

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	16 DECEMBER 2020
TITLE OF REPORT:	201738 - PROPOSED DEVELOPMENT OF THE CONVERSION OF TWO SMALL REDUNDANT BARNs INTO A LUXURY 6-8-PERSON HOLIDAY LET. AT THE BUILDINGS AT TRETAWDY NATURE RESERVE, LLANGROVE, ROSS ON WYE, HEREFORDSHIRE, HR9 6EY For: Mr Hitchcock per Mr Edward Busby, 141 Whitehall Road, Wapping Road, Redcliff, Bristol, BS5 9BJ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=201738&search-term=201738
Reason Application submitted to Committee – Redirection	

Date Received: 4 June 2020

Ward: Llangarron

Grid Ref: 352453,219021

Expiry Date: 10 August 2020

Local Member: Councillor Elissa Swinglehurst

1. Site Description and Proposal

- 1.1 The application relates to a site located to the south of Llangrove and is accessed off an unclassified road through an established residential area. The site slopes towards the south west and comprises two disused agricultural buildings with hardstanding and lies approximately 87 metres to the south west of the edge of Llangrove. There are a number of dwellings around the site, the closest approximately 30 metres to the south.
- 1.2 This application seeks planning permission for the conversion and adaptation of the disused buildings into a holiday let for 6-8 people. This would include the construction of a glazed link between the structures to consolidate the buildings and the raising of the roof with glazing by approximately 0.8 metres. The lower agricultural building would utilise a green roof. Parking is proposed to the north of the access.

2. Policies

2.1 Herefordshire Local Plan – Core Strategy Policies

The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

SS1 – Presumption in Favour of Sustainable Development

SS6 – Environmental Quality and Local Distinctiveness

Further information on the subject of this report is available from Ms Elsie Morgan on 01432 260760

LD1 – Landscape and Townscape
LD2 – Biodiversity and Geodiversity
SD1 – Sustainable Design and Energy Efficiency
SD3 – Sustainable Water Management and Water Resources
SD4 – Wastewater Treatment and River Water Quality
RA3 – Herefordshire's countryside
RA5 – Re-use of rural buildings
E4 – Tourism
MT1 – Traffic management, highway safety and promoting active travel

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

2.2 Llangarron Neighbourhood Development Plan (Regulation 14 draft plan submitted 18 February 2020)

SUS1 – Sustainable development
EMP2 – Tourism and rural diversification
HOU3 – Change of use of agricultural buildings to dwellings and holiday use

The Llangarron Neighbourhood Development Plan can be afforded limited weight for the purposes of decision-making given it is at Regulation 14 draft stage

<https://www.herefordshire.gov.uk/directory-record/3079/llangarron-neighbourhood-development-plan>

2.3 National Planning Policy Framework (NPPF)

Chapter 2 Achieving sustainable development
Chapter 6 Building a strong, competitive economy
Chapter 12 Achieving well-designed places

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. Planning History

3.1 None relevant

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water – No objection

As the applicant intends utilising a cesspit facility we would advise that the applicant seeks the appropriate advice from the Building Regulations Authority or an Approved Inspector. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

4.2 Environmental Health Housing – No objection

1. The proposed plans should include for a fire escape windows from all bedrooms, if the only internal escape route in the event of fire is through a risk room i.e. kitchen, utility, living or dining room. If there is more than a 4.5 meter drop from bedroom windows (e.g. from the third floor), then an alternative layout should be provided so that persons can exit the property from the bedroom without the need to go through a risk room.

2. In addition, an appropriate automatic fire detection system complying with BS5839:2013 should be fitted to cover the whole development including common areas and leisure facilities.

3. If the property is in a Radon affected area, suitable mitigation measures should be put in place.

4. There should be sufficient, secure ventilation to the outside air from all living/dining and bedrooms as well as internal bathrooms.

5. All bedrooms should meet the minimum room sizes laid out in the DCLG Technical housing standards.

4.3 Environmental Health Officer (Contaminated Land) – Approve with condition

According to our records, the development is near to a former quarry later recorded as 'unknown filled ground'. Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of the fill is not inert and would require further investigation.

Given the change of use I'd recommend the condition be appended to any approval so that the above can be assessed alongside any other risks the commissioned technical specialist may identify.

4.4 Environmental Health Officer (Noise and Nuisance) – Approve with conditions

In general terms our department does not object to changes of uses for individual barns or houses to holiday accommodation and from this perspective we do not object to this proposal.

However, it is noted that the applicant has suggested in their proposed plans that up to 16 people could be accommodated in this proposal which could have potential amenity impacts for neighbours. Should it be minded to grant permission, I therefore recommend conditions.

4.5 PROW – No objection

Public footpath LG29 is already obstructed by one of the barns. PROW do not object to the conversion itself, but the footpath must not be further obstructed by development. It would seem a good opportunity for the applicant to apply to divert the path away from the buildings.

