

**10 DCSE0009/1318/F - ALTERATIONS TO EXISTING DWELLING
- ADDITION OF 2 GROUND FLOOR WINDOWS TO REAR
(SOUTH) ELEVATION, HUGH'S BARN, WOODEND LANE,
LINTON, ROSS ON WYE, HEREFORDSHIRE, HR9 7SR.****For: Mr R Davies per Mr P H Tufnell, Tufnell Town & Country
Planning, Waverley Studio, Gloucester Road, Hartpury,
Gloucester, GL19 3BG.****Date Received: 12 June 2009****Ward: Penyard****Grid Ref: 66837, 25155****Expiry Date: 7 August 2009**

Local Member: Councillor H Bramer

1. Site Description and Proposal

- 1.1 Hugh's Barn is a detached, rectilinear, former agricultural building now converted to residential use. It is sited in a group with four other former agricultural buildings, which together with the demolished farmhouse originally comprised the Great Woodend farmstead. The site is in open countryside and lies on the southern side of the unclassified road between Gorsley and Linton.
- 1.2 The building comprises a stone-built two storey building with a re-built barn section attached to its western gable end. The barn section has stone rear and end elevations, with timber weather boarding to the northern (front) elevation.
- 1.3 It is proposed to insert two windows in the ground floor of the rear (northern) elevation of the barn section of the building. Both windows would be of the same dimensions (0.9 metres by 1 metre) and design (double glazed, timber casement windows).
- 1.4 This application is a re-submission of application SE2009/0120/F, which was refused planning permission 20 March 2009. There has been no amendment to the proposal.

2. Policies**2.1 Department of the Environment**

PPS1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan

Part 1

Policy S1 - Sustainable Development

Policy S7 - Natural and Historic Heritage

Part 2

Policy DR1 - Design

Policy HBA12 - Re-use of Rural Buildings

Policy HBA13 - Re-use of Rural Buildings for Residential Purposes

2.3 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1	SS981115PF	Conservation and conversion of existing stone barns into 4 dwelling houses	-	Approved 09.07.99
	SE2001/0586/F	Conversion of barns to provide one additional dwelling (amendment to approved scheme for the conversion of the barns to a single dwelling omission of approved first floor link extension	-	Approved 14.06.01
	SE2001/1767/F	Conversion of barn A to form a single dwellinghouse (amended proposal to include reinstatement of roof and part front wall to provide entrance way, carport and garage (store)	-	Approved 12.11.01
	SE2002/3638/F	Amended proposal to reinstate western section of barn 5, including incorporation into approved scheme for change of use to a single dwelling (part retrospective)	-	Withdrawn 17.02.03
	SE2003/1150/F	Retain and modify western section of dwelling	-	Refused 09.06.03 Dismissed at Appeal 07.05.04
	SE2003/2538/F	Amended proposal to modify western section of dwelling. Providing entrance way and garage/store (part retrospective)	-	Refused 13.10.03 Dismissed at Appeal 07.05.04
	DCSE2004/3314/F	Amended proposal to modify western section of dwelling, providing entrance way and garage/store with living accommodation over (part retrospective)	-	Approved 16.12.04
	DCSE2008/1519/F	Variation of condition 4 of planning permission DCSE2004/3314/F to use accommodation originally labelled as entrance/garage/ garden store for any primary or ancillary residential purpose in association with existing dwelling	-	Approved 23.07.08
	DCSE2009/0120/F	Alterations to existing dwelling, addition of 2 ground floor windows to rear (south) elevation	-	Refused 20.03.09

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Historic Buildings Officer: 'Objection. It is clear from the lengthy planning history that there has been constant pressure to achieve incremental alterations to this building which should have been established at the outset in the original design. However as this application must be scrutinised in the light of the 2004 rural buildings conversion Supplementary Planning Guidance, it appears that the fenestration provided already amounts to the maximum achievable within the

constraints of the building. Any additional windows are therefore contrary to policy, and human rights legislation does not automatically supersede the principle of caveat emptor.'

