

From: millom withoutparishcouncil
Sent: 03 July 2024 11:39
To: development.control3@cumberland.gov.uk; Development Control
Subject: Planning application 4/24/2209.0F1

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Dear Christy

The Parish Council met on the 1st July 2024 and the meeting was attended by around twenty local residents from the Lady Hall area with concerns over this development. Having looked at the plans and elevations, the Parish Council would ask the question whether this is in fact a conversion under permitted development rights given the extent of works required to make it into a C3 dwelling house, which would include new walls and a roof as well as new concrete floors and partitions walls/insulation. In the view of the Parish Council this looks and feels closer to a new build than a conversion.

The Parish Council are largely in favour of the appropriate conversion of redundant farm buildings into good quality homes and it recognises the potential benefits these bring by way of community resilience. That said, these conversions need to offer good quality accommodation in appropriate locations and they need to reflect the local character of the communities in which they sit. They also need to be sustainable in terms of access and transport.

The Parish Council has looked at the *Hibbitt vs Secretary of State for Communities and Local Government (2016)* case as well as subsequent appeals in which the Hibbit case was quoted. What is clear from the reading of these cases is that the balance rests on the level of intervention required to 'convert' a building.

Looking at the barn at Kilnmire Field, the level of required works would seem to be extensive, with (theoretically) only the steel frame and potentially the lower block walls being retained in the new scheme. The visual structural report is sketchy to say the least, it admits that there may be issues with the building hidden by its current cladding and does not rule out the need for further structural strengthening. Most notably, it omits the assessment of whether the current structure would be capable of supporting a slate roof or whether the exiting pitch would be suitable for slate. On this basis, the Parish Council believes the information submitted has a number of omissions would weigh against it in the argument for 'conversion'.

If the Council does not share the view that a) the application is not complete enough to determine whether this is in fact a conversion and b) is not permitted development because of this. The Parish Council suggest that the application be scrutinised for the following;

Transport & Highway Matters – The proposed layout shows two units with the potential for four cars. The site and its highway access are at a junction in the village and local residents are concerned that this increases the risk to pedestrian and other vehicles as well as adding an unsustainable amount of further pressure on an unclassified road. . In addition, the site layout indicates the intent to develop a further unit, not covered by this application, an issue whilst potentially not a material consideration is causing further local concern. It should be pointed out for the purposes of consistency that previous new build proposals in this area have been refused at least in part on this basis.

Flood Risk – As with many rural areas, the reality on the ground with regard to seasonal flooding is not always reflected in flood risk classifications. Local have reported that the ground at Kilnmire Field is subject to seasonal flooding and that the area around the development site struggles to drain after heavy rain. Development would need to consider how the new residential units would cope with seasonal groundwater and how hard surface drainage is mitigated for rather than taking the flood risk classifications at face value.

The Design/External Appearance of the Building – The Parish Council and local residents are in agreement that the proposed building would be at odds with the surrounding village context. The surrounding buildings are largely traditional stone built cottages and farmhouses with some sensitive barn conversions. These all use rurally appropriate materials and design and their proportions are in keeping with the local context. There are a couple of modern bungalows further up Badhouse Brow, but these conform to principles of proportion in terms of ground floor wall height versus roof height/pitch and are rendered in the same way as many local older buildings. The proposed building is squat in its proportions confused in its use of materials and looks more like a holiday park lodge than a village house. The use of materials is clumsy (stone/timber cladding and an inappropriately pitched slate roof) and does not respond to the local vernacular style of houses in the village and surrounding area.

In conclusion,

- the Parish Council does not believe the applicant has demonstrated that this is permitted development (i.e. a conversion under part Q) as it would appear that the level of intervention is too great;
- the Parish Council believes the application has omissions in terms of structural detail which would potentially support its position that the level of intervention would fail to meet the tests set out in the Hibbitt case;
- the Parish Council agrees with local residents that the overall layout of the site in terms of future development ambiguity, transport considerations and the issues around ground water and seasonal flooding have not been properly considered;
- the Parish Council also agrees with local residents that the design of the proposed property is at odds with, and would represent an inappropriate intrusion to, the local character of the village and surrounding area.

We hope this is useful in informing any recommendation going forward

Kind regards

Lesley

Lesley Cooper
Clerk

Sent from Millom without Parish Council
for more information go to:
www.millomwithoutparishcouncil.com