

**15 DCNW2004/1479/F - CONVERSION OF BARN INTO DWELLING AND CONSTRUCTION OF NEW COTTAGE AT LITTLE CROASE, KINGSLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9RZ**

**DCNW2004/1486/L – AS ABOVE**

**For: Mr. & Mrs. M. Beeden per Mr. N. La Barre, Easters Court, Leominster, Herefordshire, HR6 0DE**

**Date Received:**  
**23rd April, 2004**

**Ward:**  
**Bircher**

**Grid Ref:**  
**44399, 61606**

**Expiry Date:**  
**18th June, 2004**

Local Member: Councillor W.L.S. Bowen

**1. Site Description and Proposal**

- 1.1 The application site comprises a 0.2 hectare plot on the north side of the B4360 (North Road). The main feature of the site is the substantial Grade II listed barn which occupies an attractive setting within well maintained gardens in front and orchard land to the rear.
- 1.2 The site lies wholly within the settlement boundary of Kingsland and is also within the Conservation Area.
- 1.3 To the west of the site is a modern dwelling (Plovers Moss), the boundary with which is defined by a tall, coniferous hedge, within which are a number of mature trees. The southern boundary with the highway is again characterised by a coniferous hedge, which sits on top of a low retaining wall. The eastern boundary of the site comprises the existing shared access used by residents living at Little Croase and more coniferous planting, which screens the site from the car park associated with the doctors' surgery. The northern boundary again comprises mature hedgerow, beyond which lies agricultural land.
- 1.4 Planning permission is sought for the conversion of the listed barn into a 4-bedroom dwelling, the erection of a detached cottage on the orchard land, together with two detached, double garages to serve the proposed new dwellings. A new access and driveway running along the western boundary of the site is proposed, entailing the removal of a section of walling and hedgerow from the road frontage and some ornamental garden plants.
- 1.5 A listed building consent application has been submitted alongside the planning application, which deals specifically with the works to the barn. In addition, a Structural Appraisal and an Ecological Report have been prepared to accompany the applications.

**2. Policies:**

**2.1 Hereford and Worcester County Structure Plan**

CTC9 - Development Requirements  
CTC11 - Trees and Woodlands  
CTC13 - Conversion of Buildings  
CTC15 - Conservation Areas

**2.2 Leominster District Local Plan (Herefordshire)**

A1 - Managing the District's Assets and Resources  
A2(C) - Settlement Hierarchy  
A5 - Sites Supporting Statutorily Protected Species  
A8 - Improvements to or Creation of Habitats  
A16 - Foul Drainage  
A18 - Listed Buildings and Their Settings  
A21 - Development within Conservation Areas  
A22 - Ancient Monuments and Archaeological Sites  
A24 - Scale and Character of Development  
A54 - Protection of Residential Amenity  
A55 - Design and Layout of Housing Development  
A70 - Accommodating Traffic from Development

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

DR1 - Design  
DR2 - Land Use and Activity  
DR4 - Environment  
DR13 - Noise  
H4 - Main Villages - Settlement Boundaries  
LA3 - Setting of Settlements  
LA5 - Protection of Trees, Woodlands and Hedgerows  
NC5 - European and Nationally Protected Species  
HBA1 - Alterations and Extensions to Listed Buildings  
HBA3 - Change of Use of Listed Buildings  
HBA4 - Setting of Listed Buildings  
HBA6 - New Development within Conservation Areas  
ARCH5 - Sites of Regional or Local Importance  
ARCH6 - Recording of Archaeological Remains

**3. Planning History**

3.1 None relevant.

**4. Consultation Summary**

Statutory Consultations

- 4.1 Welsh Water object on the grounds that the proposed development would overload the existing public sewerage system.
- 4.2 Subsequently, the applicant has provided details of a private sewage treatment package, which has been confirmed as acceptable by the Building Control Manager.

Internal Council Advice

- 4.3 Head of Engineering and Transportation raises no objections, but recommends conditions relating to the access visibility and setting back of any gates.
- 4.4 Chief Conservation Officer raises no objection in terms of the impact of the proposals upon the character and setting of the listed barn or the Kingsland Conservation Area. Details relating to materials and boundary treatments are requested by way of condition.
- 4.5 The presence of bats and nesting birds was identified by the Council's Ecologist and has resulted in the submission of a report incorporating compensation and mitigation measures for the protected species identified.
- 4.6 The archaeological interest of the site is noted and no objection in principle raised, subject to a condition requiring an evaluation to be carried out prior to the commencement of any development approved.

**5. Representations**

- 5.1 One letter of objection has been received from Mr. & Mrs. Price of Plovers Moss, Kingsland, raising the following concerns:-
  - adverse effect on conservation area, generating a considerable amount of traffic close to a busy crossroads;
  - new access gives cause for highway safety concerns;
  - new access and driveway detrimental to privacy, particularly if fences and hedgerows are removed;
  - conversion of barn would result in overlooking and loss of privacy to our property;
  - a number of established trees would be lost to create the driveway.

