

MEETING:	PLANNING COMMITTEE
DATE:	11 DECEMBER 2013
TITLE OF REPORT:	131981/F - CHANGE OF USE OF EXISTING BARN TO 5 DWELLINGS AT EVERSTONE FARM, PETERSTOW, ROSS-ON-WYE, HR9 6LH For: Mr Green per JCPC-Ltd, Trecorras Farm, Llangarron, Ross-on-Wye, Herefordshire, HR9 6PG
WEBSITE LINK:	https://www.herefordshire.gov.uk/planningapplicationsearch/details/?id=131981

Date Received: 22 July 2013

Ward: Llangarron

Grid Ref: 355248,225000

Expiry Date: 16 September 2013

Local Member: Councillor JA Hyde

1. Site Description and Proposal

- 1.1 The application site lies on the southern side of the A49 within the Parish of Peterstow. It lies to the east of Everstone Farm and a stone barn that has been converted to five houses.
- 1.2 The site lies approximately 1 km west of the village of Peterstow. Between the site and Peterstow is the intervening hamlet of 'Winters Cross'.
- 1.3 Upon the site is a redundant agricultural building that it is understood has historically been used to accommodate pigs. This former piggery building is a single storey pre-cast reinforced concrete portal frame structure with concrete walls and block infill panels below windows. The building has a non-traditional utilitarian appearance. It probably dates from the 1930's.
- 1.4 The proposal is to convert the building into five single storey two bedroomed dwellings. Each dwelling would have an internal width of 6 metres and an internal depth of 10.2 metres. It is envisaged that the building would have horizontal timber weather board cladding on the elevations and artificial slates to the roof.
- 1.5 The garden areas would be provided to the east with depths of 11 metres whilst 13 car parking spaces would be provided to the front.

2. Policies

National Planning Policy Framework including para. 55

2.1 Herefordshire Unitary Development Plan 2007

- | | | |
|-------|---|--|
| H7 | - | Housing in the countryside outside settlements |
| HBA12 | - | Re-use of rural buildings |

Further information on the subject of this report is available from Mr R Close on 01432 261803

- HBA13 - Re-use of rural buildings for purposes
LA2 - Landscape character and areas least resilient to change

2.2 Core Strategy

- RA3 - Housing in the countryside outside settlements
RA5 - Re-use of rural buildings
LD2 - Landscape and townscape

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

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

3. Planning History

3.1 DCSE2005/4154/F – Conversion of building to 3 holiday units; access track, car park, turning area and treatment plant – Refused and Dismissed on Appeal – A copy of the appeal decision is attached as Annex 1.

3.2 DCSE2007/0852/F – Change of farm building to B1 use with treatment plant and ancillary works – Permitted.

4. Consultation Summary

External Consultees

4.1 None

Internal Consultees

4.2 Environmental Health Officer: - recommends an informative with regard to unforeseen contamination that may be present.

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

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

5. Representations

5.1 The Parish Council has no objection.

5.2 Five (1, 3, 4, 5 & 6 Everstone Barns) expressions of objection have been received on the following summarised grounds:-

- Building not a barn but a pig shed;
- No provision for waste storage;
- Proposed materials not in keeping;
- Concerns re: foul sewerage;
- Could be contamination;
- The site is outside the natural bounds of Peterstow village;
- There is no pedestrian access to the village;
- It has not been demonstrated that the building is capable of conversion without complete or substantial rebuilding;
- The proposal fails to comply with policies RA5 and RA2 of the Core Strategy

