

7 DCCW2009/0384/F - CHANGE OF USE OF BARNES TO 2 NOS HOUSES AT UPPER HILL FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PH**For: Ms. G. Bulmer per Mr. A. Priddle, Advance Planning & Architecture Ltd, Haywood Lodge, Haywood, Hereford, HR2 9RU**

Date Received: 26 February 2009 **Ward: Credenhill** **Grid Ref: 47627, 40369**
Expiry Date: 23 April 2009
Local Member: Councillor RI Matthews

Introduction

This application was deferred for a Committee Site visit which took place on 9 June 2009.

At the site visit Members were advised of the additional information received from the Traffic Manager which is printed below, confirming that the junction of the bridleway with the unclassified road was acceptable to take the increase in traffic.

Traffic Manager (additional comments):

Although the site does not achieve full DMRB visibility standards (90m), it achieves adequate eastward visibility (2.4 x 45m) to meet Manual for Streets requirements for 30mph, which is what a speed survey over one week indicated the 85%ile speeds are. The visibility to the west achieves full standards.

The traffic flows on the lane are around 12 vehicles per hour each way in the peak, and the Manual for Streets is considered relevant on lightly trafficked rural roads, which I would consider this to be (ie only one vehicle every 5 minutes) as the likelihood of conflicting vehicles is low.

Approaching drivers have good visibility of any emerging vehicles, around 80m and significantly in excess of the stopping sight distance of 45m.

There is no personal injury accident at the access, which currently serves 5 properties.

Appeal inspectors are recognising the MfS methodology for stopping sight distances, and consequent lower visibility requirements, on streets and lightly trafficked roads, and even some very heavily trafficked main distributor roads.

The previous report is reproduced below.

1. Site Description and Proposal

1.1 Upper Hill Barns are located on the eastern side of the unmade bridleway that joins the unclassified 73022 road that joins Breinton Road in the Parish of Breinton. The barns form a

range of buildings south of the former farm house at Upper Hill Farm. The farm house is presently subject of a spot listing application.

- 1.2 The proposal is to convert the barns into two dwellings. Barn 1 is L-shaped and incorporates five bedrooms, kitchen, dining room, lounge, library, office and ancillary bathrooms. Garaging is also incorporated within the conversion. Barn 2 lies south of Barn 1 and comprises four bedrooms with lounge, kitchen and dining room. Garaging is provided with a new three bay garage. Both conversions have elements of full height rooms to complement the character of the buildings.

2. Policies

2.1 National:

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS7	-	Sustainable Development in Rural Areas
PPS9	-	Bio-diversity and Geological Conservation
PPG15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR5	-	Planning Obligations
Policy DR6	-	Water Resources
Policy DR7	-	Flood Risk
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy HBA12	-	Re-use of Rural Buildings
Policy HBA13	-	Re-use of Rural Buildings for Residential Purposes

2.3 Supplementary Planning Documents:

Re-use and Adaptation of Rural Buildings
Planning Obligations

3. Planning History

- 3.1 None.

4. Consultation Summary

Statutory Consultations

- 4.1 Dwr Cymru Welsh Water: Make no comment as private drainage facility is proposed.

Internal Council Advice

- 4.2 Traffic Manager: Whilst visibility in an easterly direction at the junction of the access lane with U73022 is below standard, the access track currently serves five dwellings and the farm and there is no injury accident record at the location over the last five years. Visibility to the west is good. There will also be the loss of possible farm traffic upon redevelopment of the barns. Cutting back of the roadside hedge to the post and wire fence, as shown on the drawings, will improve the visibility and whilst setting back of the boundary fence to introduce a visibility splay is desirable, it is noted that this would be outside the applicant's control.

The U73022 is lightly trafficked single track to the east of the site, with average speeds of around 30mph and any vehicle emerging will be visible to approaching traffic at a distance significantly greater than the relevant stopping sight distance for this speed. Full eastward visibility for drivers of emerging vehicles will be gained as they emerge from the access.

