

7 DCSW2007/0064/F - CONVERSION OF REDUNDANT TRADITIONAL FARM BUILDINGS TO EIGHT HOUSES AND ONE ANNEXE, BAGE COURT, DORSTONE, HEREFORD, HR3 5SU.

For: Mr & Mrs Morgan per Burton & Co, Lydiatt Place, Brimfield, Ludlow, Shropshire, SY8 4NP

Date Received: 10 January 2007

Ward: Golden Valley Grid Ref: 29881, 43250 North

Expiry Date: 7 March 2007

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 The application site comprises two ranges of traditional stone rubble buildings located to the north and south of the Grade II Listed farmhouse (Bage Court). The site is on the northern side of the B4348 road and immediately adjoins Sydcombe Lane (u/c 75217) to the west and Scar Lane to the south-east. There are existing entrances onto those two unclassified roads. One access point onto Scar Lane (u/c 75219) is within 12 metres of the B4348 road; it has restricted visibility to the east.
- 1.2 The scheme submitted entails the conversion of the north-westerly barn into a ground floor studio with store above, this accommodation is linked to house 1 which is on the western end of the Listed farm building. The other units of accommodation are provided in the remaining area of the Listed barn, one is a 2 bedroom unit (house 2), and the other is a four bedroom unit (house 3).
- 1.3 A two-storey barn with external staircase will provide a single bedroom holiday unit or annexe (house 4) to the Grade II Listed farmhouse. Houses 1, 2 and 3 all have rear garden areas to the north which are formed by existing hedging and trees.
- 1.4 A further four dwelling units would be created by converting the roadside barns into three units of accommodation (two three bedrooms and one two bedroom unit). Houses 7 and 8 are open on the north elevation. House 6 is a substantial L-shaped stone rubble building of very good quality. House 5 lies to the north, is sub-divided from it by a cartway opening.
- 1.5 The final element of the application relates to the new access point onto the B4348 road. This entails positioning the centre of the new access point onto the Class II a further 4.5 metres to the west and by altering the angle of the re-aligned Scar Lane which would be some 5 metres to the north of the existing road. The land to the south of the new road which is adjacent to Scar Lane would be incorporated into highway verge. There is an existing field gate access in third party ownership which will as a result of the application be further away from the new road/junction and will as a result need to cross the enlarged highway verge.
- 1.6 A new private link road will be provided between the two barn ranges running north-south and to the east of Bage Court.

- 1.7 The proposal has the benefit of listed building consent granted in March 2006. The delay in the processing of this planning application has resulted from the lengthy negotiations required to seek a resolution to the access arrangements.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas
PPS9	-	Biodiversity and Geological Conservation
PPG13	-	Transport
PPG15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan

Policy S1	-	Sustainable Development
Policy S6	-	Transport
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy HBA1	-	Alterations and Extensions to Listed Buildings
Policy HBA3	-	Change of Use of Listed Buildings
Policy HBA12	-	Re-use of Rural Buildings
Policy HBA13	-	Re-use of Rural Buildings for Residential Purposes
Policy H14	-	Re-using Previously Developed Land & Buildings
Policy NC1	-	Biodiversity and Development
Policy NC5	-	European and Nationally Protected Species
Policy NC6	-	Biodiversity Action Plan Priority Habitats and Species
Policy NC7	-	Compensation for Loss of Biodiversity
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy NC9	-	Management of Features of the Landscape Important for Fauna and Flora

2.3 Supplementary Planning Documents

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1	SH930180LA	Internal alterations and improvements to farmhouse	-	Approved 14.06.93
	SW1999/2166/F	General purpose farm building	-	Approved 27.09.99
	DCSW2006/0089/F	Conversion of redundant traditional farm buildings to eight houses and one annexe	-	Withdrawn 08.03.06
	DCSW2006/0090/L	Conversion of redundant traditional farm buildings to eight houses and one annexe	-	Approved 08.03.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager raises no objection but comments as follows:

- Construction of access dependent on Section 278 works, to be completed prior to occupation
- poor visibility can be improved to 2.4m x 90m
- need number of signs, chevrons, removal of cattle sign to ensure acceptable access
- whilst not achieving required visibility, does facilitate substantial improvements and the removal of agricultural traffic
- need to widen internal layout road
- cycle parking required
- need pedestrian/cycle access onto Sydcombe Lane
- conditions recommended.

4.3 Members are advised that these issues are addressed by the conditions recommended below, which will require discharging prior to the occupation of any of the barns.

4.4 The Conservation Manager has no objections in respect of building works proposed. It is further stated that the recommendations in the ecological appraisal shall be carried out accordingly.

