

7 DCSE2003/2443/F - CONVERSION OF BARNS TO FORM SWIMMING POOL AND GRANNY ANNEXE INCORPORATING CHANGE OF USE OF LAND FROM AGRICULTURE TO RESIDENTIAL CURTILAGE, COTHARS FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SE

**For: Mr & Mrs W Maguire per D Kirk & Associates,
Flat 2, 11 Station Street, Ross-on-Wye, Herefordshire,
HR9 7AG**

Date Received: 11th August 2003 Ward: Penyard

Grid Ref: 6697 2593

Expiry Date: 6th October 2003

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Cothars Farm lies to the west of the village of Gorsley and to the southeast of the M50. In planning policy terms the site is within open countryside. Access is gained from an unclassified road (U70228). The surrounding area is characterised by loose knit, sporadic development and agricultural land. The land slopes gradually within the site downhill from the northwest to the south and southeast.
- 1.2 The site comprises a detached two storey dwelling, which is currently being extended, a detached garage, which is under construction, and a large agricultural building situated some 16 metres to the east of the dwelling. The buildings on site are set back from the road, by approximately 20 metres. The agricultural building occupies lower land levels than the dwelling.
- 1.3 It is proposed to convert the agricultural building and attached milking barn to provide an indoor swimming pool and a granny annexe, whilst demolishing two existing additions to the building that are situated on the southern and eastern elevations. A swimming pool, plant room, gymnasium and changing facilities are proposed in the larger section of the building and a lounge, kitchen, two bedrooms and a bathroom in the former milking parlour. Therefore the proposed use would be ancillary to the use of Cothars Farm. In addition it is proposed to change the use of the land around the agricultural building to form part of the residential curtilage.
- 1.4 The building subject to the proposal is a relatively large, modern agricultural building, some 19.8 metres by 15.4 metres, that has been modified and extended resulting in a rather modern appearance. The attached milking barn is a more traditional building that is smaller in scale, but has been extended and altered. Although the overall appearance of the building is relatively modern, particularly due to its roof design and materials, there is a significant amount of local stone to some elevations. The remaining elevation treatments are blockwork and Yorkshire boarding, with the northern elevation being essentially open, under a dual-pitched roof of corrugated roof sheeting.

2. Policies

2.1 Department of the Environment

- | | | |
|-------|---|--|
| PPG.1 | - | General Principles |
| PPG.7 | - | The Countryside: Environmental Quality and Economic and Social Development |

2.2 Hereford and Worcester County Structure Plan

- | | | |
|---------------|---|---|
| Policy CTC.9 | - | Development Criteria |
| Policy CTC.14 | - | Criteria for the Conversion of Buildings in Rural Areas |

2.3 South Herefordshire District Local Plan

- | | | |
|-------------|---|--|
| Policy GD.1 | - | General Development Criteria |
| Policy C.1 | - | Development within Open Countryside |
| Policy C.36 | - | Re-use and Adaptation of Rural Buildings |
| Policy C.37 | - | Conversion of Rural Buildings to Residential Use |

2.4 Unitary Development Plan

- | | | |
|---------------|---|--|
| Policy S.1 | - | Sustainable Development |
| Policy S.2 | - | Development Requirements |
| Policy DR.1 | - | Design |
| Policy H.7 | - | Housing in the Countryside Outside Settlements |
| Policy HBA.12 | - | Re-use of Traditional Rural Buildings |
| Policy HBA.13 | - | Re-use of Traditional Rural Buildings for Residential Purposes |

3. Planning History

- | | | | |
|-------------------|---|---|-------------------|
| 3.1 SE2002/3147/F | Demolition of existing double and single storey extensions. Erection of two storey side extensions and detached double garage | - | Refused 16.12.02 |
| DCSE2003/0856/F | Partial demolition of existing building and erection of double and single storey extensions and detached double garage | - | Approved 25.04.03 |

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections to the proposal, but makes comments regarding foul drainage, surface water and swimming pool water disposal.

Internal Council advice

- 4.2 Head of Environmental Health has no objections to the proposal.

4.3 Head of Engineering and Transportation has no objections to the proposal.

4.4 The Chief Conservation Officer has no observations.

5. Representations

5.1 Linton Parish Council make the following comments:

"1. We are concerned that this is a metal-framed barn with no architectural value; there are some walls extant, most of which are preformed building blocks and just a small amount of natural stone. It has in the past been used for housing cattle.

2. This cannot be called a barn conversion; to be fit for the proposed 'Granny Annexe' and 'Swimming Pool' a complete re-build would be necessary.

3. Having regard to the Development Plan policies it is considered that this application does not fulfil any of the criteria required to comply with C.36 Re-use and adaptation of rural buildings, nor C.37 Conversion of rural buildings to residential use.

4. May we suggest that a site visit and discussions are essential.

The Council for the above reasons cannot support this part of the application."