4.6 Ramblers Association – Object

The Rambler's Association continues to object to the proposed development as it appears to development will be built across public footpath LG29 thus obstructing the public right of way.

Regardless of what is visible on the ground, the line of the public right of way cannot be changed without a legal order to that effect. The agent says the barn is over 100 years old, in which case a Definitive Map Modification Order may apply.

However, a legal diversion under the Town & Country Planning Act 1990 (provided a new line of the path can be agreed during the pre-order consultation process) would be acceptable.

The applicant would then need to wait until the Public Path Order is confirmed by the highway authority before commencing work on site. I understand there is a standard planning condition to this effect, and should be applied if permission is granted.

4.7 **Natural England – No objection**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Internal Council Consultations

4.8 **Ecology – Approve with conditions**

Habitat Regs. Assessment – R. Wye SAC

The site falls within the River Wye SAC (Wye-Lower Wye) catchment and within the River Wye SAC Impact Risk Zone “any discharges of water or liquid including to mains sewer.” This application is subject to a formal Habitat Regulations Assessment (HRA) process by this local planning authority (LPA) as the competent body in consultation with Natural England.

The initial Habitat Regulations Screening Assessment identifies foul water and surface water as ‘likely significant adverse effects’. The applicant has indicated in their application that foul water will discharge to septic tank and associated drainage field within the applicant’s ownership and surface water will outfall to on site SuDs.

Land Drainage have reviewed the proposed drainage scheme (comments dated 28/09/20). The scheme is approved in principle, subject to further information being provided. The additional information requested is:

- A revised surface water drainage strategy including drawings
- A detailed foul water drainage strategy showing how foul water from the development will be disposed of.

Therefore in this case further drainage details are required to be supplied but subject to inclusion of a relevant drainage condition to ensure that this further information is provided, the principle of the scheme is approved.

Subject to this mitigation being secured through a relevant condition the Habitat Regs. Appropriate Assessment can confirm a conclusion of ‘No Likely Significant Effect’ on the River Wye SAC.

Habitat Regs. Assessment - Wye Valley Woodlands SAC

The potential for local bat foraging is recognised as being high, and the site is within 3km Upper Wye Gorge SSSI, which is part of the Wye Valley Woodlands SAC, .Any application within 3km of the SAC falls within the Core Sustenance Zone for Lesser Horseshoe bats. The 3km threshold that applies here is set by Natural England’s SSSI Impact Risk Zones.

A condition is attached to this planning consent to ensure that there is no increased illumination due to any new external lighting being installed. A relevant condition is requested to manage any detrimental impact of external lighting on night foraging routes of bats.

Subject to the condition below being secured, a conclusion of No Likely Significant Impacts to Lesser horseshoe bat Core Sustenance Zones within the Wye Valley Woodlands SAC is anticipated.

Bat Survey Report

The ‘Winter bat check and summer bat survey’ report (Worcestershire Wildlife Trust Consultancy, dated September 2020) found no evidence of bats roosting in the barns to be converted. Significant foraging and commuting of bats (common pipistrelle, soprano pipistrelle, brown long

eared and *Myotis* spp.) around the barn was detected. The recommendations and ecological working methods as outlined in the report should be followed.

The Construction Environment Plan provides recommendations for protection of on-site wildlife (hedgerow root protection zone), nesting birds and bats, during construction/renovation works and should be followed.

NB. Wye Valley Woodlands SAC referred to in terms of potential HRA impacts, is a different site to the Wye Valley and Forest of Dean Bat Sites SAC, to which comments are addressed in the CEMP report. The 'trigger' here is the for lesser horseshoe bats associated with Wye Valley Woodlands SAC. Although close by and with a similar name, the Wye Valley and Forest of Dean Bat Sites SAC is a different site for which the HRA process is not triggered here.

Biodiversity Net Gain

In line with NPPF Guidance, NERC Act and Core Strategy LD2 all developments should show how they are going to enhance the local biodiversity potential (net gain). Typically 'enhancements' should include consideration for a wide range of species, such as bat roosting enhancements (habitat boxes, tubes, tiles, bat bricks, raised weatherboarding with bitumen felt, bird nesting, pollinating insect-solitary bee homes built in to or attached to all the new building, and hedgehog homes within any boundary features and soft landscaping within the development boundary.

Although the bat survey report and Construction Environment Management Plan both refer to proposed bat boxes and bird nest boxes, and proposed generic native wildlife landscaping schemes, there is no site specific plan, providing detailed box locations etc. provided in either.

It is noted that the development includes a green roof with native wild flower meadow seed, and that this also forms part of the 'biodiversity net gain' in terms of the proposed buildings footprint. However we would also be looking to see a 'biodiversity enhancement plan' to provide an indicative layout showing how many or where the additional bat or bird roost boxes mentioned will be located.