5. Representations

5.1 In a letter that accompanied the application, the applicants' agent states:

- this re-submission includes marketing report, ecological report, Access statement (relating to highways matters)
- exceptional group of buildings, including several listed buildings and the aspect of The Bage
- historic aspects already accepted - given listed building consent has been granted
- clients aware of Highways considerations, given it has not been possible to negotiate additional land from a third party
- highways consultant considers traffic generated the same as generated currently. Also, significant planning gain with new access
- residential use would generate less traffic
- re-aligning of Scar Lane will be vastly improved with land dedicated to Highways Authority, represents a substantial planning gain for community.

5.2 In the Design and Access Statement the following main points are raised:

- buildings are dilapidated and some disused. Not needed given farm is relocated further along Scar Lane

- two distinct groups of buildings, one group to north and second to south of farmhouse (total of nine buildings). Northern group (granary and store, cart shed and store, threshing barn, cow house and store, and granary and cart shed). Southern group comprises threshing barn, cow house and hay barn
- sandstone, oak framing clad with weatherboard and brick under sheeting or Welsh slate. Most of the buildings remain in original form, most have modern buildings and structures attached to them
- number of dwellings dictated by form, dimensions and location of buildings on site. Also need for viable garden areas
- propose use of traditional materials, sandstone walls will be re-pointed.

Access:

- entails permanent blocking up four access points
- have sought, following highways objection, to improve visibility on Scar Lane junction by negotiation with third party without success, therefore re-alignment of Scar Lane is proposed.

5.3 In further letters received from the applicants' agent the following main points are raised:

- have submitted Speed Survey, Road Safety Audit, Topographical Survey, and engineering drawings for new Scar Lane junction
- suggest use of Grampian condition relating to removal of existing farm buildings
- case for new viable use for dilapidated and disused buildings
- new junction at least 100% improvement in visibility to east
- new junction between two public roads at applicant's expense
- closing up of six existing accesses to public road system
- net increase in traffic marginal, Scar Lane only serves two properties plus Bage Court
- propose laying hardcore from carriageway to existing field gate access (on southern side of Scar Lane)
- farm operations moving to site that has benefit of planning permission and new access onto the B4348 road.
- further details for bat lofts for houses 3 and 5 are provided, in accordance with submitted report.

5.4 The Parish Council make the following observations:

Dorstone Parish Council support the application with the following comments:

"The entrance/exit to the site is via the unclassified road onto the B4348. Council are concerned regarding the speed of traffic through the Bage. Request 'Planning Consideration' is given for developer to liaise with Herefordshire Council and the Parish Council for a speed limit through the Bage prior to conversion work on the proposed site.

Support the comments raised regarding flooding, plots for Houses 7 and 8, remedial and preventative measures to be taken (previous application that was withdrawn).

Support the comments raised - light pollution, no external lighting unless approved by Herefordshire Council after consulting Parish Council/neighbours.

Request 'Planning Consideration' is given for developer to liaise with Herefordshire Council to ensure flooding is reduced on the unclassified road, Scar Lane between the entrance of the site and along the lane to the new agricultural barn. Road will be used probably more frequently by occupiers of the site.

The owners of the adjacent field are involved in any discussion on road alignment to ensure access is maintained to their field.”

5.5 6 letters of objection received (two from same correspondent). The following main points are raised:

- 4 different types of bat, need assurance proper DEFRA licence will be sought
- light pollution will affect bats and will create halo as it does at Dore View
- pool within 500 metres of site, has this been considered for potential ecological value
- heavily used road, HGVs, buses, traffic to Hay-on-Wye
- on bend, wall of houses 5, 6 7 recently demolished
- number of dwellings equates to 8 times more traffic
- not clear how new access will improve matters, visibility below standard required
- potato lorries have left load on this bend, would need to be negotiated by residents vehicles
- not clear what will happen to our access and verge
- accidents will still occur
- not a demand, houses built at Dore View over two years ago still not sold
- will change character of historic settlement.

The full text of these letters can be inspected at Southern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

6.1 The conversion proposals are identical to those granted Listed Building Consent pursuant to Application No. DCSW2006/0090/L and accordingly it is considered that the impact of the proposal upon the character and appearance of the barns and the setting of the listed farmhouse has already been satisfactorily addressed.

6.2. Accordingly, the main issues for consideration in relation to this planning application are as follows:-

- (a) the principle of the conversion in planning policy terms;
- (b) access and other related highway issues; and
- (c) the ecological implications of the conversion

6.3 In terms of the principle, the application has been supported by a Marketing Report produced by Brightwells, which concludes that there has been no interest expressed in relation to the potential commercial use of the buildings and indeed, in view of the significant highway issues that have been raised, it is questioned whether the site is suited to commercial use in any event. Nevertheless. It is considered that the requirements of the Councils adopted SPD have been satisfied and that the principle of residential conversion is accepted. Furthermore, it is accepted that the buildings are worthy and capable of conversion in accordance with Policy HBA12 of the Unitary Development Plan.