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

- 5.2 Kingsland Parish Council raise no objection.

**1. Officers Appraisal**

- 6.1 The whole of the application site lies within the settlement boundary for Kingsland and, as such, Policy A2(C) of the Local Plan establishes the acceptability of small scale residential development, subject to consideration in respect of more specific policy requirements.
- 6.2 The key issues for consideration in the determination of these applications are as follows:-
  - (a) Impact upon the character and appearance of the Grade II listed barn;
  - (b) Impact upon the character and appearance of the Kingsland Conservation Area;
  - (c) Effect of the proposal upon the residential amenities of neighbouring occupiers;
  - (d) Highway safety and access issues;
  - (e) Ecological issues; and
  - (f) Drainage

**Impact on Listed Barn**

- 6.3 The principal of the residential conversion of the listed barn is considered an acceptable one and, as such, the remaining issues relate to the impact of the works to the building upon its character and appearance and the implications for its setting in the light of the new development proposed within the curtilage.
- 6.4 The listed barn, by reference to the submitted Structural Appraisal, is certainly in need of attention, requiring under-pinning and stabilising through the construction of additional buttresses and internal bracing which, it concludes, would be possible without significant rebuilding, a prerequisite of supporting conversion works. The building, by virtue of its listed status, is clearly worthy of retention and through negotiation, the design of the conversion has been refined to one which generally preserves its character and appearance. The design requires further modification, in order to limit the number of new roof-lights proposed and deal more appropriately with the full height opening on the north elevation and, as such, any determination to approve these applications would be subject to receipt of suitably amended plans.
- 6.5 The siting and design of the proposed new cottage and detached garaging is such that the principal view of the barn from North Road will not be affected and the positioning of the proposed new driveway to the side of the barn further limits the introduction of development into the mature, landscaped frontage of the barn. In view of the residential context of the barn, the implications for its setting are modest and generally in keeping with character of development in the immediate vicinity of the site.
- 6.6 Subject to some fairly minor design revisions, it is considered that the proposed development will preserve the character and setting of the listed barn, in accordance with the requirements of Policy A18 of the Leominster District Local Plan.

**Impact on Conservation Area**

- 6.7 The wider implications of these applications include an assessment of the effect of creating the new access and driveway, together with the implications for constructing a new dwelling with associated garaging on the orchard area to the rear.
- 6.8 The removal of approximately 6 metres of low stone walling and coniferous hedgerow is required to form the new access, neither of which is actually protected by Conservation Area controls, and the weight that can be attached to this particular aspect of the proposal is therefore somewhat limited. Furthermore, in recognition of concerns raised locally, it has been determined that there is no other feasible alternative to providing access to the rear, in view of the limitations of land ownership associated with the existing access serving Little Croase.
- 6.9 The new driveway would result in the removal of a number of less mature and ornamental trees within the existing garden area, but the common boundary hedge and trees within it will be retained, providing a strong, largely evergreen screen from the property to the west (Plovers Moss).
- 6.10 Kingsland has a largely linear settlement form, comprising a range of historic and modern dwellings, located within spacious plots with large, rear gardens and, in a number of cases, such as at Stoneleigh in recent times, Orchard Close and Tudor Place, these areas have been exploited to provide opportunities for residential infill. The proposal, which entails a new cottage with garaging at the rear, follows this trend

and, in view of the presence of similar developments within the Conservation Area as a whole, it is not considered that this particular layout would be detrimental to the character and appearance of the area.

- 6.11 The proposal relates well to the doctors' surgery development and does not have a significant visual impact, given that it is well screened from the agricultural land to the north and largely obscured in views from North Road, due to existing mature trees and hedgerows.
- 1.12 Unlike other locations on this side of North road, the application site is not afforded any specific protection by the designation of an Area of Important Open Space and, as such, it is recommended that the proposals would satisfactorily preserve the character and appearance of the Conservation Area, as required by Policy A21 and A24 of the Local Plan.

### **Residential Amenity**

- 6.13 The conversion of the barn seeks to utilise an existing opening on the west elevation, facing Plovers Moss, to serve a bedroom. It is not considered that this would result in an unacceptable loss of privacy to the neighbouring occupier, since there is a distance of some 21 metres between the barn and the nearest affected dwelling.
- 6.14 The proposed new cottage and garaging, subject to the retention of the boundary hedge, would not have a material impact upon neighbouring amenities and the level of vehicular activity associated with the two properties would not result in unacceptable noise and disturbance. In view of the concerns expressed, a condition is proposed, controlling the hours during which construction work is undertaken.

