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| <b>MEETING:</b>         | <b>PLANNING COMMITTEE</b>   |
| <b>DATE:</b>            | <b>17 OCTOBER 2012</b>  |
| <b>TITLE OF REPORT:</b> | <b>N120761/F - CONVERSION OF GARAGE/WORKSHOP/OFFICE TO HOLIDAY LET AT LITTLE WACTON FARM, BREDENBURY, HEREFORDSHIRE, HR7 4TQ</b><br><br><b>For: Mr Sayce per Mr Michael Kelly, 24 Rumsam Gardens, Barnstaple, Devon, EX32 9EY</b> |
| <b>WEBSITE LINK:</b>    | <a href="http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=120761&amp;NoSearch=True">http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=120761&amp;NoSearch=True</a>                                     |

**Date Received: 12 March 2012**      **Ward: Bringsty**      **Grid Ref: 361606,257405**  
**Expiry Date: 15 June 2012**  
Local Members: Councillor GR Swinford

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

- 1.1 Little Wacton Farm is located on the southern end of the narrow lane (U65201) which leaves the A44 at Bredenbury and terminates shortly beyond the farm. The farm consists of a detached red brick farmhouse set in attractive open countryside, with a large modern agricultural building and newly constructed poultry building to the south. The farm is one of a small randomly dispersed group of buildings adjacent to the narrow lane. Wacton Court is a Grade II listed building located on the opposite side of the lane and is some 80m from the garage outbuilding.
- 1.2 This application relates to a detached red brick building to the west of the farmhouse which has already been the subject of an extensive planning history. The original permission (DCNC2005/2981/F) was for a double garage and office. This was revised through a retrospective permission for a domestic garage, workshop and office (DCNC2007/1646/F). The building was not built-in accordance with the approved plans as there was an increase in height of 0.8m higher with additional windows inserted at the upper level in the roof space on the east and west elevations. A further application was submitted (DCNC2008/2482/F) to regularise the changes. This application was allowed at appeal and was subject to conditions relating to its use and landscaping. The use of the building was restricted to the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house.
- 1.3 This application now proposes to convert the building into a 3 bedroom holiday let. The proposal includes the addition of 5 velux windows on the south elevation with the existing garage opening modified to accommodate a new window.

## **2. Policies**

- 2.1 National Planning Policy Framework (NPPF):

Paragraph 28 - supports economic growth in rural areas which promote the development and diversification of agricultural and other land base rural businesses. The paragraph also supports sustainable rural tourism and leisure development that benefits businesses in rural areas, communities and visitors, and which respect the character of the countryside.

## 2.2 Herefordshire Unitary Development Plan:

|       |   |   |
|-------|---|---|
| S1    | - | Sustainable Development                                 |
| S2    | - | Development Requirements                                |
| S4    | - | Employment  |
| S6    | - | Transport   |
| S8    | - | Recreation, Sport and Tourism                           |
| DR1   | - | Design  |
| DR2   | - | Land Use and Activity                                   |
| DR3   | - | Movement  |
| E12   | - | Farm Diversification                                    |
| LA2   | - | Landscape Character and Areas Least Resilient to Change |
| HBA12 | - | Re-Use of Rural Buildings                               |
| RST12 | - | Visitor Accommodation                                   |
| RST13 | - | Rural and Farm Tourism Development                      |

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

## 3. **Planning History**

- 3.1 DCNC0009/0058/F - Erection of agricultural building for free range hens. Approved
- 3.2 DCNC08/2482/F - Proposed garage (retrospective) revised height and windows – Allowed on appeal. The Inspector did not concur with the Council’s view that the building was harmful to the character and appearance of the area and to the setting of Wacton Court as a Grade II listed building.
- 3.3 DCNC07/1646/F - Retrospective application for domestic garage, workshop and office (amendment to permission)
- 3.5 DCNC05/2981/F - Double garage with attached office – Approved 26 October 2005
- 3.6 DCNC05/1970/F - Triple garage with games room over - Withdrawn 10 August 2005
- 3.7 DCNC02/0437/F - Erection of replacement dwelling - Approved 2 April 2002

## 4. **Consultation Summary**

- 4.1 Statutory Consultees
- 4.1 Welsh Water has no objection to the application but has advised that the applicant contacts the Environmental Agency as they are intending to utilise an existing septic tank.

