

8 DCNC0009/1782/F - CONVERSION OF FARM BUILDINGS TO FIVE HOUSES AT CASTLE FARM, COLLINGTON, BROMYARD, HEREFORDSHIRE, HR7 4NB.

For: MR BARBER per MR GARY BURTON, LYDIATT PLACE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NP.

Date Received: 31 July 2009

Ward: Bringsty

Grid Ref: 364946,260381

Expiry Date: 25 September 2009

Local Member: Councillor TW Hunt

1. Site Description and Proposal

- 1.1 The site consists of a traditional farmyard complex located in open countryside adjacent to the B4214 public highway.
- 1.2 The farmhouse is of brick external construction and is situated on raised ground overlooking the farmyard, which forms the application site.
- 1.3 The buildings subject to this application are mainly of timber, brick and stone construction under either corrugated tin or slate roofs.
- 1.4 The application proposes conversion of the building range into five separate dwelling units and associated garages. Also proposed is a new vehicular access into the site off the adjacent public highway.
- 1.5 Accompanying the application is an Ecology Report establishing if any protected species use the site and mitigation in order to protect them. A structural report also accompanies the application describing the structural condition of the barns and a marketing report on attempts to attract alternative business uses to the site.

2. Policies

2.1 Herefordshire Unitary Development Plan

| | | |
|-------|---|---|
| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| DR3 | - | Movement |
| DR4 | - | Environment |
| DR5 | - | Planning obligations |
| H2 | - | Housing in the Countryside outside settlements |
| LA2 | - | Landscape character and areas least resilient to change |
| NC1 | - | Biodiversity and development |
| HBA4 | - | Setting of Listed Buildings |
| HBA12 | - | Re-use of rural buildings |
| HBA13 | - | Re-use of rural buildings for residential purposes |

2.2 Herefordshire Supplementary Planning Guidance –

- Re-use and adaptation of rural buildings
- Planning obligation document

2.3 Planning Policy Statement 7 : Sustainable development in rural areas.

3. Planning History

- 3.1 NC2008/2084/F – Proposed conversion of farm buildings to five houses – Withdrawn 9 October 2008. (Due to no Ecology Report accompanying the application).

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Advice

- 4.2 The Transportation Manager raises no objections subject to conditions being attached to any approval notice subsequently issued.

- 4.3 The Public Rights of Way Manager raises no objections. However, the response states demolition of some buildings on the site is likely to endanger members of the public and therefore a temporary closure order must be applied for at least six weeks in advance of work starting.

- 4.4 The Conservation Manager raises no objections stating:

“Interesting collection of agricultural buildings in a courtyard setting. The buildings are of local interest as a well preserved group of 19th century agricultural buildings, the hop building being a particularly good example of a building of this type and date. The buildings should be capable of conversion to residential use without major rebuilding”.

The response further states:

“Overall a sympathetic and well thought out scheme that will allow for the conversion of the buildings to residential use whilst retaining their character and appearance. The use of the existing cart sheds will eliminate the need for any new storage and garaging facilities, while the retention of the farmyard space will preserve the original setting of the buildings.”

- 4.5 The Environmental Health Manager raises no objections, subject to conditions with regard to land contamination being attached to any approval notice subsequently issued.

- 4.6 The Building Control Manager raises no objections on drainage issues stating that percolation tests should be carried out, prior to commencement of development, in order to resolve any issues in respect of drainage.

5. Representations

5.1 Collington Parish Council have responded to the application stating:

“The above application has caused great concern within the community and, whilst the Council support the principle to the conversion, very little of the plans have changed since the previous application in 2008, except for the survey done on the wildlife.

The Parish Council feel that they are unable to proceed with these plans as they have omitted to submit any details concerning the drainage. Within the Council’s comments last year it was suggested that the proposed soakaway and biodisc be moved out into a westerly direction, giving more land to soakaway. Two Councillors have lived and known Castle Barn for over sixty years and know with great knowledge where the water lies.

It is still felt that the main access proposed from the new build is more dangerous than the existing driveway and major accidents may be caused, due to lack of visibility. Also the proposed new driveway is directly opposite an existing property and feel that no consideration has been given to the owner. It is, therefore, suggested that the existing driveway at the south should be maintained.

Great concern for the existing neighbourhood is the overlooking of their properties. The Parish Council would, therefore like to emphasise that landscaping and tree planting should be made to ensure continuation of privacy.”

