

9A DCSW0009/1038/F DCSW/090887/F - CONVERSION OF BARN AND ONE NEW BUILD TO CREATE 4 DWELLINGS AT TOWN HOUSE FARM, MADLEY, HEREFORDSHIRE, HR2 9LP

9B DCSW0009/1039/L DCDS/091308/L - CONVERSION OF BARN AND ONE NEW BUILD TO CREATE 4 DWELLINGS AT TOWN HOUSE, MADLEY, HEREFORDSHIRE, HR2 9LP

For: Coleman Developments per Mr A Clive, 8a High Street, Ledbury, Herefordshire, HR8 1DS

Date Received: 2 June 2009 Ward: Stoney Street Grid Ref: 342100,238854
Expiry Date: 28 July 2009

Local Member: Cllr D C Taylor

1. Site Description and Proposal

- 1.1 The application is some 70 metres to the north of the crossroads of the B.4349 and the C1196. The site gains access off the C1196. The site is immediately to the north of Town House, a Grade II listed dwelling. The application site comprises a Grade II timber-clad barn approximately 21 metres to the north of the listed farmhouse. This horizontal timber-clad building has a concrete tiled roof and has been approved for conversion together with a stone rubble and red brick building into two dwellings (DCSW20042484/F and DCSW2004/2485/L refer).
- 1.2 This planning permission and listed building consent granted in September 2004 has been implemented with the creation of a new driveway off the C1196 to the south-west of the two detached barns. This driveway will also serve the currently proposed scheme.
- 1.3 The new proposal entails sub-dividing the timber-clad building into two, 4 bedroom units. The Grade II listed barn will provide two units of accommodation, together with associated garages. These dwellings are units 1 and 2. Unit 1 which is the westernmost dwelling will have a detached garage to the south west of it. Unit 2 will have a clay tiled roof garage and storage building erected on the eastern gable end. The garage for unit 2 was originally proposed to be erected to the front of the listed barn, but has been re-sited following discussion with the Conservation Manager. The second element is the conversion of an existing red brick barn to the east of the listed barn, this dwelling is unit 3 which, together with the erection of a new weather boarded and brick faced dwelling to the east of it (unit 4), complete the proposed development. Units 3 and 4 will also have associated garages. The garages will be weather boarded and will have slate roof tiles to reflect the existing red brick faced barn (unit 3).
- 1.4 The four units will each have rear gardens and amenity areas and parking for at least two vehicles for each of the proposed dwellings. There will be more trees planted to the east of Unit 1 i.e. between it and the C1196 road.
- 1.5 The plans have been amended such that the windows are treated with louvers on both north and south elevation of units 1 and 2. This reduces the virtual impact of the new windows and complements the weather boarding used to clad the outside of the barn.

Further information on the subject of this report is available from Mr A Prior on 01432 261932

1.6 This site is within defined settlement boundary for Madley.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS9	-	Companion Guide to Good Practice
PPG15	-	Planning in the Historic Environment

2.2 Herefordshire Unitary Development Plan

S2	-	Development Requirements
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR5	-	Planning Obligations
H4	-	Main Villages : Settlements
H13	-	Sustainable Residential Design
HBA3	-	Change of Use of Listed Buildings
HBA4	-	Setting of Listed Buildings
HBA12	-	Re-use of Rural Buildings
HBA13	-	Re-use of Rural Buildings for Residential Purposes
NC1	-	Biodiversity and Development
NC3	-	Sites of National Importance
NC4	-	Sites of Local Importance
NC5	-	European and Nationally Protected Species
NC7	-	Compensation for Loss of Biodiversity

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-------------------|
| 3.1 | DCSW2004/2484/F | Conversion of barns to two dwellings and demolition of steel framed buildings. | - | Approved 20.09.04 |
| | DCSW2004/2485/L | Conversion of barns to two dwellings and demolition of steel framed buildings. | - | Approved 20.9.04 |

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends that conditions be attached relating to the discharge of foul water and surface water discharges.
- 4.2 English Heritage has no objections.

Internal Council Advice

- 4.3 The Traffic Manager recommends conditions relating to visibility for new access.
- 4.4 The Conservation Manager recommends use of louvers in order to reduce impact of windows. Fully detailed landscaping scheme required, and a schedule of repairs and conditions should also be attached relating to the need for a method statement relating to mitigation for wildlife.