### Internal Council Advice

- 4.2 Traffic Manager has no objection to the grant of permission.
- 4.3 Public Rights of Way Manager has no objection to the application.

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Further information on the subject of this report is available from Ms R Jenman on 01432 261961

4.4 Ecological Consultant: Identified the site as being 1300 m from the River Frome (but 290 m from a tributary of it) and 18 km the River Lugg and River Wye SAC. The discharge from Little Wacton Farm will be treated via an existing septic tank and soak-away. A Habitat Regulations Screening Report for the development has been undertaken and concluded that given the application utilises an existing on-site system of foul drainage management and separates surface water from this, there will be a trivial threat to the River Wye SAC via its tributaries of the River Frome or River Lugg. The conclusion is that there will be no likely significant effect. Natural England has not responded.

4.5 Natural England: Awaiting response.

## **5. Representations**

5.1 Bredenbury & District Parish Council have made the following comment;

‘The above application has been circulated to all Parish Councillors. There have been no concerns raised other than a comment about the expected increase in traffic along the narrow approach lane, which may add to the difficulties already experienced when vehicles need to pass one another’.

5.2 One letter has been received from Mr Andrew Davies of Wacton Court, Bredenbury

The letter has stated that their interest is in preserving the setting and curtilage of listed buildings. In summary the letter outlines the planning history on the site and that of the planning appeal. The letter questions if all conditions attached to the planning inspectorate decision had been complied with, especially in relation to the required hedgerow and orchard planting.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

[www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx](http://www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx)

## **6. Officer's Appraisal**

6.1 The application proposes the conversion of an existing building to a holiday let at Little Wacton Farm. The main issue to be considered is whether the use of the building for holiday accommodation would conflict with national and local planning policies which seek to protect the countryside and promote sustainable forms of development.

6.2 Policy RST12 and RST13 of the Unitary Development Plan have direct relevance as they set the provision for visitor accommodation and rural and farm tourism development. In summary policy RST12 allows visitor accommodation outside of identified settlements which consist of the re-use and adaptation of a rural building; where it is of an appropriate scale and design for its surrounding; it does not harm the character and appearance of the countryside; it is wherever possible accessible by a choice of modes of transport and is designed to incorporate access for the disabled; and the proposal does not harm the character of the original building.

6.3 Policy RST13 of the Unitary Development Plan allows new rural and farm tourism development in open countryside locations only where it would not harm the character of the countryside and where the traffic generated could be accommodated safely upon the local road network without the need for widening of lanes or loss of hedgerows.

6.4 The Unitary Development Plan recognises that development which aims to meet the needs of visitors who are attracted to the countryside can help diversify the rural economy and provides a boost to farm incomes and is a key element to rural and farm diversification. However, proposals for such developments must be sensitive to the local environment in terms of

design, scale and location and the likely level of traffic and noise that will be generated. The Unitary Development Plan also recognises that diversification of local farm-based economics into a wide range of non-agricultural business activities is an essential element in sustaining rural income and employment. Tourism projects can contribute to the rural economy and help maintain the character and quality of the countryside and its landscape.