It is of course noted that the proposed barn conversions are set within the Tretawdy Farm nature reserve, which is managed for biodiversity and hence provides 'biodiversity enhancement' on a large scale. However, for the purposes of this planning application we are looking for 'net gain' in relation to the buildings to be converted.

Transport – Approve with conditions

No objections to the proposed development. Please condition as shown below.

All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:

www.herefordshire.gov.uk/directory_record/1992/street_works_licence
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>

4.9 Historic Building Officer - Approve with conditions

Recommendation:

From a heritage perspective the proposed scheme presents a sympathetic conversion which retains and respects the agrarian character of the buildings; approval with conditions is recommended.

Heritage Background:

The proposed site is situated at the southern edge of the settlement of Llangrove; and 350m south-east of Llangrove Cottage and an adjacent former Congregational Chapel, and 350m

south-west of Christ Church, all of which are Grade II listed buildings. The building group at Tretawdy Farm, which includes these barns, is detailed on the 1840 OS mapping.

Comments:

The submitted structural report suggests a number of interventions may be necessary to stabilise the existing structures to enable their conversion; details of these works will be required to determine their extent and what their impact might be on the character of the buildings.

As the buildings are of traditional construction Part L1B of the Building Regulations (Para. 3.8c) provides a degree of flexibility in terms of meeting certain requirements:

'When undertaking work on or in connection with a building that falls within one of the classes listed...the aim should be to improve energy efficiency as far as is reasonably practicable. The work should not prejudice the character of the host building or increase the risk of long-term deterioration of the building fabric or fittings.' (Part L1b, Para. 3.9)

This flexibility should be taken into consideration when specifying works and materials for conversion.

Historic England have produced a useful series of guidance documents relating to the conversion and upgrading of traditional farm buildings, which are worth consulting before submission of relevant specifications:

<https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/>

<https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/>

4.10 **Land Drainage – Approve with conditions**

Surface Water Drainage

The applicant is proposing to use SUDS design using soakaways. The property will be using permeable paving for the driveways.

Soakaway testing has been completed which has demonstrated that the ground is permeable. A soakaway design has been presented. The surface water drainage design needs to be based on a 100 year + 40% climate change storm.

We note the presence of a layer of clay just beneath the top soil. The proposed permeable paving design needs to be developed so that water can permeate downwards into the permeable strata below.

It should be noted that soakaways should be located a minimum of 5m from building foundations, a plan will be needed demonstrating the location of the soakaways.

Foul Water Drainage

The nearest public sewer is approximately 123m from the site. The applicant is proposing to provide a septic tank with a volume of 3300 litres. They are also proposing to drain to a drainage field designed and installed in accordance with BS 6297. The permeability testing completed by the applicant (and a check on ground water) has demonstrated that this is possible.

There is an operational risk associated with the use of septic tanks. There is no reason why the applicant cannot utilise a septic tank for treatment of effluent, but if a pollution incident occurred then there may be a need to upgrade the system to utilise a package treatment plant. As the site is for a holiday let, we appreciate that a package treatment plant may prove expensive to install and operate.

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from

the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds. Maintenance of the package treatment plant and drainage field will need to be agreed before planning approval can be granted

Overall Comment

We hold no objection to the proposed development and consider that conditions could be utilised.

4.11 **Building Control**

In response to the above consultation I would like to comment that as suitably qualified and experienced Structural Engineer (Andrew Collinson) has visited the site and inspected the condition of the barns, we would be accepting in his conclusions. From the images available it is clear to see that rebuilding of certain areas will be required as with many barn conversions. I appreciate that the structure has failed in places therefore any existing areas that will form part of the final build will need to be adequately protected during construction.

5. **Representations**

5.1 **Parish Council – Object**

The Parish Council strongly objects to the proposals set out in the planning application for the following reasons:

- a) Access in and out of the site via a steep and narrow track will be impossible without entering the property of a neighbouring householder.
- b) The holiday let will generate unacceptable levels of noise for neighbouring households.
- c) Increased traffic visiting the site will threaten the safety of people using the footpath which crosses over the access track.
- d) Despite assertions to the contrary no public consultation with local residents has taken place.
- e) The applicants have exaggerated both the level of money that will be spent in the village and the projected employment opportunities for local people.
- f) The proposed holiday let is at odds with the general aims of the Hereford Wildlife Trust.
- g) The individual who gifted the land to the Hereford Wildlife Trust had assumed it would be used solely as part of the nature reserve and not a commercial venture.