- 6.4 It is clear from the comments received that access and highway safety is one of the most contentious elements of this application and significant delay has resulted from the need to fully address the access arrangements that are proposed. This has included input by a specialist traffic consultant and careful consideration of speed data, a road safety audit and engineering drawings of the proposed new junction.
- 6.5 It is acknowledged that the proposed new access will not meet the Council's design guide standards but it will significantly improve visibility and it is considered that this application provides an opportunity to facilitate these improvements that might otherwise not occur. Furthermore, the removal of its use by large agricultural vehicles is considered to be a major benefit. The supporting evidence has satisfactorily addressed the principle points of concern raised by the Traffic Manager and the outstanding points of detail can be addressed by appropriate conditions.
- 6.6 On balance the merits of providing the optimum new access onto the B4348 whilst closing off existing access points onto the Class II road and Sydcombe Lane are such that the scheme can be supported. This will need to be the subject of a separate Section 278 agreement with the Highways Authority and will include matters such as signage, road markings and other associated works within the highway.
- 6.7 The Council's Ecologist is satisfied that the ecological appraisal that accompanied the application provides sufficient mitigation for the development of the site. This process has been updated with the submission of further details for bat lofts. The Conservation Manager considers that the pool identified contains fish and is unsuitable for great crested newts. There is also a road and buildings between the pool and the application site. The applicants will need a DEFRA licence which may place further requirements on the applicants/developers. Light pollution is a matter that can be controlled by planning condition and it is not considered that the scheme, given the relatively blank roadside walls adjoining the B4348 road, will give rise to adverse light pollution.
- 6.8 The scheme is sympathetic to the traditional stone, brick and boarded buildings and, with the removal of the modern portal frame buildings, would enhance the setting of the Grade II Listed farmhouse and farm building to the north of the site and the other high quality buildings in accordance with Unitary Development Plan policies. It will also not be implemented until such time as all farm operations have ceased and been relocated further to the east at the approved site in accordance with the recommended Grampian condition, thereby ensuring the highway benefits of this proposal are fully realised.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. B01 (Development in accordance with the approved plans)

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

3. D02 (Approval of details)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan.

4. D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan

5. D05 (Details of external joinery finishes)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the buildings and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan.

6. D09 (Details of rooflights)

Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

7. Existing wattle and daub infill panels shall be retained and maintained to the satisfaction of the local planning authority.

Reason: To safeguard the character and appearance of such a feature in this group of buildings of historical and architectural interest.

8. All meter boxes shall be installed internally.

Reason: To safeguard the character and appearance of such a feature in this group of buildings of historical and architectural interest.

9. D12 (Repairs in situ)

Reason: To ensure that the integrity of the building as one which is listed, and is of local interest is preserved to ensure compliance with Policies HBA1, HBA3, HBA12 and HBA13 of Herefordshire Unitary Development Plan

10. G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan

11. G09 (Details of boundary treatments)

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

12. G10 (Landscaping scheme)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

13. G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

14. F06 (Restriction on Use)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

15. F14 (Removal of permitted development rights (including fences and other boundary treatments))

Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy HBA12 of Herefordshire Unitary Development Plan.

16. I17 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

17. I33 (External lighting)

Reason: To safeguard the character and amenities of the area and to comply with Policies HBA1 and DR14 of Herefordshire Unitary Development Plan.

18. K4 (Nature Conservation - Implementation)

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.

19. K5 (Habitat Enhancement Scheme)

Reason: In order to ensure that diversity is conserved and enhanced in accordance with the requirements of PPS9, the NERC Act 2006 and Policies NC6, NC7, NC8 and NC9 of Herefordshire Unitary Development Plan

20. The development hereby approved shall not be occupied until the development approved under DCSW2005/1713/F has been completed and farming operations

transferred from the buildings which gain access off Scar Lane have been relocated to the new farm building.

Reason: In order to define the terms to which the applications relate in order to comply with Policies HBA12, HBA13 and DR3 of the Herefordshire Unitary Development Plan.

21. H20 (Road completion in 2 years)

Reason: In the interests of highway safety and convenience and a well co-ordinated development and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

22. H03 (Visibility splays)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

23. H05 (Access gates)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

24 H06 (Vehicular access construction)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

25. H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

26. H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

27. H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

28. H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

29. H22 (Opening windows adjacent to the highway)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

30. H29 (Covered and secure cycle parking provision)

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 Policy DR3 of Herefordshire Unitary Development Plan.

31. Access details for pedestrian and cyclists onto Sydcombe Lane (u/c 75217) shall be submitted to and approved in writing by the local planning authority before first occupation of any dwelling and the approved details shall thereafter be maintained available for use in perpetuity.

