

**DCCE2004/2455/F - DEMOLITION AND REBUILDING  
OF A STONE BARN TO INCORPORATE A TWO  
BEDROOM BUNGALOW FOR THE USE OF A  
DISABLED PERSON AT CWM CRAIG FARM, LITTLE  
DEWCHURCH, HEREFORD, HR2 6PS**

**For: Mr. & Mrs. R.C. Lee, per Anchor Staying Put,  
84 Whitecross Road, Hereford, HR4 0DH**

**Date Received: 5th July 2004**

**Ward: Hollington**

**Grid Ref: 53524, 32180**

**Expiry Date: 30th August 2004**

Local Member: Councillor W.J.S. Thomas

This application was discussed at the meeting of the Central Area Planning Sub-Committee on the 27<sup>th</sup> September, 2004. The Committee were minded to grant planning permission contrary to Officer recommendation. The application was referred to the Head of Planning Services to consider whether the application should be referred to Planning Committee since the proposal conflicted with critical open countryside policies.

The application has been referred to Members for further discussion over the potential conflict with key development plan policies. The report below remains as per the agenda on the 27<sup>th</sup> September, 2004.

## **1. Site Description and Proposal**

- 1.1 This application proposes the demolition of an existing single storey building sited to the front of Cwm Craig Farmhouse and its replacement with a two bedroomed bungalow for the use of a disabled person. The site is located in a relatively isolated location at Little Dewchurch to the north-west of a small group of dwellings.
- 1.2 The existing building is a mixture of stonework and concrete block with a monopitch roof and occupies a prominent position adjacent to the highway. The proposed replacement would create a 'L' shaped two bedroomed bungalow with natural stone walling and natural slate roof. A small courtyard area providing a ramped access to the building is shown on the submitted drawings.
- 1.3 Both Mr. & Mrs. Lee suffer from medical problems which mean their ability to move around the large farmhouse is severely restricted. The proposed bungalow is intended for their occupation allowing the main farmhouse to be occupied by their son and his family. The main farmhouse also operates a successful bed and breakfast facility which is intended to be retained.

## **2. Policies**

### **2.1 South Herefordshire District Local Plan:**

Policy GD1	-	General Development Criteria
Policy C1	-	Development within Open Countryside
Policy C8	-	Development within Area of Great Landscape Value

- Policy SH11 - Housing in the Countryside
- Policy SH17 - Agricultural Workers' Dwellings

## 2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy H7 - Housing in the Countryside outside Settlements

### 3. Planning History

- 3.1 There is no record of any applications being directly relevant to this proposal.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 There are no statutory consultation responses on this proposal.

#### Internal Council Advice

- 4.2 Head of Transportation and Engineering - no objection.
- 4.3 Head of Environmental Health and Trading Standards - there is no record or evidence of any contaminated land on the proposed site. However due to the close proximity of active agricultural buildings in order to protect residential amenity should Members be minded to approve this application, I would recommend that conditions be attached to any consent which restricts the occupation of the building to either agricultural occupancy/holiday accommodation or an ancillary basis to Cwm Craig Farm.

### 5. Representations

- 5.1 Little Dewchurch Parish Council - the Parish Council fully support this application.
- 5.2 Letters have been received from Mr. P. Mathers, Stoggall Cottage, Little Dewchurch, Hereford and F.L. Sainsbury, Fleur-de-lis, 16 Court Close, Little Dewchurch, Hereford.

Strong concerns are raised about the need for a new dwelling in this location having regard to the existing farmhouse which is larger than some hospitals. Suggestions are given that consideration must be made to internal work to convert one of the downstairs rooms or even provide a stairlift as opposed to erecting a new dwelling at the front of the site. It would appear that this application seeks to maximise financial gain by selling Mr. Lee's existing dwelling in the village enabling him to move into his parents' property.

Whilst the application conveys the impression of a conversion of a barn and its occupation by a disabled person, and this at first invokes sympathy and understanding, however the facts are somewhat distorted. To suggest that the large farmhouse which caters for bed and breakfast to a high standard is unable to accommodate the head of the household who is sadly now in a poor state of health stretches the imagination beyond credibility. A son and daughter both occupy large houses within 200 yards of the proposed development and this could surely relieve difficulties should they manifest themselves.

The proposed dwelling is well outside the village envelope. Thirteen large dwellings were erected on the applicant's land and only three of these were occupied by local people indicating they do not meet local need but are built purely for financial gain.

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

## **6. Officers Appraisal**

- 6.1 The key considerations in determining this planning application are the principle of a new two bedroomed bungalow in this location, the design, siting and layout of the proposed unit and any material considerations which will be taken into account in the decision making process.
- 6.2 With the application, the agent has set out a detailed statement outlining the operation at Cwm Craig Farm and the need for a new two bedroomed bungalow on site. The statement can be summarised as follows.