5.2 83 letters of objection have been received and the points raised are summarised as follows:

- Structural survey supplied is too simplistic and contains assumptions, the buildings are not in a good condition and are lean-to shed and a byre not barns
- The buildings are not worth of conversion and were never joined so connection should not be made, not of any architectural or historic merit
- Concerns regarding access to the site not being suitable for purpose
- The site was left to the Herefordshire Wildlife Trust in Mrs Cook's will and this proposal would not be in keeping with her last will and testament, barns should be used for enjoyment of the wildlife trust
- Query boundary lines within another person's ownership
- Does not meet requirements of policy RA2 and RA3, directly adjacent to a field previously rejected for development
- Limited services available in Llangrove, including bus services, proximity to Llangrove does not integrate it into the village
- Increased vehicle movements would impact highways safety and change character of the village, does not address sustainable transport with the likelihood being that occupants will not car share
- Increased noise impact within Trefassey Valley and loss of privacy to Tretawdy Farmhouse
- Light impact from additional glazed openings
- Lack of space around the building would lead to inappropriate use of surrounding area

- Would not aid local economy given single pub and lack of bus services leading occupants to go elsewhere for services
- Application form states 1 full time person required which would be unlikely the case
- Area not suitable for 'glamping' and the customers it may attract, it would disrupt the quiet nature reserve and Herefordshire Wildlife Trust would not have control over booking management
- Concern that further tourism development will follow approval of this
- Purely for profit plan with no neighbour consultation as stated to have been undertaken in the submitted documents
- Ecologically valuable to the nature reserve with lack of disturbance, should not be regarded as redundant as they will be habitat/provide breeding opportunity for many species
- Quite nature of village would be impacted by 6-8 people
- Llangrove becoming over developed

5.3 9 letters of support have been received and are summarised as follows:

- Any form of tourism would benefit the local economy and government should be supporting rural economy
- Many objections are factious claims
- Proposed accommodation will be attractive and effective at bringing tourists to support the county and local economy
- Eat Sleep Live Herefordshire supports the application for the eco-friendly tourism initiative to fulfil the county's need for visitor attractions, fitting in with local and regional strategies as a nature and wildlife focus
- Secures future use of the buildings and sustainable income to support the ongoing ecological restoration of the land, if these were to become derelict and lost it would impact the landscape character
- Fulfils requirements for 6-8 people accommodation in Herefordshire for larger families and small groups
- Allows engagement with nature in winter and summer, aimed at people who are interested in local foods, shops and markets – including families
- Executor of Mrs Cook's will believes this is within her wishes and would welcome people visiting the site in this manner and the income to be derived from it
- Herefordshire Tourism Partnership states it is what is needed to complement the supply of tourist accommodation filling the demand for such residential tourist accommodation which is currently lagging behind regional and national averages due to lack of availability
- Proposal allows opportunity for ecological enhancements
- Contribution to education for visitors

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=201738&search-term=201738

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Policy context and Principle of Development

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Llangarron Neighbourhood Area,

which published a draft Neighbourhood Development Plan (NDP) for Regulation 14 consultation in February 2020.

- 6.3 As a starting point, Paragraph 83 of the NPPF sets out its in-principle support in enabling a prosperous rural economy. It states that planning decisions should provide for the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings. It goes on to provide support for sustainable rural tourism and leisure developments which respect that character of the countryside.
- 6.4 Echoing these principles at the local level, Policy RA6 of the CS sets out its support for proposals which help to diversify the rural economy including the small scale extension of existing businesses and those which promote sustainable tourism proposals of an appropriate scale which are in accordance with Policy E4. It makes it clear that proposals should be of a scale which is commensurate with their location and setting, would not cause unacceptable levels of traffic and would not cause harm to the amenity of neighbours. Policy E4 recognises the value of tourism to the Herefordshire economy. The policy states that the tourist industry will be supported by a number of measures, which include retaining and enhancing existing, and encouraging new accommodation throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying in the county overnight.
- 6.5 Objective 9 of the CS seeks the pursuit of sustainable tourism opportunities which develop Herefordshire into a destination for quality leisure visits. This is echoed throughout the CS and most pertinently via Policy RA3 – Herefordshire’s Countryside whereby it is stated that the sustainable re-use of redundant or disused buildings will be supported in cases where it complies with Policy RA5 and leads to an enhancement in the immediate setting.
- 6.6 With this in mind, Policy RA5 – ‘The Re-use of rural buildings’ goes on to state that the re-use of disused and redundant rural buildings will be permitted where:
- It respects the character and significance of the redundant/disused building and it is demonstrated that it is the most viable long-term option
 - Provision is made for protected and priority species and other associated species and no other undue environmental impacts arise from the development
 - The buildings proposed for re-use are of permanent and substantial construction which is capable of conversion without the requirement to undertake major or complete reconstruction
 - The building is capable of accommodating the proposed new use without the need for substantial extension, alteration or through the formation of additional ancillary buildings or areas of hardstanding which would adversely impact the existing character of the area.
- 6.7 Policy E4 - Tourism recognises the value of tourism to the Herefordshire economy. The policy states that the tourist industry will be supported by a number of measures, which include retaining and enhancing existing, and encouraging new accommodation throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying in the county overnight. In this instance, the long term income will facilitate the upkeep and running of the Wildlife Trust, further aiding the rural economy. This is echoed in the NDP policy EMP2 which supports small scale proposals to contribute to the tourist economy as part of agricultural diversification where they are suitable for the character of the area, make positive contribution to the protection and enhancement of landscape with suitable vehicular access. Furthermore, policy HOU3 supports conversion of agricultural buildings to holiday let where the building is substantially intact and capable of conversion, as evident in the structural report, and does not adversely affect the character of the existing buildings with no detrimental impact to residential amenity.