Reason: In order to provide adequate access for residents and visitors in accordance with Policy DR3 of Herefordshire Unitary Development Plan.

Informative(s):

- 1. N11B – Wildlife & Countryside Act 1981 (as amended) and Conservation (Natural Habitats & c.) Regulations 1994 (as amended) - Bats**
- 2. HN01 – Mud on Highway**
- 3. HN05 – Works Within the Highway**
- 4. HN07 – Section 278 Agreement**
- 5. HN13 – Protection of Visibility Splays on Private Land**
- 6. N19 - Avoidance of doubt - Approved Plans**
- 7. N15 - Reason(s) for the Grant of Planning Permission**

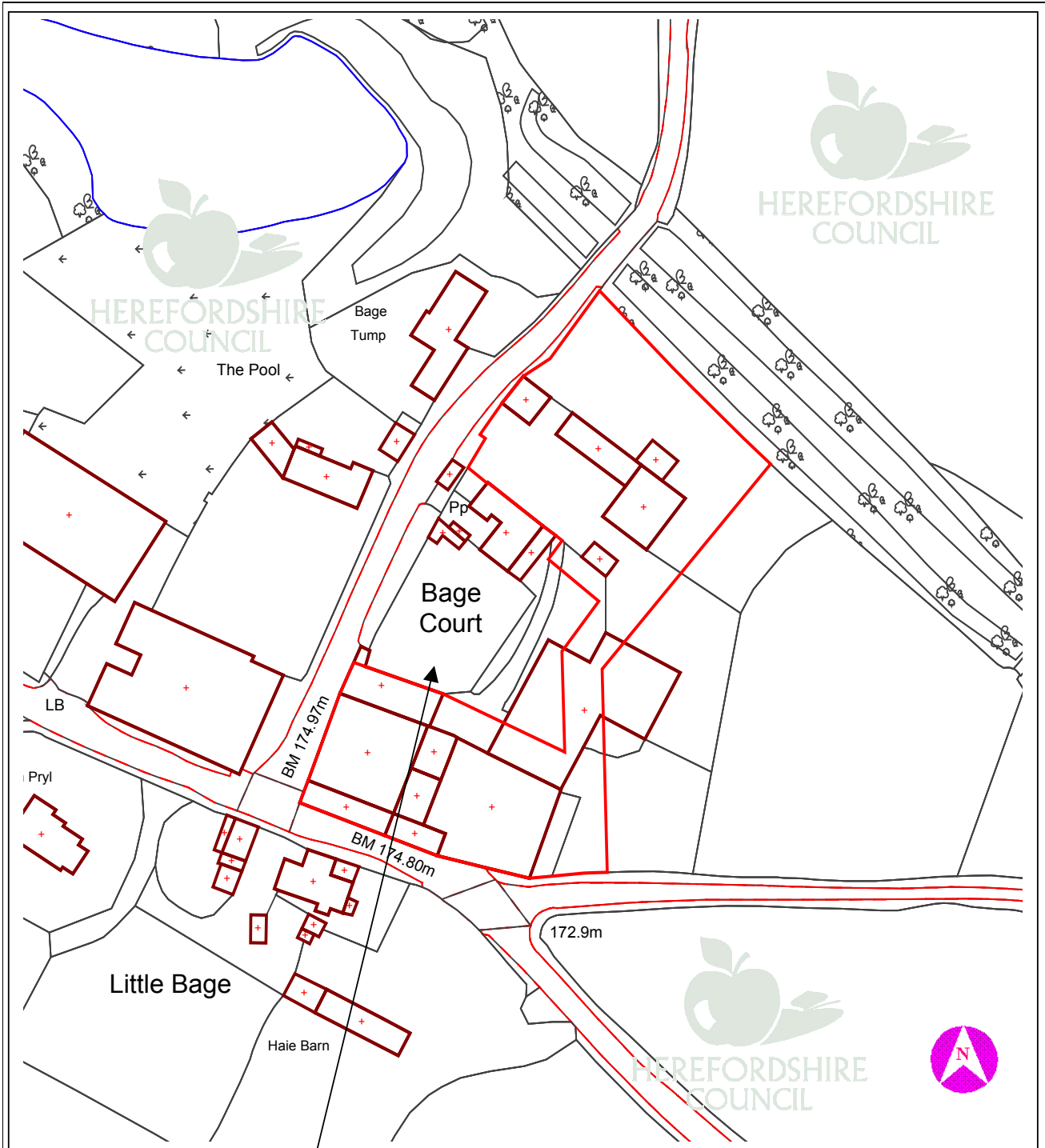
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/0064/F

SCALE : 1 : 1250

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