4.3 Traffic Manager has no objection to the grant of permission.

5. Representations

5.1 A letter was submitted by the applicant's agent in support of the application. In summary this states:

- Applicant has considered appeal against refusal of application SE2009/0120/F.
- Primary consideration is whether the proposal would detract from the character and appearance of the barn or not.
- It is considered that the insertion of two ground floor windows on the rear elevation will not detract from the character of the converted barn or indeed the farmstead group.
- The character of the farmstead group has changed markedly since 1998, following the first permission for conversion.
- Positive planning was achieved when the range of modern 'industrial scale' agricultural buildings were removed.
- The buildings in the group retain barn like qualities in respect of overall design relationship to one another and their setting in the landscape.
- Planning involves a series of compromises.

5.2 Linton Parish Council's comments are awaited.

The notification period does not elapse until 22 July 2009. Any additional representations received, after this report was produced will be summarised in the update sheet.

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 main consideration in the determination of this application is whether the insertion of two new windows complies with policies HBA12 and HBA13 and the Council's Supplementary Planning Guidance – Re-use and Adaptation of Traditional Rural Buildings.

6.2 Policy HBA12 of the Herefordshire Unitary Development Plan sets out the planning policy requirements for the conversion of barns. It states that in considering any scheme for conversion, the existing building should be suitable for the proposed use without the need for substantial alteration or extension. Furthermore, the justification for the policy states, at section 9.6.44, that '*Overall, schemes should utilise existing openings and keep new windows to a minimum...*'. The purpose of the policy is to maintain the existing character and appearance of the barn.

6.3 Paragraph 6.2 of the Supplementary Planning Guidance states that the character of a rural building is derived from its original function as an agricultural building and every effort should be made to retain the original simplicity of its scale and form. Minimum alterations should be made both internally and externally to ensure that the building retains its agricultural characteristics. Paragraph 6.28 of the SPG refers to openings including windows and states that new openings should only be inserted where absolutely necessary and should respect the nature of the existing building. Conversion schemes incorporating an excessive number of new openings will be resisted. These well established principles of conserving the intrinsic qualities of the agricultural building continue post conversion. Typically 'permitted development' rights are removed, thus bringing any future development within the Local Planning Authorities control. The approach of the continued application of the principles, restricting new openings and extensions, post conversion and when the building is occupied as a dwelling has been endorsed at appeal.

6.4 The defining characteristics of the barn are its simple plan form together with its limited openings, particularly on the rear elevation. The rear elevation of the barn section of the building has two roof lights at the eastern end of the roof slope and a pedestrian door and a two light window at ground floor level. It is considered that the insertion of an additional two windows, between the existing window and door, would significantly alter the appearance of the northern elevation of the building. When viewed in conjunction with the existing door and window the appearance would be altered from a predominantly solid masonry wall, punctuated twice with openings to a domesticated building with an excessive number of openings of regular positioning that would be alien to the character of the former agricultural building. By virtue of this proposal the character and appearance of the barn would not be retained, and as such the proposal is considered to be contrary to the principles of policies HBA12 and HBA13 and the Council's Supplementary Planning Guidance – Re-use and Adaptation of Traditional Rural Buildings.

6.5 The site has a complex planning history following development not being carried out in accordance with approved plans. An appeal was made against the refusal to modify the western section of the dwelling in 2004 (DCSE2003/1150/F - APP/W1850/A/03/1127630). In the appeal decision the Inspector states, *'more importantly, in my view, the number of openings in this part of the building are excessive and their shape and regular positioning, particularly at first floor level, is not in keeping with those expected of agricultural buildings. As a result, I consider that the building has not retained its 'flavour' as required by para. 4 (xii) of the Supplementary Planning Guidance'*. Subsequently an amended scheme was submitted (DCSE2004/3314/F), which removed the windows on the southern elevation and was granted planning permission.