6.8 Taking into account the policy context as outlined above, it is considered that support can be given to the re-use of rural buildings for residential/tourism uses. It is a pre-requisite of a conversion scheme that in accordance with Policy RA3 the development would result in an enhancement of its immediate setting. It is therefore considered that the proposal is acceptable in principle, subject to the following considerations to be discussed in the following sections of this report:

- Acceptability of the proposed conversion on the character and appearance of the building and the landscape setting
- Residential amenity impact
- Heritage impact
- Highways and access
- Drainage
- Ecology

Conversion Design and Landscape

6.9 The NPPF is a key material consideration for the proposal, it includes a chapter on achieving well-designed places, which sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, as good design is a key aspect of sustainable development. Decision-making (as directed at paragraph 127 of the framework) should ensure developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character including the surrounding built form and landscape setting (whilst not preventing innovation or change); establish or maintain a strong sense of place creating attractive and distinct places to live and visit; with a high standard of amenity for existing and future users that doesn't undermine quality of life or community cohesion and resilience.

6.10 As confirmed by the structural report submitted with the application, the buildings are suitable for conversion without requiring substantial rebuilding. The existing buildings will retain their form with the necessary repair works as detailed within the report. It is recognised that some additional building is required to secure the proposed use, but it is considered that the proposal would not lead to extensions or alterations to the host building which would harm its character, due to the use of glazing to the link extension and raised roofing reading clearly as later additions. Despite it not possessing any particular heritage significance, the repurposing of it to provide an enhanced tourism offering is considered a viable option for its long term conservation and makes an effective use of a redundant building that at present, does not contribute particularly positively to the site as a whole.

6.11 Although the conversion would alter the existing appearance, this would not appear out of keeping with the rural setting retaining the essential agrarian character of the existing buildings. The existing openings would be utilised to form glazed doors and windows. The proposal seeks to raise the roofline, incorporating glazing, and introduce a glazed link between the lower and upper barns. This would extend the existing gap of 2.7 metres, sitting below the eaves height of the barns and thereby remaining subservient. Given this positioning, it is not considered that the addition would cause harm to the appearance of the building or the wider landscape setting. These are not identified as being substantial alterations or extensions and do not detract from the agricultural character, clearly differentiating between existing structure and later addition.

6.12 Whilst additional landscaping is limited, this is appropriate in ensuring the site does not read as overly engineered or domesticated in its design and setting and remains to be read as agricultural in character. The scheme would reduce visual impact upon the landscape through the use of green roof to the lower barn. In summary, the proposed design and landscaping would be appropriate in this rural setting in line with policies SD1, LD1 and SS6 of the Core Strategy.

Residential Amenity

- 6.13 The surrounding Wildlife Trust site of Tretawdy Farm is an established tourist attraction, as such the option of accommodation would enhance the appeal of the site. With regards to residential amenity, it is generally accepted that any proposal would increase the current levels of use and therefore movement to and from the site as the barns are currently unused. Given the scale of the proposal and wider residential context, it is not considered that the increased use of the site would present a detrimental increase in noise so as to warrant refusal. As confirmed by the Environmental Health Officer, there are no objections to the proposal with suggested conditions included to further protect amenity and the wider rural setting. In addition to this, there is sufficient distance and boundary treatments between surrounding dwellings to alleviate concerns for overlooking. The proposed parking to the south of Tretawdy Bungalow is currently used for volunteers and visitors of the nature reserve in agreement with Herefordshire Wildlife Trust, as such the movements associated with a holiday let would not result in any fundamental change in the nature of the site or result in a detrimental increase in the existing noise created from current use.

Heritage Considerations

- 6.14 As touched upon, the barn does not have any notable historical significance or character and is of a simple and functional design located with easy access immediately off the access track. Notwithstanding this, Policy LD4 of the CS sets out that development proposals should protect, conserve and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible. As confirmed by the Historic Buildings Officer, no objection is raised as the proposal presents a sympathetic conversion, retaining and respecting the existing character. It is noted within the Design and Access Statement that it is proposed that re-pointing work will be done using traditional lime mortar with conditions included to determine the extent and suitability of works protecting the viability of the buildings.