In conclusion the Parish Council wish to see drainage proposals before any further comment.

5.2 The Ramblers Association has responded to the application reminding developers and immediate owners that there is a legal requirement to maintain and keep clear a public right of way at all times. Comment is also made about an existing gate that is very difficult to open on an existing bridleway on site and comment is also made about discussions with a local resident with regard to objections to the proposed new vehicular route with the bridleway, having a reduced and gated entrance in a north-westerly direction from the B4214 road.

5.3 Four letters of objection have been received from the following:-

- Mrs R Bissell, Moors Meadow, Collington, Bromyard
- Mr Colin Halling, 3 Underhill Cottage, Collington, Bromyard
- Mr David Webb, 1 Underhill Cottage, Collington, Bromyard
- Mrs Sheila Evans, The Meadows, Collington, Bromyard

The objections can be summarised as follows:

- Amount of dwellings proposed is out of character with the surrounding Parish.
- Concerns about proposed new access off the adjacent public highway into the site.
- Questions sustainability of the site.
- Impact on amenity and privacy of nearby residents.
- Drainage issues in relationship to the proposed method of foul and surface water drainage.

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

6. Officer's Appraisal

6.1 The key issues of concern in relationship to this application are:

- sustainability of the proposed development
- public highway access to and from the site
- surface and foul water drainage
- amenity and privacy of surrounding residents.

Sustainability of the proposed development

6.2 The site is located adjacent to the B4214 public highway approximately four miles from the market town of Bromyard. The B4214 public highway passes the site in the direction of Tenbury Wells and, as such, the application site is considered to have suitable public highway road links.

6.3 Although it is acknowledged Collington is a rural hamlet, lacking essential service facilities, on balance, in consideration of the location and the proposed development and character of the proposed changes of use and conversion of the buildings on site, it is considered, although finely balanced, that the proposed development is acceptable on sustainability issues.

Public highway access to and from the site

6.4 The application proposes a new access into the site from the adjacent B4214 public highway, to which the Council's Transportation Manager raises no objection and, as such, the proposed development is considered acceptable on highway safety grounds.

Surface and foul water drainage

6.5 Concerns have been raised by local residents as well as the Parish Council about drainage from the site.

6.6 The applicant has indicated he proposes a Klargester Biodisc B.D. Package Sewage Treatment plant and foul water disposal from the site to a ground soakaway and that percolation tests have been carried out on site. Surface water to be disposed of via a soakaway.

6.7 It is noted that the Council's Building Control Manager raises no objections to the proposal and, with the attachment of a suitably worded condition to any approval notice subsequently issued, it is considered that the issue of concern is addressed satisfactorily.

Amenity and privacy of surrounding residents

6.8 Concerns have been raised by local residents in respect of loss of privacy and amenity in relationship to their existing dwellings adjacent to the application site.

6.9 Whilst it is acknowledged that the application site is located on higher ground and represents a local feature in the immediate landscape, it is considered that the proposed development will have no significant impact on amenity and privacy of surrounding dwellings (all located on opposite side of the B4214 public highway to the site) to warrant refusal to the application on this issue. Additional landscaping in the form of tree and hedgerow planting will further protect amenity. Dwellings on

opposite side of the adjacent public highway do not have their principal elevations looking directly into the site.

Planning Obligations

- 6.10 The applicant, in a letter dated 27 July 2009 accompanying the application, has stated that an approval with a condition requiring commencement of the development within twelve months is acceptable in consideration of the Council's temporary suspension of the supplementary planning obligations document.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission) (12 months)**
- 2 B01 Development in accordance with the approved plans**
- 3 C01 Samples of external materials**
- 4 D04 Details of window sections, eaves, verges and barge boards**
- 5 D05 Details of external joinery finishes**
- 6 D09 Details of rooflights**
- 7 D10 Specification of guttering and downpipes**
- 8 F07 Domestic use only of garage**
- 9 F14 Removal of permitted development rights**
- 10 G10 Landscaping scheme**
- 11 G11 Landscaping scheme - implementation**
- 12 H10 Parking - single house**
- 13 H13 Access, turning area and parking**
- 14 H29 Secure covered cycle parking provision**
- 15 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. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

16 The Remediation Scheme, as approved pursuant to condition no. (1) 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 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

17 B01 Development in accordance with the approved plans

INFORMATIVES:

HN01 Mud on highway

HN04 Private apparatus within highway

HN05 Works within the highway

HN10 No drainage to discharge to highway

HN22 Works adjoining highway

HN28 Highways Design Guide and Specification

HN02 Public rights of way affected

N19 Avoidance of doubt - Approved Plans

N15 Reason(s) for the Grant of PP/LBC/CAC

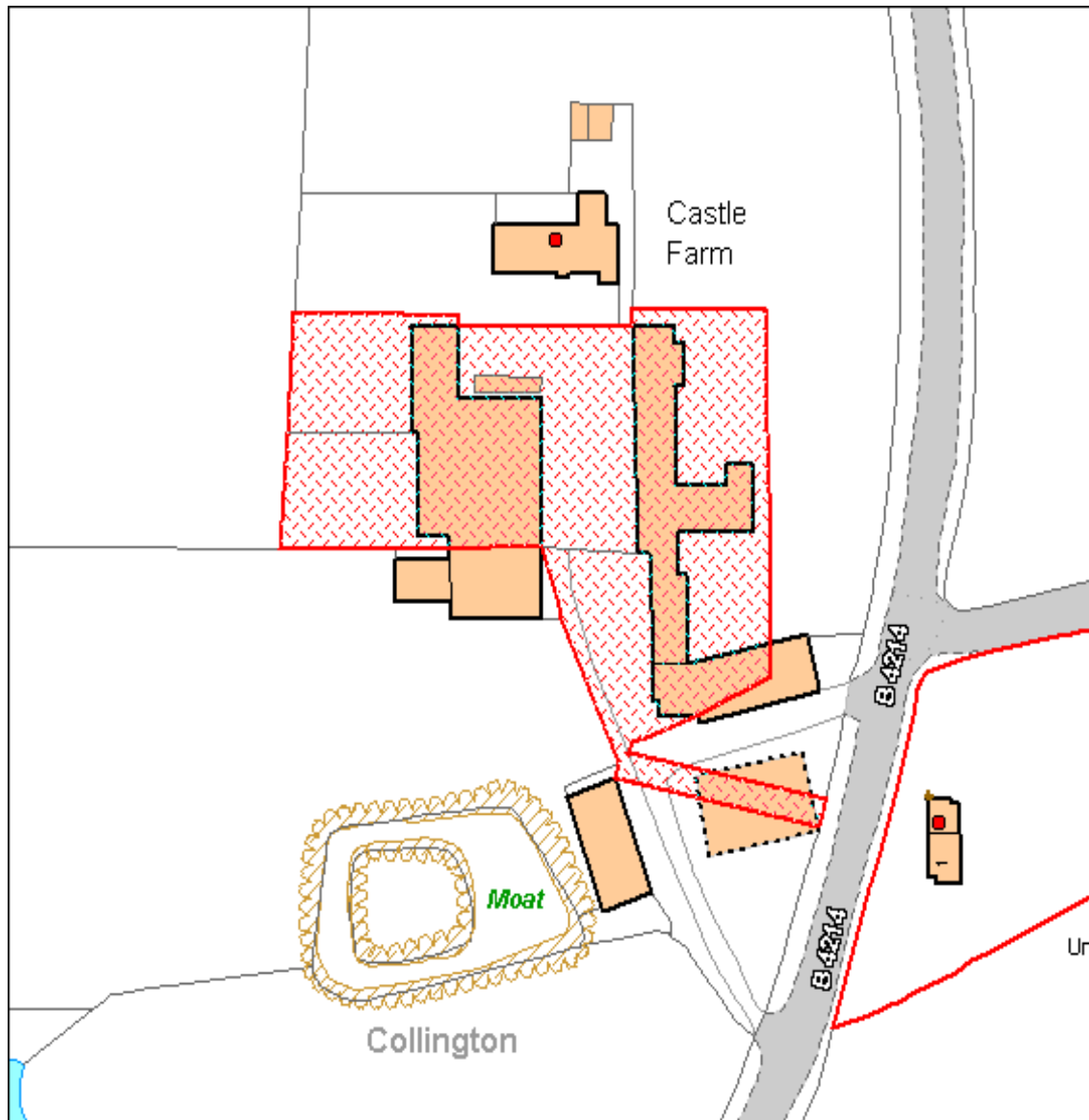
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : CASTLE FARM, COLLINGTON, BROMYARD, HEREFORDSHIRE, HR7 4NB

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