

4 DCSE2004/1226/F - CHANGE OF USE AND ASSOCIATED WORKS TO BARN FOR CONVERSION TO HOLIDAY LET AT TREBANDY, MARSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HD

For: Mr & Mrs G Jordan per RPS, Fairwater House, 1 High Street, Wroughton, Swindon SN4 9JX

Date Received: 5th April 2004

Ward: Llangarron

Grid Ref: 54688, 20453

Expiry Date: 31st May 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 Trebandy comprises a former farmhouse and complex of traditional barns situated at the western end of the long private drive leading off the A4137 roughly half way between Marstow and the junction with the Llangarron/Glewstone road. The farmhouse is no longer part of the agricultural enterprise and the barns have been converted into residential and holiday accommodation. About 300 m. to the north east of this group of buildings is a small stone building (12 m long x 5.9 m wide) with a monopitch roof. It is proposed to convert this building into holiday accommodation. The main changes would be the replacement of the garage-type doors in the front elevation with glazed panels and entrance doors, with new windows on the left hand side of the front elevation and the south-west end elevation. Access would be along an existing track which leads off the main access drive.
- 1.2 An earlier application for conversion of a redundant building to holiday let was dismissed on appeal in July 2000. The building had recently been extended to its current dimension and the Inspector considered that the original building had been substantially increased in size such that the proposal was not a genuine conversion of the original structure. He also questioned whether the extension was "reasonably necessary for agriculture" and hence whether the extension was permitted development. Subsequent to the appeal it was decided that the use of the building would be monitored. It is understood that the building was extended in May 2000. Under the "4-year rule" the building would now be lawful whether or not it has been used for agricultural purposes and would benefit from permitted development.

2. Policies

2.1 Planning Policy Guidance

PPG7	The Countryside: Environmental Quality and Economic & Social Development
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2.2 Hereford and Worcester County Structure Plan

Policy CTC13	Buildings of Special Architectural or Historic Interest
Policy CTC14	Criteria for the Conversion of Buildings in Rural Areas
Policy TSM1	Criteria for Tourism Related Development

Policy TSM3 Encouraging Tourism Development

2.3 South Herefordshire District Local Plan

Policy C1	Development Within Open Countryside
Policy C36	Re-use and Adaptation of Rural Buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy SH24	Conversion of Rural Buildings
Policy GD1	General Development Criteria
Policy TM5	Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation
Policy ED7	Re-use and Adaptation of Rural Buildings for Employment Use
Policy ED8	Farm Diversification

3. Planning History

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|-----|---------------|---|---|--------------------------------------|
| 3.1 | SE1999/3145/S | Re-roofing and partly enclosing open front to barn. | - | Prior approval not required 21.12.99 |
| | SE1999/1932/F | Conversion to holiday let. | - | Appeal Dismissed 16.8.2000 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections in principle.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection to the grant of permission.

5. Representations

- 5.1 The applicants' agents have submitted a detailed Planning Statement. This explains the context of the proposal in relation to continuing decline in agriculture, the importance of rural diversification and tourism and the Development Plan. In addition the applicants' improvements to the buildings and estate are itemised. Key aspects of the case relating to the previous appeal decision and material changes since the appeal are included in full in the appendix to this report.

- 5.2 Parish Council do not support this planning application because the development is too far removed from the curtilage of the main complex and is in open countryside.

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

6. Officers Appraisal

- 6.1 The Inspector in 2000 dismissed the appeal because it was his view that "the extent of the works required to convert the building to [a holiday let] would involve development which would encroach into the open countryside and would be harmful to its overall character and appearance." The current application however does not involve those works in that the subsequently extended building can now be considered to be lawful.

The use of the building has been monitored and although not intensively used it has not been observed to be in non-agricultural use. It has not been considered expedient to take enforcement action as the structure was presumed to be necessary for agriculture and therefore permitted development. The proposal is therefore for conversion of an existing building to holiday accommodation. In principle such changes of use are encouraged in both national and local policies. In this case the general conversion policies are supplemented by the encouragement of farm diversification. On the merits of the proposal it is considered that the scheme respects the character of the building. The proposal is identical to the appeal proposal and the Inspector did not question the suitability of the building nor the conversion scheme. As the Inspector noted the visual impact of the proposal would be limited and with additional and maturing planting since then it is unlikely that the building would be seen from public viewpoints.

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 C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

3 Notwithstanding the provision of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order without without modification, no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

4 E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation in this rural location.

5 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.

Informative(s)

1. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.