Highways and access

- 6.15 The NPPF sets out at paragraph 108 applications for development should ensure opportunities to promote sustainable transport have been taken, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network or highway safety can be mitigated. Policy MT1 of the Core Strategy is reflective of this approach, as it seeks to promote active travel and development without adversely affecting the safe and effective flow of traffic on the highway network. Further at paragraph 109 the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.
- 6.16 As existing agricultural buildings, it is considered to be sustainable to make use of an otherwise unused asset adjacent to an established residential area. Parking is offered on site off the access road and the Area Engineer has raised no objection. The restriction to number of occupants as suggested by the Environmental Health Officer will ensure movement to and from the site would not create a severe impact upon the highways safety or network, and as such would not warrant refusal in accordance with the NPPF and MT1.

Drainage

- 6.17 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage

surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order; package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).

- 6.18 The proposal confirmed the use of sustainable drainage systems using soakaways with permeable paving for driveways. Testing has been undertaken to show these systems are achievable and no objection is raised by Land Drainage with conditions included to secure drainage details. The proposal is therefore policy compliant in foul water terms. Both foul and surface water drainage arrangements are to be secured by way of conditions attached to any approval.

Ecology

- 6.19 Policies LD2 and LD3 of the CS are applicable in relation to ecology and the impact on trees. These state that development proposals should conserve, restore and enhance the biodiversity and geodiversity asset of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.20 There are considered to be no known immediate concerns although there is a recorded presence of some protected species in the locality, namely bats. The Planning Ecologists re-iterates the fact that the applicant and any contractors have their own legal duty of care towards wildlife protection under UK Legislation that applies throughout any demolition and construction process.
- 6.21 The site lies within the River Wye Special Area of Conservation (SAC) and Wye Valley Woodlands SAC, both internationally important conservation sites which have been designated for its special features of ecological and biodiversity value. Under the Conservation of Habitats and Species Regulations 2017, Herefordshire Council has a legal duty to screen the development and ensure that it would have no likely significant adverse effect upon the integrity of the designated site.
- 6.22 The proposal has been assessed by the Council's Ecologist and a Habitats Regulations Assessment – Screening and Appropriate Assessment has been undertaken as a report. This concludes that due to the mitigation included within the proposal and secured via planning conditions, including no external lighting and methods identified within the supporting ecological documents, it is considered to mitigate against any 'Likely Significant Effect' on the Special Area of Conservation. This document has been published on the Council's planning website and sent to Natural England for consultation, who concur with the Council's HRA conclusions and so have no objection to the proposal. Therefore in this aspect, the proposal is considered to accord with Policies LD2 and SD4 as it will not detrimentally impact on the biodiversity or ecological significance of the River Wye or the Woodland SACs.

Other Matters

- 6.23 With regard to the objections received, a number of these have been dealt with through the consultation process with internal and statutory consultees. They relate to structural integrity, highways safety, ecological factors and residential amenity. Furthermore, the objections regarding the principle of development have been addressed at the start of the appraisal. To address concerns raised regarding the will of Mrs Cook, former landowner, this is not a material planning consideration and is considered entirely irrelevant in relation to this scheme. Furthermore, the access rights over the adjacent property is a civil matter and cannot be considered under this application. Any further tourism development or expansion of the use of the site would require planning permission. The scale of the buildings would not result in detrimental light pollution with a condition included to secure appropriate control over this.

- 6.24 It is noted that a structural report was submitted with representations to state that the buildings are not capable of conversion. The Building Control Officer was consulted for comments on the matter and it is confirmed that the submitted structural report by the applicants, undertaken by the qualified and experienced structural engineer, is given weight and his conclusions are accepted. It is noted that the barns would require repair work with rebuilding in some areas, however these would not be considered alterations or extensions that would harm the character of the building within the context of CS policy RA5. The buildings would not require significant structural alteration. Furthermore the benefit to be derived from tourism and diversifying the rural economy are considered to outweigh any perceived harm associated with the works required to ensure the long term viability of the barns.
- 6.25 The existing barns are constructed over a small portion of a public right of way footpath which is identified by the PROW and Ramblers Association consultation responses. Whilst the objection from the Ramblers Association is acknowledged, PROW have no objection to the scheme noting the significant amount of time the barns have been in this position, and as such it would not warrant refusal, and that a Definitive Map Modification Order may be possible. An informative is included to this effect.