- 4.3 Conservation Manager: There appears to be a high level of uncertainty as to exactly what works will be required to the timber framing on both barns. I am concerned by the amount of rebuilding that may be necessary therefore I would request drawings of the timber framing as existing and a schedule of repairs identifying the works required at this stage. Any further works identified as necessary following further investigation to be agreed in writing prior to commencing. Any alterations to the West Range wall stabilisation also to be agreed in writing prior to commencing.

The drawings for the proposed bat lofts are not sufficiently detailed to assess their impact. For instance I note that one of the lofts appears to have rooflights. I am also concerned by the amount of space that is being given over to the bat lofts as this will reduce the amount of open spaces within the barns, therefore entailing a loss of their character.

The proposed landscaping scheme is too domesticated - an approach which preserves the farmyard character of the outside spaces is required.

- 4.4 Conservation Manager (Ecology): I visited the site earlier in the month and have received the Phase I Habitat Survey and the Bat Emergence Survey reports by Worcestershire Wildlife Consultancy dated December 2007 and August 2008 respectively. I note the presence of Brown long-eared and common pipistrelle bats roosting in the buildings. Evidence of nesting birds is also present. I was concerned that bat lofts had not been shown on the architectural drawings and requested that this information be submitted. I have also discussed the site with the ecological consultants and am satisfied that the provision of bat lofts in both barns will be appropriate. Further enhancement measures for bats (bat tubes, boxes and or adapted weather-boarding) as well as mitigation measures for nesting birds will need to be incorporated into the new garage as well as around the site.

With reference to the drawings submitted on 17 March, although it is not clear, I note that the bat loft in House 2 is not the full width of the building. I recommend that it is made the full width of the building and that a single roof light could be "boxed in" to provide light in the corridor below. It is Natural England that will issue the EPS licence for the development to proceed, provided that there is sufficient mitigation for the bats. The landscaping scheme should include planting of native species along boundaries and adjacent to bat access points. Conditions recommended.

- 4.5 Public Rights of Way Manager: Raises no objection subject to a condition to ensure suitable re-surfacing material is used on the bridleway.
- 4.6 Children and Young People's Services, Open Space/Recreation and Community Services: All identify an impact and therefore request contributions in accordance with Supplementary Planning Document - Planning Obligations. However the agent has confirmed that his clients propose to commence work within 12 months of the date of approval, therefore the commencement period will be reduced to 12 months. This is in accordance with the Cabinet decision to suspend S.106 payments for development of five dwellings or less.

5. Representations

- 5.1 Breinton Parish Council: In principle, the Parish Council has no objections to the conversion of these barns into two dwellings and the designs have been carefully conceived to be sympathetic to the barns which they replace.

However, there are considerable concerns about access, water levels and drainage.

The access road is substandard and is in such a condition that even the waste collection vehicles refuse to use it. These two properties would increase the access usage by at least 40%. The road is not owned by the applicant. The Parish Council would object to these two properties being built without the access road being brought to a satisfactory standard and would request a condition that BEFORE ANY BUILDING WORK TAKES PLACE, the access road is brought up to the standard as outlined in the application, with any necessary alterations to the plans to improve drainage as requested below. (This would, of course, mean that any ownership, permission and maintenance details would have to be addressed by the two parties prior to commencement of work). Despite some assurance from the architect that Highways have been consulted, there is doubt that the splay onto the highway is sufficient, bearing in mind that this is a de-restricted road, wide enough only for one vehicle and near a bend.

The area is already prone to standing water and it is queried whether the water table is indeed 1.4m. It is thought that it is higher than this and the actual situation needs to be investigated, especially since 400mm piping needs to be used. The ditch on the side of the access road will take water to the Council's maintained highway, but water already gathers at the entrance to the access road. More drainage work will need to be done in the highway to address this problem.

The soakaways border property owned by someone else, in an area already prone to flooding. The increased concrete footprint will exacerbate this problem.

The waste provision is queried at being sufficient for 13 people only. These two large properties at any time could easily accommodate more than this.

The S106 contribution is totally inadequate. The Highways contribution needs to be increased to address the drainage situation on the road in the area, which affects other areas in Breinton. Furthermore, it is thought reasonable that a contribution should be made to complete the improvement work to the whole length of Green Lane and to the path to King's Acre Road known as Church Walk.