5. Representations

5.1 In the Design and Access Statement that accompanied the application the following main points are made:

- large timber framed barn is Grade II listed
- there is existing planning permission and listed building consent on the site for two units
- proposed to enable the units from listed barn, one from brick barn and create an additional one
- process entails protecting listed building and environment. Agreed that listed barn is overly large for one unit
- sought to use existing openings in listed barn; extra windows and within framework
- headroom at first floor is below trusses
- black painted lapped boarding area is usual
- existing openings used in brick barn. The new unit (Unit 4 has materials which will harmonise with existing brick barn
- well stepped back between new and existing barn to accentuate point of change

Access

- need for garages important, it also provides outside storage
- discussion pre-application as regards the new access

Summary

- variety of residential spaces are complimentary
- listed building protected for the future

5.2 Madley Parish Council makes the following observations:

Not unanimous, but supported. Need for further parking spaces in the village.

5.3 3 letters of objection have been received from:

Mr H Brookman, Town House, Madley HR2 9LP

Mr and Mrs B W Thomas, Courtfields, Madley HR2 9LP

Mr R Marchant and Miss E Civilick, 1 Cross Cottage, Madley, HR2 9LP

The following main points are made:

- overlooked by Units 2 and 4
- turning and parking close to my property (inches) possible damage
- could be overspill onto highway
- how can unit 4 garage be screened? Who is responsible for further maintenance?
- additional traffic
- impact on traffic, already parking along the highway in connection with school and church
- loss of amenity from passing vehicles
- some of our drains are under proposed roadway. Who will be accountable?
- Provision for bats : but what about amphibians, including great crested newts?
- Recommend monies be levied for additional car parking for village on adjacent paddock or for use on behalf of local community
- Impact on setting of listed building
- Older stonework of barns should be examined

5.4 In response to the revised plans, the Parish Council make the following observations:

- reiterate concern of close proximity to a listed building

Further information on the subject of this report is available from Mr A Prior on 01432 261932

- Section 106 agreement should be considered as preciously stood

5.5 Two letters were received from:

Mr H Brookman, Town House, Madley HR2 8LP
Mr and Mrs B W Thomas, Courtfields, Madley HR2 8LP

The following main points are made:

- extension to unit 4 would overlook my property
- road too close to our oil tank, it is over sewage and drainage pipes and to our listed building
- easy to use roadway into site
- Great Crested Newts in our pond. Has this been investigated by Environment Agency and it's bio-diversity team?
- sites should be considered for purposes of Section 106, possibly affordable housing provision
- request that all windows facing my property have obscure glass fitted
- garage position for unit 2 definite improvement. Unit 1 garage should be aligned also as Unit 2 , so that the garage is out of audible and visual range

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 main issues are considered to be the principle of development, the setting of the listed buildings, the impact of the development on the ecology of the site, loss of amenity and an assessment of the justification for financial contributions.
- 6.2 This site is wholly within the settlement boundary of Madley, therefore the principle of both conversion and new build is supported in broad policy terms. The developer however has concentrated on the two main buildings on the site. The aforementioned listed barn and the predominantly brick barn to the east of it. The listed barn (Units 1 and 2) has an extant permission for a 7 bedroom dwelling together with the conversion of the smaller brick faced barn(Unit 3) into a 5 bedroom dwelling. The current proposal is to split what is a very large barn into two, 4 bedroom dwellings (Units 1and 2) and create a 5 bedroom dwelling out of the brick barn (Unit 3). Therefore, the scheme proposed for the two existing barns provides the same number of bedrooms albeit a new dwelling would be created. The new element is Unit 4 which is partly on the footprint of an existing covered yard area on the eastern end of the existing two-storey red brick and rubble stone building.
- 6.3 It is considered that the new dwelling will, with the use of slate tiles on the roof and red brick and weather boarding, complement the existing adjoining red brick barn it immediately adjoins and in turn preserve the setting of the listed barn and Town House farm to the south. The erection of garages at the eastern end of the existing brick barn and the proposed new dwelling also helps unify the two elements of the scheme both physically and visually providing what is considered to be a successful combination of conversion and new build. The use of louvers on windows in the listed barn as requested by the Conservation Manager has reduced the impact of new openings. It is considered that the scheme sensitively considers the existing buildings and their setting. The site also benefits from a belt of trees between the listed barn (units 1 and 2) and the C1196 road to the west. The integrity of the listed barn would be protected by the imposition of a condition controlling the repairs to the building. This is as recommended by the Conservation Manager.