Conclusion

- 6.26 The principle of development is shown to be acceptable and in accordance with policies E4, RA3, RA5 and RA6 of the Core Strategy which supports the viable and sustainable re-use of rural buildings for the purposes of tourism whilst sustaining and diversifying the rural economy. Any impact upon residential amenity is not considered to be detrimental and is further protected by the use of planning conditions. No technical objections are raised by the Council's Ecologist, Land Drainage or Area Engineer, with suggested conditions included. It is considered that there are genuine economic and social benefits associated with securing a viable use for the building and supporting the aims of the Wildlife Trust. Some environmental impacts are identified in relation to alterations to the building and the increased intensity of the use but these are limited and to a large extent can be mitigated by conditions. They do not in your officers opinion outweigh the benefits that are identified
- 6.27 With the above in mind and noting that the proposal accords with the relevant policies of the Herefordshire Local Plan – Core Strategy and the principles of the National Planning Policy Framework, the proposal is considered a sustainable form of development. Therefore, in accordance with policy SS1 of the Core Strategy, it is accordingly recommended for approval subject to the conditions as set out below.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. Time limit for commencement (full permission)**
- 2. C07 Development in accordance with approved plans and materials**
- 3. CBK Restriction of hours during construction**
- 4. The building which is the subject of this application shall be used for holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

Reason: Having regard to Policy SD1 and RA5 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework the local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation in this rural location.

5.

Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out.

Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy RA5 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

6.

The building hereby permitted shall not be occupied by more than 8 persons at any one time.

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7.

There shall be no overnight staying in camper vans, caravans, tents or similar temporary forms of accommodation outside the permitted accommodation.

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8.

No amplified or other music shall be played outside the accommodation outside of the following times (18:00 and 09:00)

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9.

No development shall take place until the following has been submitted to and approved in writing by the local planning authority:

a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice

b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors

c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to accord with policy SD1 of the Herefordshire Local Plan and the National Planning policy Framework.

- 10. The Remediation Scheme, as approved pursuant to condition 7 above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.**

Reason: In the interests of human health and to accord with policy SD1 of the Herefordshire Local Plan and the National Planning policy Framework.

- 11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason: In the interests of human health and to accord with policy SD1 of the Herefordshire Local Plan and the National Planning policy Framework.

- 12. Prior to the first occupation of the development a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 shall be submitted to and approved in writing by the local planning authority and implemented as approved.**

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework

- 13. All foul water shall discharge through connection to a new private foul water treatment system with final outfall to suitable soakaway drainage field on land under the applicant's control; and all surface water shall discharge to appropriate SuDS or soakaway system; unless otherwise agreed in writing by the Local Planning Authority**

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4

- 14. Protected Species, Dark Skies and Intrinsically dark landscapes (external lighting)**
a) At no time shall any external lighting (except in relation to safe use of the property; and consisting of low lumens, warm LED 'down' lighting units on time limited PIR sensors) be installed or operated on the site without the written approval of this local planning authority.
b) No external lighting should illuminate any boundary feature, adjacent habitat or area around the biodiversity enhancement features.

Reason: To ensure that all species and Dark Skies are protected having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2019), NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS6, LD1, LD2 and LD3 and the Dark Skies initiative (DEFRA-NPPF 2013/19)

15. The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the bat survey report and Construction Environment Management Plan by Worcestershire Wildlife Trust Consultancy dated September 2020, shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4.

16. Prior to any construction above damp proof course levels, a detailed scheme and annotated location plan for proposed biodiversity net gain enhancement features including provision for bird nesting and encouraging pollinating insects should be supplied to and acknowledged by the local authority and then implemented in full. The approved scheme shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external or radiated lighting from the development should illuminate any biodiversity net gain features.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), Habitat Regulations 2017, Core Strategy SS6, LD2, National Planning Policy Framework (2019), NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

17. Prior to the first occupation of the development hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of 2 cars which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

18. Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway
- Parking for site operatives
- Construction Traffic Management Plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

19. Prior to the first use of the development hereby permitted full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwelling shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle parking facilities shall be carried out in strict

accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

20. With the exception of any site clearance and groundwork, no further development shall take place until details and samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

21. No work on site shall take place until a detailed design and method statement for the foundation design and all new groundworks has been submitted to, and approved in writing by, the local planning authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

22. No works in relation to any of the features specified below shall commence until details are submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in full in accordance with such approved details;

- Schedule of Works; detailing all structural stabilisation/repair works;
- 1:5 details and sections, and 1:20 elevations;

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

23. All works of making good to retained fabric shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

24. No joinery works shall commence (timber or metal) until precise details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- 1:5 details and sections, and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings.
- Method & type of glazing;

The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

25. Unless otherwise agreed beforehand in writing by the local planning authority the existing fabric of the building shall be stabilised, maintained, repaired and adapted as approved in situ and the approved conversion scheme shall be carried out without dismantling or rebuilding the brickwork or masonry.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

26. All routes for mechanical and electrical services and drainage shall be arranged to be visually unobtrusive and cause the minimum disturbance to historic fabric. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant sections of works. These shall include types, sizes and positions of soil and vent pipes, waste pipes, rainwater pipes, boiler flues and ventilation terminals, meter boxes, exterior cabling etc. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

27. Details including a specification and scale drawings, at appropriate scales, of new sound and heat insulation is to be submitted to and approved in writing prior to the commencement of the relevant section of works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character, appearance and significance of the building, in accordance with Policies RA5 & LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework.

28. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use [occupation] of any of the building[s] hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. IP1
2. 106 Public rights of way affected
3. I05 No drainage to discharge to highway
4. I09 Private apparatus within the highway

- 5. I11 Mud on highway
- 6. I35 Highways Design Guide and Specification
- 7. I47 Drainage other than via highway system

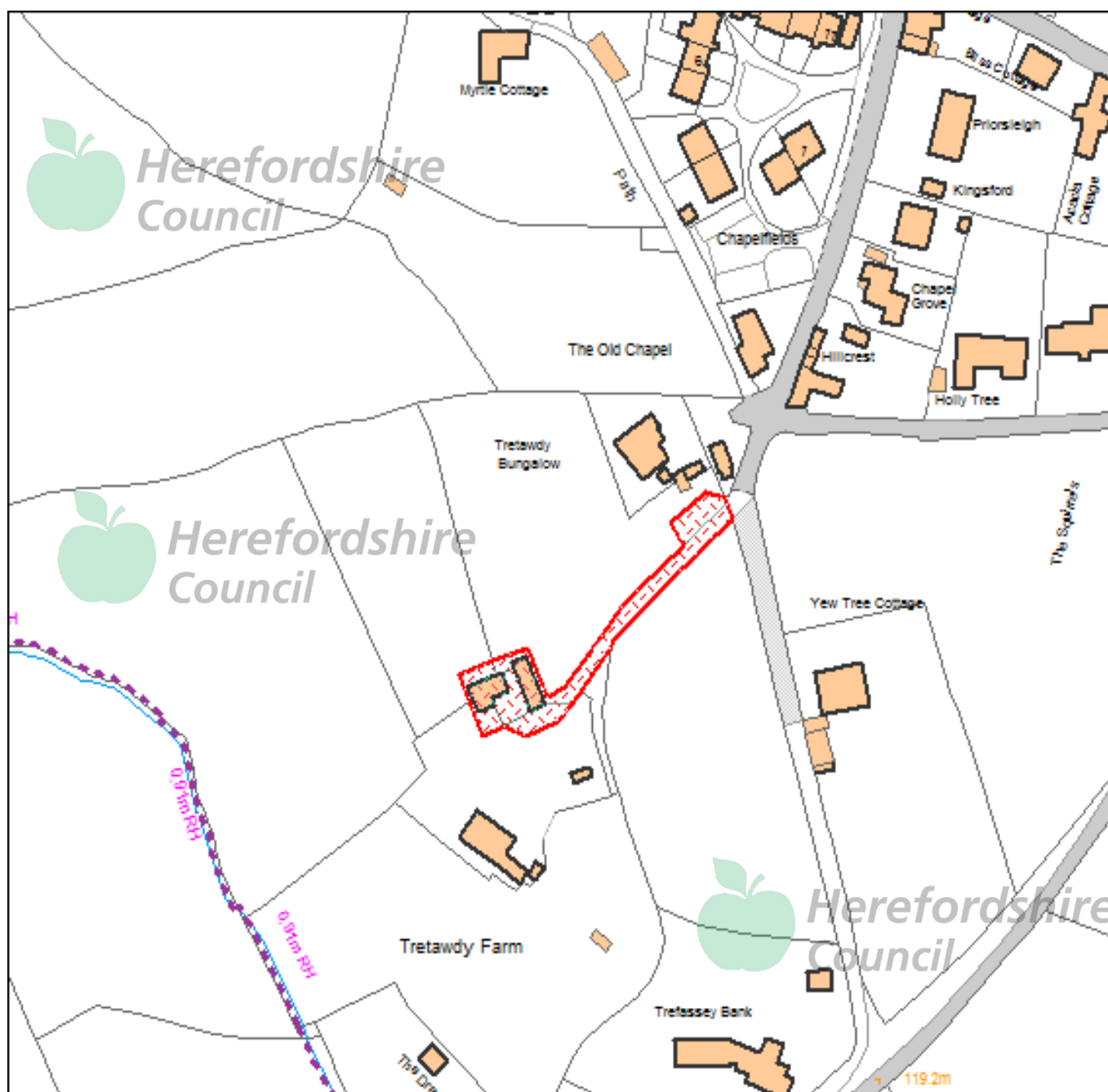
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 201738

SITE ADDRESS : THE BUILDINGS AT TRETAWDY NATURE RESERVE, LLANGROVE, ROSS ON WYE, HEREFORDSHIRE, HR9 6EY

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Further information on the subject of this report is available from Ms Elsie Morgan on 01432 260760