- 6.5 The building subject to this application is parallel to and adjacent to the lane which is at a lower level than the farm building. There is a well established and substantial hedgerow along the lane which provides significant screening to the building. The changes to the external appearance of the building are all on the south elevation which faces into the site and therefore it is not considered that the proposal would harm the character or appearance of the area or surrounding countryside.
- 6.6 The location of the site would mean that visitors would be totally reliant on the private motor vehicle. However the countryside and rural landscape is considered to be the primary resource for visitors which would use the accommodation. The Highways Manager has raised no objection to the proposal and it is considered that the traffic generated could be safely accommodated on the local highway network without undue environmental, operational or safety consequences.
- 6.7 The proposal represents a re-use of a rural building, all be it a recently constructed rural building of no historic or architectural merit, with minimal changes required to its external appearance. However Policy RST12 does not require the building to be of any acknowledged historical, architectural, local landscape or amenity value. The proposed change of use and conversion will not harm the character and appearance of the countryside or harm the amenities of near by residential dwellings.
- 6.8 Policies HBA12 and HBA13 are also considered to be relevant as they deal with proposals for the re-use of rural buildings for residential purposes. There is no doubt that the building is of a substantial and permanent construction and is more than capable of conversion without major or complete reconstruction. The building is also capable of accommodating the new use without the need for substantial alteration or extension and the proposal would not lead to an adverse affect on the character and appearance of the building or have a detrimental impact on its surroundings and landscape setting.
- 6.9 The application site is within an isolated rural setting where it would be contrary to Policy H7 in the Unitary Development Plan and the National Planning Policy Framework to grant permission for a separate residential dwelling. Therefore it is considered expedient to attach a condition restricting the separate sale of the holiday accommodating and Little Wacton Farm House. In addition to protect the character and amenity of the locality, it is also considered expedient to remove all permitted development rights from the property.
- 6.10 The Council has recently identified an issue regarding phosphate levels in the River Wye and this has significant implications due to its designation as a Special Area of Conservation (SAC). This designation gives the river European protection and the Council has a legal requirement as a competent authority under the Habitats Regulations to take into account the effects of development on it. This is different from the normal planning position of balancing competing issues or demands and assessing cases whereby impacts can be traded off against each other. The Regulations effectively superimpose on the normal process a structured, precautionary process which must be followed in order that a lawful decision can be reached. Because the cumulative 'in combination' effects of individual small scale schemes need to be assessed as part of that process, the Council must be convinced that the scheme in question will not adversely affect the integrity of the watercourse. If it cannot satisfy itself on that point, the scheme cannot proceed.

- 6.11 A formal screening has been undertaken and Natural England have been consulted. As this must be done before a planning permission is issued, this application is recommended for approval, subject to the completion of the formal screening and subsequent consultation with Natural England confirming no likely significant effects on the River Wye SAC. This would then ensure compliance with the Habitat Regulations and policy DR4 of the Herefordshire Unitary Development Plan.

#### Conclusion

- 6.12 The proposed development is considered to be a sustainable form of development that is acceptable and in accordance with policies S1, DR1, RST12, RST13 and HBA12 of the Herefordshire Unitary Development Plan. The proposed scheme is of an appropriate scale and design for its surrounding and does not harm the character and appearance of the countryside or the character of the original building. The traffic generated by the proposal can be accommodated safely upon the local road network without the need for widening of lanes or loss of hedgerows. In addition there is not considered to be any impact upon the amenities of neighbours. Furthermore the development is consistent with the guidance provided in the National Planning Policy Framework which supports sustainable development and economic growth in rural areas.

### **RECOMMENDATION**

**Subject to Natural England confirming that the Councils screening of the proposal is acceptable, 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 The holiday accommodation hereby permitted shall only be occupied by tourists for holiday purposes. No person or groups of persons shall occupy the accommodation for more than 28 days consecutively and shall not be occupied by any one person or groups of persons for more than 156 day in any one calendar year.**

**The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the accommodation hereby permitted and of their main home address (i.e. principal place of residence) and shall make this information available at all reasonable times to the Local Planning Authority.**

**Reason: To ensure that the holiday accommodation hereby permitted is not used as permanent unrestricted dwellinghouses contrary to Policy H7 of the Herefordshire Unitary Development Plan 2007.**

- 4. F14 Removal of permitted development rights**
- 5. F13 Restriction on separate sale**
- 6. I16 Restriction of hours during construction**

#### **Reason for Approval**

- 1. The proposed conversion of the garage/workshop to a holiday let is considered to be of an appropriate scale and design for its surrounding and does not harm the**

character and appearance of the countryside or the character of the original building in accordance with policies S8, HBA12 and LA2 of the HUDP. The traffic generated by the proposal can be accommodated safely upon the local road network without the need for widening of lanes or loss of hedgerows in a manner consistent with policy DR3 of the HUDP. In addition there is not considered to be any impact upon the amenities of neighbours. Overall the proposed development is considered to be a sustainable form of development that is acceptable and in accordance with the principle policies S1, RST12 and RST13 of the HUDP and consistent with the guidance provided in the National Planning Policy Framework which supports sustainable development and economic growth in rural areas.