- 5.2 Ramblers Association: This development does not appear to have any impact upon the adjacent Public Rights of Way, Breinton BT9, however we ask you to ensure that the developer is aware that there is a legal requirement to maintain and keep clear a Public Right of Way at all times.

I would request that consultation is taken with the Public Rights of Way with regard to the upgrading of the private drive, along which the bridleway is routed, to ensure the finished surface is suitable for the equestrian needs.

- 5.3 Four letters of representation have been received, the main points raised are:-

1. Matters that need to be addressed are the surface of the lane and drainage. Both are in an awful condition and need to be done prior to work commencing on site.
2. The owner of the lane and land either side has not been consulted on improvements or indeed any consents for works.
3. The conversions will improve the area but have concerns regarding the high water table and therefore the impact on drainage.
4. The junction of the lane with the road is inadequate with no speed limits.
5. Concerns over future maintenance costs of the lane.

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

6. Officer's Appraisal

- 6.1 This range of barns lie to the west of Hereford City in the Parish of Breinton. The removal of the steel framed barns adjacent will reveal an attractive range of brick and timber framed buildings that are worthy of retention through conversion. A marketing exercise was undertaken in 2008 for a potential employment reuse. There were no viewings, offers or positive responses to the marketing campaign. Policy therefore allows conversion to residential development to be considered.
- 6.2 The scheme submitted is the result of extensive discussion with Officers of the Council and seeks to retain the two main timber framed barns together with the single storey brick cattle byre on the western side abutting the lane. The spatial divisions proposed complement the character of the buildings and is fully supported. Conditions will need to be imposed to ensure a full schedule of repair for the timber framed buildings. The new garage for Barn No. 2 is well sited adjacent to a mature hedge.
- 6.3 Both barns will be accessed on the lane to the west which is also a bridleway. This lane is in a very poor state of repair with substantial potholes. A full schedule of repair and upgrading is proposed, the final finish for which will be subject to consultation to ensure no detrimental impact for users of the bridleway. Furthermore due to the very poor state of the lane, it will be recommended that the improvements are undertaken prior to any other works commencing on site. Whilst the owner of the lane has not reached an agreement with the applicant, the relevant certificate was submitted and served for the planning application.

Although concerns have been raised regarding drainage, a package treatment works is proposed with drainage by means of a spreader system into the adjoining paddock.

- 6.4 Finally appropriate wildlife surveys have been undertaken and assessed by the Council's Ecologist who is satisfied that subject to amendments to the bat loft that the proposal is acceptable.
- 6.5 The proposal is therefore considered to comply with the main thrust of policy contained in the Herefordshire Unitary Development Plan and guidance from PPS7.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission)) (One year).**

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

2. **C01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

3. **D08 (Repairs to external brickwork).**

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to 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 Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

4. **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 Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

5. **D10 (Specification of guttering and downpipes).**

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

6. **D11 (Repairs to match existing).**

Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

7. D12 (Repairs in situ).

Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.

8. Prior to any works commencing a full timber frame repair schedule shall be submitted for approval in writing of the local planning authority and the repairs undertaken in accordance with the approved specification.

Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.

9. F14 (Removal of permitted development rights).

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

10. 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.

11. 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.

12. 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.

13. The specification for works to the surface of bridleway BT9, providing private vehicle access to the site, must be submitted for written approval by the highway authority and the planning authority before any work commences.

Reason: To comply with Policy T6 of the Herefordshire Unitary Development Plan.

14. Prior to the commencement of any other works on site, the access lane between the site and the unclassified 73022 road shall be repaired and improved. This work shall be in accordance with details which have been submitted to and approved in writing by the local planning authority.

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.

15. H27 (Parking for site operatives).

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

16. I16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

17. I19 (Drainage in accordance with approved plans).

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

18. K4 (Nature Conservation - Implementation).

Reason: To ensure that all species are protected having regard o 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.