6.6 In conclusion, taking into account the planning policy requirements and the Inspector's opinion regarding the insertion of additional windows in the northern elevation of the building, it is considered that the proposal is unacceptable. The insertion of two windows would significantly alter the appearance of the building and undermine the objective of planning policy HBA12 of the Herefordshire Unitary Development Plan and the advice contained in the Supplementary Planning Document.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The proposed new windows are considered to be an inappropriate form of development which detract from the character and appearance of the converted barn. Therefore, the proposal is contrary to Policy HBA12 of the Herefordshire Unitary Development Plan 2007 and paragraph 6.28 of the Supplementary Planning Guidance: Re-use and Adaptation of Rural Buildings 2004.**

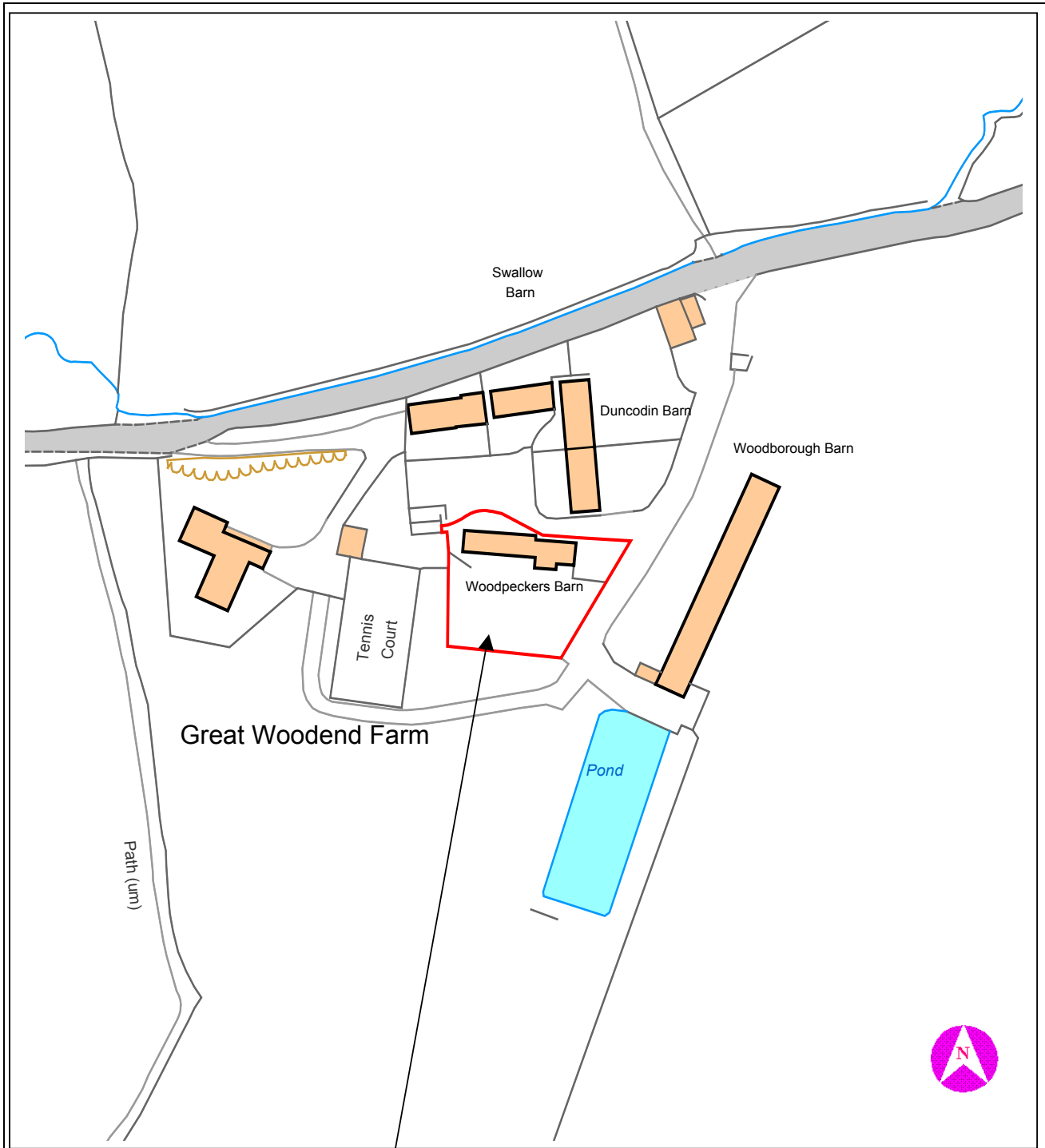
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE0009/1318/F

SCALE : 1 : 1250

SITE ADDRESS : Hugh's Barn, Woodend Lane, Linton, Ross on Wye, Herefordshire, HR9 7SR

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