### **Highway Safety and Access**

- 6.15 The Head of Engineering and Transportation raises no objection, subject to conditions controlling the creation and retention of the splayed entrance and the setting back of any gates.

### **Ecology**

- 6.16 The ecological survey prepared for the barn indicates evidence of usage by the Common Pipistrelle and possibly either Natterers, Long Eared or Grey Long Eared bats, together with nesting birds. It is confirmed that a DEFRA licence will be required to carry out the conversion works and a series of recommendations for compensation and mitigation are set out. These include provision for a bat loft, with suitable access points, and the installation of sparrow house boxes and boxes for other garden birds in and around the site.
- 6.17 At the time of writing, the findings of the survey are being considered by the Council's Ecologist and will be reported verbally to Members at the Committee meeting.
- 6.18 In the light of the findings, it would appear that a condition requiring compliance with the compensation and mitigation measures will be necessary, in addition to those set out below.

**Drainage**

- 6.19 Following the objection from Welsh Water, the applicant has provided details of a private sewage treatment package, with porosity tests which have been deemed acceptable by the Building Control Manager.

**RECOMMENDATION**

**That, subject to revisions to the design of the conversion and the comments of the Council's Ecologist, planning permission be granted, with 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 - A07 – Development in accordance with approved plans**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

**3 - B01 – Samples of external materials**

**Reason: To ensure that the materials harmonise with the surroundings**

**4 - C02 – Approval of Details**

**a) the details of the position and means of constructing the external buttresses proposed in the structural engineer's report;**

**b) architectural details of window sections, eaves, verges and barge boards at a scale of 1:1 or 1:5, relating to the converted barn and the new dwelling;**

**c) details of the proposed finishes of all external joinery relating to the converted barn and the new dwelling;**

**d) trade details of the type of roof-light to be utilised;**

**e) detailed specification of all rainwater guttering and downpipes;**

**Reason: To safeguard the character and appearance of this building of (special) architectural or historical interest.**

**5 - C12 – Repairs to match existing**

**Reason: To safeguard the character and appearance of this building of (special) architectural or historical interest.**

**6 - D02 – Archaeological Survey and recording**

**Reason: To ensure the archaeological interest of the site is recorded**

**7 - E16 – Removal of Permitted Development Rights**

**Reason: To preserve the setting of the converted barn**

**8 - F16 – Restriction of hours during construction**

**Reason: To protect the amenity of local residents**

**9 - G01 – Details of Boundary Treatments**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**10 - G04 – Landscaping scheme (general)**

**Reason: In order to protect the visual amenities of the area**

**11 - G05 – Implementation of landscaping scheme (general)**

**Reason: In order to protect the visual amenities of the area**

**12 - G09 – Retention of trees/hedgerows**

**Reason: To safeguard the amenity of the area**

**13 - Prior to the commencement of the development hereby approved, details of the means of constructing the new driveway in a manner designed to protect the existing boundary trees and hedgerow from unacceptable damage shall be submitted to and approved in writing by the Local Planning Authority. The driveway shall be constructed in accordance with these details and thereafter properly maintained.**

**Reason: In the interests of protecting the amenities of the area and the privacy of nearby residents.**

**14 - H02 – Single access – footway**

**Reason: In the interests of highway safety**

**15 - H05 – Access Gates**

**Reason: In the interest of highway safety.**

**Informatives:**

- 1 - N15 – Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 – Mud on Highway**
- 3 - HN04 – Private Apparatus within the highway**
- 4 - HN05 – Works within the highway**
- 5 - HN10 - No drainage to discharge to highway**
- 6 - N11 - Wildlife and Countryside Act, 1981.**
- 7 - NC02 – Warning against Demolition**

Decision: .....

Notes: .....

**DCNW2004/1486/L**

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

**1 - C01 – Time Limit for Commencement**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990.**

**2 - A07 - Development in accordance with approved plans**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

**3 - B01 – Samples of external materials**

**Reason: To ensure that the materials harmonise with the surroundings**

**4 - C02 - Approval of Details**

- a) the details of the position and means of constructing the external buttresses proposed in the structural engineer's report;**
- b) architectural details of window sections, eaves, verges and barge boards at a scale of 1:1 or 1:5, relating to the converted barn and the new dwelling;**
- c) details of the proposed finishes of all external joinery relating to the converted barn and the new dwelling;**
- d) trade details of the type of roof-light to be utilised;**
- e) detailed specification of all rainwater guttering and downpipes;**

**Reason: To safeguard the character and appearance of this building of (special) architectural or historical interest.**

**5 - C12 – Repairs to match existing**

**Reason: To safeguard the character and appearance of this building of (special) architectural or historical interest.**

**Informatives:**

- 1 - N15 – Reason(s) for the Grant of PP/LBC/CAC – Policy 18**
- 2 - NC02 – Warning against Demolition**



Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.