- 6.4 The biodiversity of the site has been addressed by the submission of an ecological appraisal. Representations received refer to the presence of Great Crested Newts on an adjoining property. However, whilst the appraisal submitted acknowledges that there is a pond some 250 metres away on an adjoining property; the application site would not provide a good habitat for amphibians given the extent of concrete surfacing most of which is covered by large modern farm buildings. It should also be noted that mitigation for bats is provided in the existing buildings and two of the proposed garages. Therefore, subject to receipt of a method working statement, as recommended by the Conservation Manager, it is considered that appropriate measures have been incorporated within the proposal.
- 6.5 The issue of amenity has been raised in representations received. It is considered that there is sufficient distance between the new dwelling (Unit 4) which has first floor south-facing windows, (one of which is a bedroom window). The 16 metre distance to the boundary with Town House is considered to be sufficient distance away so as to avoid undue loss of privacy. The other issue raised relates to the driveway which passes the boundary of Town House and is in close proximity to an oil tank. The roadway is approximately 4 metres wide which is considered to be of sufficient width for vehicles travelling to or from units 3 and 4 at the eastern end of the site. It is considered that the alignment and width of the access road is acceptable. A further issue has been raised relating to drainage on the site belonging to a third party. This is a legal matter between the two parties and is not material to the consideration of this application.
- 6.6 The issue of whether this proposal in its own right and when taken together with the new build scheme for two dwellings would reasonably attract Section 106 contributions has been given detailed consideration.
- 6.7 Notwithstanding the benefits of securing the re-use of the existing barns and providing what is considered to be an improvement in the character and appearance of this part of the village, it is also considered that, under the current temporary suspension arrangements for Section 106 contributions, that this proposal falls below the threshold of 5 dwellings that has been set. Indeed, when taking account of the extant 2004 permission for 2 dwellings, this scheme in its own right produces only 2 new dwellings. Furthermore, when considered in relation to the separate application for two dwellings to the north (DCSW0009/1036/F), the net increase in dwellings over the extant permission would be 4 which remains below the current threshold.
- 6.8 In the light of this it is not considered that this proposal either in its own right or taken cumulatively with the separate site to the north, would attract the need for contributions under the current S106 arrangements.
- 6.9 This scheme whilst clearly different from that approved in 2004 is considered to make better use of the site and the existing buildings and provides good levels of accommodation and amenity. The new unit (unit 4) which adjoins the eastern end of unit 3 is complimentary to the existing building and is a sufficient distance away from Town House in respect of overlooking. The details of boundaries and curtilages will need to be carefully considered as will the choice of materials including brick, weather boarding and fenestration, a matter which will be controlled by conditions. There are considered to be no reasonable grounds for withholding planning permission and listed building consent and as such the recommendation is for approval.

RECOMMENDATION

In respect of DCSW2009/1038/F:

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**

- 2 **B01 Development in accordance with the approved plans**
- 3 **D02 Approval of details**
- 4 **D04 Details of window sections, eaves, verges and barge boards**
- 5 **D10 Specification of guttering and downpipes**
- 6 **D11 Repairs to match existing**
- 7 **D12 Repairs in situ**
- 8 **F14 Removal of permitted development rights**
- 9 **G10 Landscaping scheme**
- 10 **G11 Landscaping scheme - implementation**
- 11 **H05 Access gates**
- 12 **H12 Parking and turning - single house**
- 13 **H04 Visibility over frontage**
- 14 **I16 Restriction of hours during construction**
- 15 **K4 Nature Conservation - Implementation**
- 16 **An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.**

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.
- 17 **L01 Foul/surface water drainage**
- 18 **L02 No surface water to connect to public system**
- 19 **L03 No drainage run-off to public system**
- 20 **L04 Comprehensive & Integrated draining of site**

INFORMATIVES:

- 1 **N15 Reason(s) for the Grant of Planning Permission**
- 2 **N19 Avoidance of doubt - Approved Plans**
- 3 **N11A Wildlife and Countryside Act 1981 (as amended) - Birds**

4 NC02 Warning against demolition

5 N04 Rights of way

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

In respect of DCSW0009/1039/L:

That Listed Building Consent be granted subject to the following conditions:

That planning permission be granted subject to the following conditions:

