9 Character and Appearance

8.9.1 The proposed new dwelling will be a substantial building consisting of 5 bedrooms in the main house over two-storeys and an annex and link building and balcony with a further 2 bedrooms. In addition, the dwelling and annex include large living spaces and entertainments areas including a lift, gym, office, and cinema and games room. There is also a proposed attached double garage to the front.

8.9.2 The supporting statement advises that the design context of the proposed dwelling is contemporary, whilst reflecting the elements of the original farmstead, with materials of brickwork to match existing with timber and metal cladding and large amount of full height contemporary glazing.

8.9.3 There is no overriding character to this part of Factory Lane in terms of style/design of dwellings. Just the farmhouse, a traditional whitewashed 2-storey dwelling, and a brick built detached dwelling are in the immediate vicinity.

8.9.4 Opposite is a cricket ground with land on the same side as the application site being allocated for residential development or safeguarded for future development. As such the proposal will have no undue impact on the character and appearance of the wider area. However, as the application site is the curtilage of a Grade II Listed Building and the buildings are curtilage buildings and therefore part of the Listing, it was important to assess the impact the proposal will have not only on the character and appearance of the area but also the setting of the Listed Building, Middleforth Hall Farm and this is set out above in the Heritage Asset section of this report, concluding that it would fail to meet the statutory test to preserve the heritage asset and would cause moderate – less than substantial harm to the significance of the grade II listed building.

8.10 Flood Risk

8.10.1 The application site lies within Flood Zones 2 and 3, which is land defined by the planning practice guidance as having a medium to high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations.

8.10.2 An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development flood are unknown. This is sufficient reason for refusing planning permission. As such an FRA was submitted and the EA re-consulted. They advised:

“The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by Hamilton Technical Services, referenced C-1024 Issue 1 and dated 7/13/2022. We have reviewed the FRA in so far as it relates to our remit, and we are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it

will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

8.11 Drainage

8.11.1 Proposed Drainage Layout plan and surface water catchment area plan have been submitted in support of the application and United Utilities consulted. However, no response has been received, despite UU being chased. During consideration of the previous scheme, they required that a drainage scheme be submitted, and this was conditioned. With this current scheme, the drainage details have been submitted, hence the consultation with UU but without their input, it is difficult to know if the proposal are acceptable.

8.12 Flood Risk

8.12.1 Environment Agency have considered the Flood Risk Assessment (FRA) prepared by Hamilton Technical Services, referenced C-1024 Issue 1 and dated 7/13/2022. They have reviewed the FRA in so far as it relates to the EA's remit, and are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

8.13 Ecology

8.13.1 A Bat and Bird survey and ecological assessment by ERAP dated June 2022 was submitted with the application and GMEU consulted. They initially advised that the ecology report has found that additional bat survey work is required and has been scheduled to be undertaken. This survey work needs to be submitted as part of the application, including the appropriate level of mitigation/compensation details determined by the findings of the results of the additional survey work. As such a further Bat Survey (ERAP (Consultant Ecologists) Ltd Ref: 22-092b, October 2022) and GMEU were reconsulted. They advised the following:

Bats

A preliminary bat survey was carried out at the site in April 2022 on eight buildings at the site. The two brick barns were considered to have moderate bat roosting potential (referred to as Buildings 1 & 2 in the report). Buildings 3 to 8 were considered to have negligible potential to support roosting bats. Further surveys were undertaken on buildings 1 & 2 and comprised a dusk emergence survey on 5th August 2022 and a dawn re-entry survey on 23rd August 2022. No bats or signs of bats were found during the internal and external daylight inspections of the barns and no bats were seen to emerge or re-enter either of the buildings during the dusk/dawn surveys. No further survey effort for bats is therefore considered necessary and works can commence with a low risk to roosting bats.

Notwithstanding the above, bats are mobile in their habits and can turn up in the most unlikely places. A number of best practise measures have been recommended (5.3 of the report) to ensure no bats are harmed throughout the works. We recommend that the best practise methods outlined in the report be implemented in full and a condition to this effect attached to any permission.

Birds

The buildings, hedgerows, trees and shrubs have the potential to support nesting birds. No evidence of nesting birds or roosting barn owl was observed in the barns during the surveys. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). We would therefore recommend that all works to the barns, together with any works to

hedgerows, trees and shrubs should not be undertaken in the main bird breeding season (March-August inclusive), unless nesting birds have found to be absent, by a suitably qualified person. We recommend that a condition to this effect be placed on any permission.

Biodiversity Enhancement

We would expect any such scheme to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework. We would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- *Bat bricks within the new development (as shown in Figure 3 of the report)*
- *Bird boxes (as shown in Figure 3 of the report)*
- *Sensitive lighting*

8.13.2 In conclusion, GMEU are satisfied that the application can be forwarded for determination and that any permission, if granted, is supported by the conditions above.

9. Conclusion

9.1 Due consideration has been given to the impact the proposal would have on the setting of the Listed Building, Middleforth Hall Farm, the requirements of the NPPF and the relevant policies in the Core Strategy and Local Plan.

9.2 Specialist advisors on matters of Heritage, Growth Lancashire, have advise that the proposal would result in moderate – less than substantial harm to the significance of Middleforth Farm and as such would be at odds with Chapter 16 of the NPPF and Policy 16 of the Core Strategy. As such, it is recommended that this application should be refused.

10. Recommendation

10.1 Refusal.

11. Reason for Refusal

11.1 The proposed development would have a detrimental impact on the setting of the Grade 2 Listed Building, Middleforth Hall by virtue of its size, scale and proximity, causing harm to the significance of this heritage asset, contrary to Chapter 16 of the NPF and Policy 17 in the Central Lancashire Core Strategy

12. Relevant Policy

Central Lancashire Core Strategy

Policy 13: Rural Economy

Policy 16: Heritage Assets

Policy 17: Design of New Development

Policy 29: Water Management

South Ribble Local Plan

Policy B1: Existing Built-Up Areas

Policy G13: Trees, Woodlands and Development

Policy G16: Biodiversity and Nature Conservation

Policy G17: Design Criteria for New Development