Informatives:

- 1. HN05 - Works within the highway.**
- 2. HN10 - No drainage to discharge to highway.**
- 3. N19 - Avoidance of doubt - Approved Plans.**
- 4. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

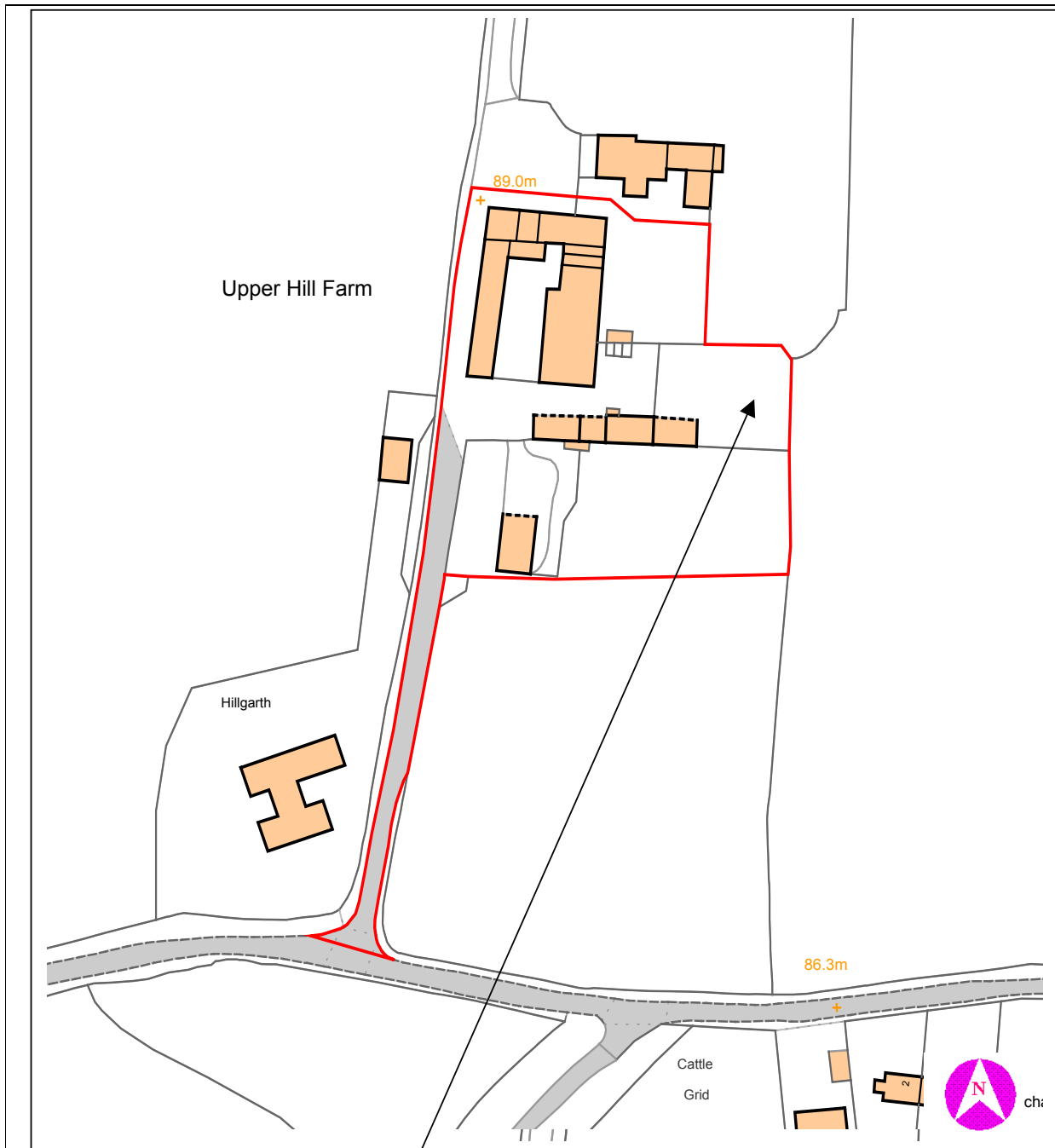
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0384/F

SCALE : 1 : 1250

SITE ADDRESS : Upper Hill Farm, Breinton, Hereford, Herefordshire, HR4 7PH

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