- 1. D01 Time limit for commencement (Listed Building Consent)
- 2. B01 Development in accordance with the approved plans
- 3. D02 Approval of details
- 4. D04 Details of window sections, eaves, verges and barge boards
- 5. D10 Specification of guttering and downpipes

INFORMATIVES:

N15 Reason(s) for the Grant of Listed Building Consent

N19 Avoidance of doubt - Approved Plans

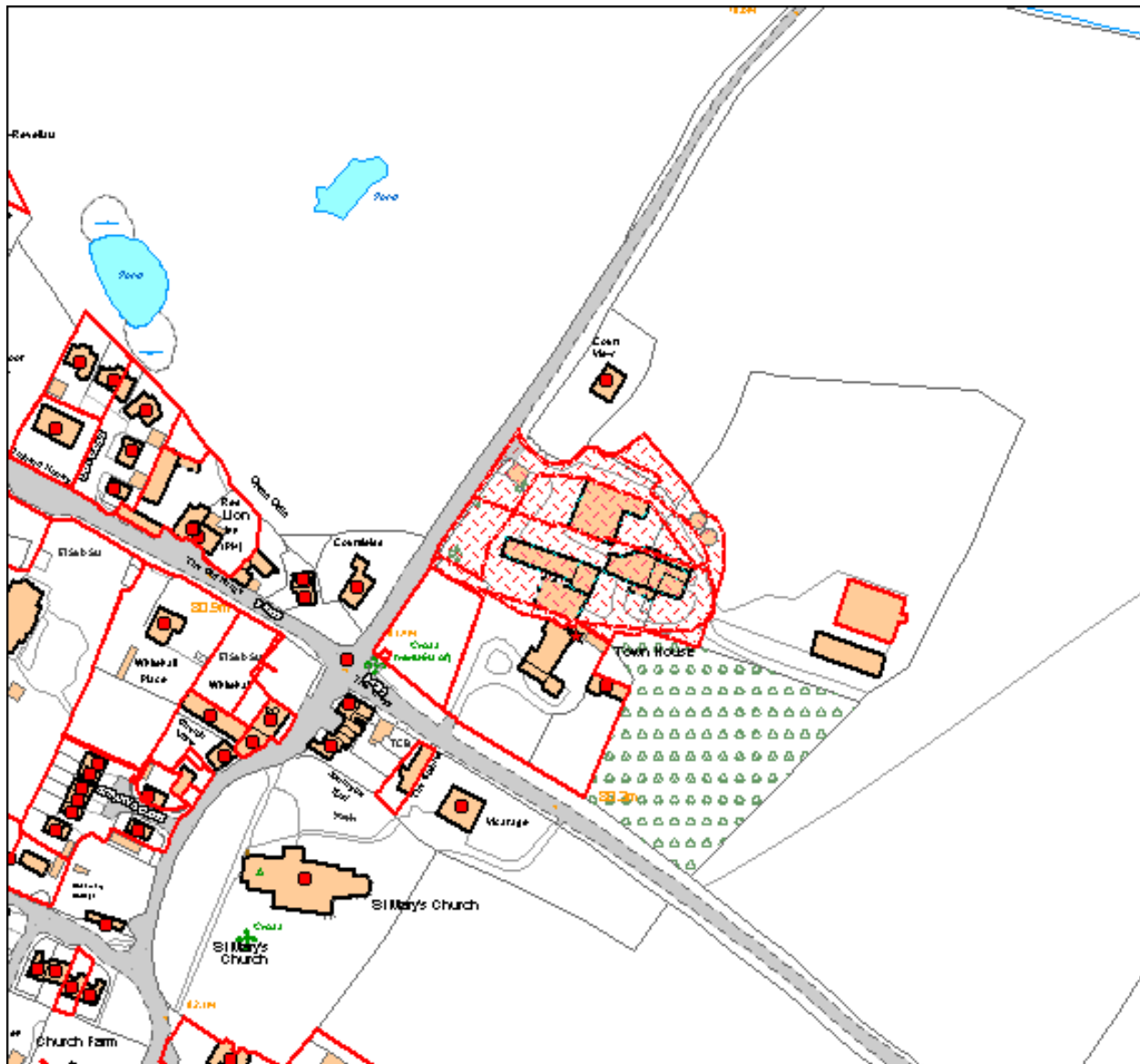
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : TOWN HOUSE FARM, MADLEY, HEREFORDSHIRE, HR2 9LP

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