The farm income today is derived from two sources, farming of 190 acre holding and the provision of tourist accommodation in the form of bed and breakfast which has become significantly important over the past 10 years in the main farmhouse. The bed and breakfast enterprise has helped sustain income levels to help maintain two family groups dependent on the farm. Indeed in past trading years the bed and breakfast business was the only enterprise that generated a profit for the farm. The bed and breakfast operates using three bedrooms and three reception rooms in the farmhouse which Mr. & Mrs. Lee (senior) reside. Mrs. Lee is no longer able to continue running the business because of her age (72 years) and recent diagnosis of osteoporosis of the spine. Mr. A.D. Lee (son) and his wife are looking to take on the running of this business but it would not be practical to do so until such time they are living in the farmhouse. They have two sons aged 7 and 10 years of age.

Moving a second family into the farmhouse whilst Mr. & Mrs. Lee (senior) are still living there would result in two of the bed and breakfast rooms currently being used being taken out of commercial use. This would significantly reduce the overall farm income and would make Mr. A. Lee's move with his family an unviable option for the farm. To allow farm income to be maintained it will be necessary for Mr. & Mrs. Lee (senior) to move out of the farmhouse allowing the son and his family to move in.

As mentioned above Mrs. Lee is suffering from osteoporosis and is on medication to aid mobility. Mr. R. Lee is also suffering from a debilitating condition (Parkinson's disease) which has affected his mobility and independence. His son now carries out the entire farming operation of 190 acres. Mr. Lee (senior) can no longer attend late evening duties or handle emergencies over night associated with the farm. The proposed development will allow Mr. & Mrs. Lee (senior) to remain active on the farm and contribute to the business without additional stress and responsibilities. Clearly the single storey accommodation will greatly assist their quality of life and independence as their medical conditions alter. It is important for them to remain in the community in which they have lived their entire adult lives and the development would prolong their independence with the knowledge that care and assistance is immediately on hand should it be required.

The proposed development has also been designed with the future in mind and it is intended that it would be a future source of income for the farming business. A unilateral undertaking has been offered to ensure that the building will be tied to the farmhouse and never sold separately as this could in the future provide holiday rental accommodation to supplement the bed and breakfast business.

#### Officer Comments

- 6.2 This proposal requires careful consideration having regard to adopted policy contained in the South Herefordshire District Local Plan and emerging Unitary Development Plan. The proposed two bedroom bungalow will replace an existing single storey store building which is poor in both architectural quality and merit and has been substantially rebuilt using concrete blockwork. The scheme proposed does not in any way represent a conversion and must be considered as a stand-alone new build. In this respect the principle of a new dwelling in this location is contrary to both national and local planning policy which seeks to protect areas of open countryside. Whilst exceptions to new dwellings are made where there is an established agricultural need, in this case it is more the personal circumstances of the applicant which seeks to justify the proposal against any demonstrated agricultural requirement.
- 6.3 Whilst very sympathetic to the personal circumstances set out by the application, Officers consider that the development is not acceptable and that the material reasons put forward with the application do not outweigh the fundamental policy objection. In the first instance internal conversion to the substantial farmhouse would seem the most appropriate form of providing accommodation for persons with disability. Should it be demonstrated that this is not possible, consideration should then be given to the conversion of any suitable existing buildings which comply with the conversions policy of the Local Plan. In this case whilst the use of three bedrooms for bed and breakfast accommodation has provided invaluable support to the farming operation, the erection of a two bed roomed dwelling to enable the three bedrooms to remain in bed and breakfast use is considered to be a weak argument. Notwithstanding the unilateral undertaking which would prevent future sale of the proposed building, Officers do not consider the argument put forward justifies a decision which is clearly contrary to established and adopted planning policy. Furthermore, it is understood that the applicant's son and daughter both live in reasonably close proximity to the site such that care would be available to the applicants by close family members within a reasonable time.
- 6.4 Cwm Craig Farmhouse is a large detached dwelling and the reasons for no internal alterations put forward (to retain the bed and breakfast facility) do not in Officers opinion carry sufficient weight to set aside the adopted policies in this case. Whilst the proposed building has a reasonably close relationship to the farmhouse such that a future independent sale from the farmhouse may be able to be resisted, it does not justify approval in this instance.

#### **RECOMMENDATION**

**That planning permission be refused for the following reason:**

- 1. The site lies outside a recognised settlement boundary as identified by the adopted South Herefordshire District Local Plan where there is a general presumption against new dwellings unless they meet the criteria set out in Polich SH11. In this instance the proposed demolition of a single storey store building and erection of a two bed roomed detached bungalow for a disabled**

person fails to comply with the adopted policy and any material considerations do not outweigh the policy objection. Furthermore the proposed building by virtue of its prominent roadside position and proximity to the main house would create an awkward relationship that would be detrimental to the character and appearance of the area.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.

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## RECOMMENDATION

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Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.