6. Officers Appraisal

6.1 The main considerations in the determination of this application are the principle of the re-use and conversion of the building and the acceptability of the scheme in terms of its impact on the character and appearance of the building and surrounding area, including the change of use of land to residential curtilage.

6.2 Both national and local planning policies support the re-use of agricultural buildings. In particular PPG7 recognises that the re-use and adaptation of buildings, including modern buildings, can reduce demand for new building in the countryside and avoid leaving vacant buildings prone to vandalism and dereliction (paragraph 3.14). Policies CTC14 of the Structure Plan and C36 of the Local Plan allow for the conversion of buildings in rural areas, provided that the proposal complies with specified criteria, the architectural merit of the building is however not a criterion. On this basis it is considered that the re-use of the building for the ancillary use proposed is acceptable in principle.

6.3 Although the buildings subject to the proposal are not of great architectural merit they are of a typical rural appearance and as such do not appear unduly obtrusive in the wider landscape. It is proposed to demolish two earlier additions to the building and it is considered that this would be beneficial to the overall appearance of the building. The scheme which proposes the conversion of the remaining structure, without any further additions, would retain the existing stonework and proposes timber boarding to the existing area of blockwork and open-sided northern elevation. Glazing is proposed to the upper section of the southern gable end, in lieu of the existing timber boarding, and to the upper part of the eastern elevation to provide light to the swimming pool area. Through the removal of the two extensions and the sympathetic alterations to the building, it is considered that the proposal would retain the essential utilitarian qualities of the building.

- 6.4 To the east of the agricultural building lies a track, which provides access to the south of the site. This track defines the eastern boundary of the site. By reason of the proximity and association of the land subject to the proposed change of use with the agricultural building, it is considered that residential use would not have a harmful impact upon the surrounding area. However to retain the setting of the agricultural building and to control the erection of more outbuildings which could result in an overdevelopment of the site to the detriment of the appearance of the area, a condition removing the 'permitted development rights' for outbuildings is recommended.
- 6.5 The proposed uses would be incidental to the use of Cothars Farm, as a dwelling. With regards the proposed granny annexe it is considered that in accordance with policies H20 of the Structure Plan and C1 and SH11 of the Local Plan and the principles set out in PPG7 a separate dwelling would not be acceptable in open countryside. In respect of the swimming pool and associated facilities it is considered that provided that it is used only in connection with Cothars Farm and not for a commercial use it would be acceptable. By virtue of its rural location a commercial use would be contrary to the principles of sustainability and due to its proximity to Cothars Farm and indeed being attached to the granny annexe a commercial use could have an adverse impact upon residential living conditions. On this basis it is suggested that it would be reasonable and necessary to impose a condition, if planning permission were granted, restricting the use and ownership to the owners of Cothars Farm.
- 6.6 With regards the impact of the disposal of water from the swimming pool, foul water and surface water the Environment Agency has raised no objections, but suggest conditions and advice to the applicants to ensure a satisfactory approach is taken in the interests of the environment.
- 6.7 In respect of potential noise nuisance from the swimming pool, in particular the plant room, it is considered that by reason of the distance to any other residential property and the siting of the plant room within the building it would not result in harm to residential amenity. The Head of Environmental Health has raised no objections to the proposal.

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. A06 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3. B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 4. B05 (Alterations made good)**

Reason: To maintain the appearance of the building.

5. All the existing external stone walls of the buildings shall be repaired in situ and at no time during the course of the works shall they be dismantled or demolished.

Reason: In order to ensure that the development comprises the conversion of the existing buildings, which constitutes the reason for allowing the development where a new building of this size would be contrary to policy.

6. The annexe residential accommodation hereby granted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Cothars Farm.

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

7. The swimming pool, gymnasium and associated facilities shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Cothars Farm and shall not be used for commercial purposes.

Reason: It is considered that the proposed use is only acceptable due to it being ancillary to the dwellinghouse. By reason of its location and proximity to Cothars Farm and the annexe residential accommodation a commercial use would not be acceptable, with regards sustainability and impact upon residential amenity.

Notes to Applicant

1. NC02 - Warning against demolition
2. HN24 – Drainage other than via Highway System
3. The Environment Agency offers the following advice to the applicant:

The applicant may require the written consent of the Agency under the Water Resources Act 1991, to discharge the pool contents to a surface water sewer, direct to a watercourse, to controlled waters or to soakaway and should contact the Agency for advice. Swimming pool filter backwash should be passed to soakaway or the foul drainage system, and not to a surface water sewer or watercourse. Swimming pool contents must be allowed to dechlorinate by standing for at least 2 days prior to a consented discharge taking place to a surface water sewer, a watercourse or controlled waters. The Environment Agency should be advised at least 7 days before such a discharge is made.

The applicant should ensure that the existing foul drainage system is operating satisfactorily and is capable of accepting any potential increase in flow and loading resulting from this proposal without causing pollution.

The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS 6297: 1983.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

Decision:

Notes:

Background Papers

Internal departmental consultation replies