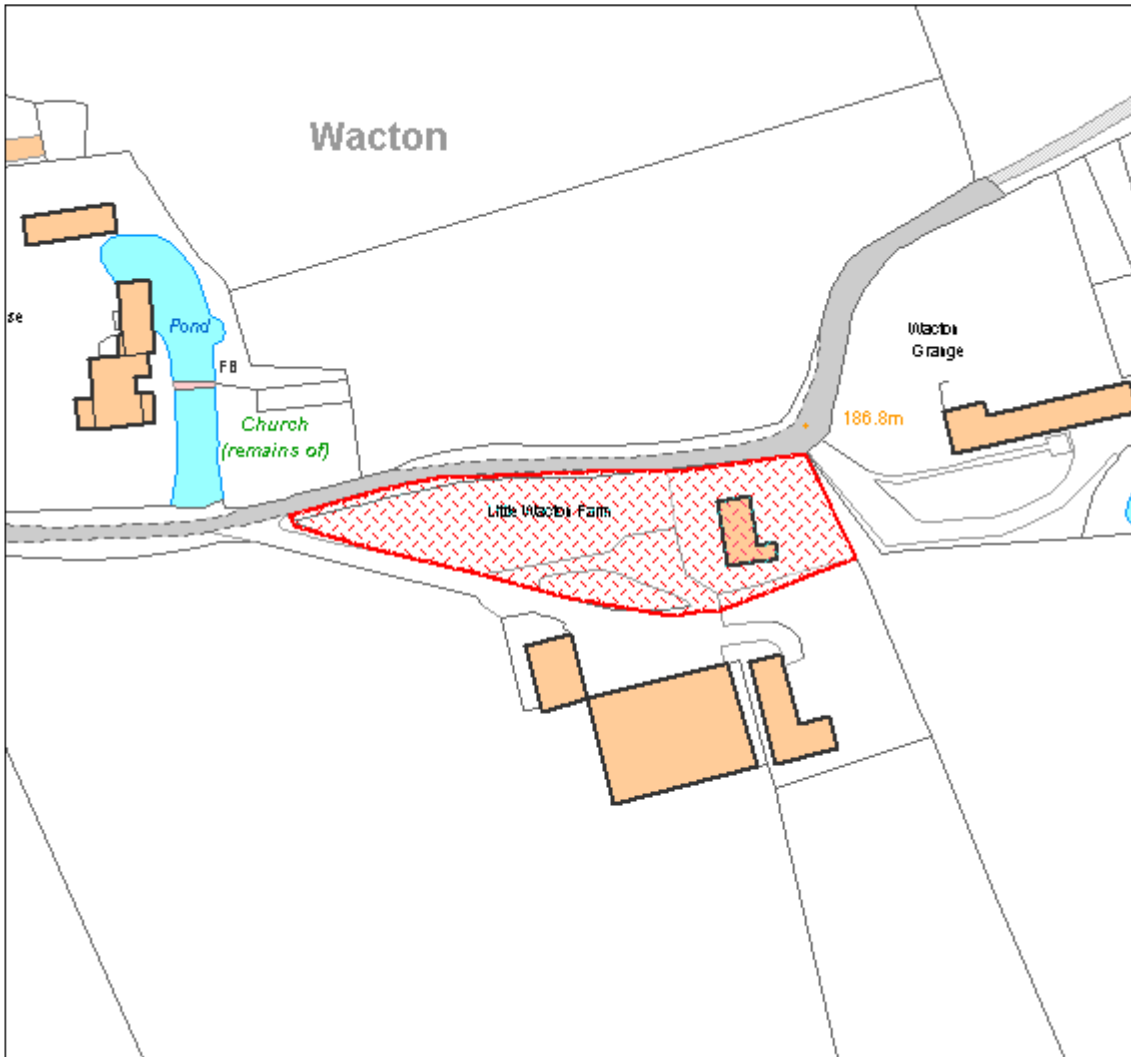
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** N/120761/F

**SITE ADDRESS :** LITTLE WACTON FARM, BREDENBURY, HEREFORDSHIRE, HR7 4TQ

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