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- 5.3 One expression of support ('Perry Field', 1 Langdon Villas, 'West Winds') has been received on the following summarised grounds:-
- Refreshing to see a development aimed at first time buyers;
 - The site is in a sustainable location
 - The proposal is of a high standard
- 5.4 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>
- Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 The main issue in this case is whether the principle of the proposed development is acceptable. The Local Planning Authority has a statutory duty to determine applications in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the area remains the Herefordshire Unitary Development Plan 2007. The Core Strategy is at an early stage in the process towards adoption and in law minimal weight (if any) should be attached to it.
- 6.2 The site lies within the open countryside in planning policy terms. It lies outside of Hereford, the market towns and any of the main villages as defined in policy H4 of the Herefordshire Unitary Development Plan 2007. It also lies outside the smaller settlement of Peterstow as set out in policy H6. The site lies approximately 1km north-west of Peterstow.
- 6.3 Policy H7 of the Herefordshire Unitary Development Plan 2007 clearly establishes a presumption against new residential development within the open countryside. Exceptions are provided for. None are considered to apply in this particular case. In terms of policies HBA12 and HBA13 of the UDP the following observations are considered of particular relevance:-
- a) Criterion 1 of HBA12 – following consultation with the Building Control Section I am satisfied that the building is capable of conversion without affecting the structural integrity of the existing building.
 - b) Criterion 2 of HBA12 – interestingly in the appeal decision relating to planning application DCSE2005/4154/F the Inspector in para. 6 stated: - "I also consider that the development would be similar to houses in permanent occupation in terms of access, parking and turning arrangements; enclosed rear gardens, and likely domestic paraphernalia. The imposition of a condition removing certain permitted development rights would not, in my opinion, overcome the fundamental policy objection to a proposal which would erode the character and appearance of the open countryside". The dismissed appeal proposal was essentially of the same nature as currently proposed in that self-catering tourism units are effectively dwellinghouses, albeit with restrictive occupancy conditions. It is my view and that of the Senior Landscape Officer that the proposal would detract from the existing landscape character for the same reasons as set out by the Inspector in relation to the aforementioned dismissed appeal.
 - c) Criterion 1 of HBA13 – clearly and crucially the building in question is not of any architectural or historic merit and there are no amenity benefits in retaining the building.

- 6.4 Therefore it is my view that the proposal represents unjustified new residential development within the open countryside contrary to policies H7, HBA 12 and HBA13 of the Herefordshire Unitary Development Plan 2007.
- 6.5 In addition, it is my view that the proposed development by virtue of the introduction of residential garden areas and inevitable domestic paraphernalia would harm the character and appearance of the countryside contrary to policies HBA12(2) and LA2 of the Herefordshire Unitary Development Plan 2007 and policy LD2 of the Core Strategy.

Other Material Planning Considerations

- 6.6 The issue then arises as to whether there are any other material planning considerations to suggest that an alternative decision should be made departing from Development Plan policy.

Shortfall of 5 year housing land supply

- 6.7 The Council's most recent annual monitoring report suggests that there is a shortfall in the Council's five year housing land supply. As such, the Local Planning Authority needs to address that shortfall. However, that does not mean allowing new houses anywhere and at any environmental cost. Such new dwellinghouses should be in appropriate locations. As a consequence the approach adopted by the Council has been to look more favourably on sites adjacent to Hereford, the market towns and the main villages (i.e. those listed in policy H4 of the Herefordshire Unitary Development Plan 2007). In that regard and the reasonable approach adopted by the Council is illustrated by the recent granting of planning permission for a new dwellinghouse adjacent to the settlement boundary of Colwall, a main village. In contrast the proposal under consideration is not adjacent to Hereford nor any of the market towns or main villages as defined in the Herefordshire Unitary Development Plan 2007.

Emerging Core Strategy

- 6.8 As outlined earlier the Core Strategy is at such an early stage of preparation that minimal (if any) weight should be attached to it. It is recognised that emerging Policy RA2 envisages housing growth at Peterstow of some 14%. However, such growth is envisaged to be located within or adjoining the settlement / village, not physically divorced from it.

Affordable Housing

- 6.9 It needs to be stressed that the proposal is not for affordable housing (i.e. social rented, affordable rented, intermediate, shared ownership, low cost market intermediate rental). It must be stressed that low cost market housing involves selling at a price lower than the open market value (normally not exceeding £97,000 and all subsequent sales at a discounted figure of 39% below the open market value at that time). No Draft Heads of Terms securing affordable housing has been deposited. The agent for the applicant argues that the fact that the dwellings would be genuinely small make them affordable. It is considered that this is not the case and even if the first sale price was £97,000 no legal mechanism would be in place to ensure affordability in the long-term. Furthermore even if one were to accept that significant weight should be attached to the Core Strategy and that one of the exceptions in policy RA3 applies (which is not accepted) then policy H1 states that one would expect an element of affordable housing in schemes of 3 or more dwellings. No such affordable housing is advanced.

Other issues

- 6.10 The vehicular means of access is considered to be satisfactory with satisfactory visibility splays onto the A49.

6.11 The proposed non-mains drainage solution for foul sewage being a package treatment plant is considered to be satisfactory.

6.12 There are no ecological grounds of objection.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. **The proposal involves new unjustified residential development within the open countryside contrary to Policies H7 and HBA13 of the Herefordshire Unitary Development Plan 2007 and Policy RA3 of the Core Strategy. The building is not considered to be of any architectural or historic merit and there are no amenity benefits in retaining the building.**

2. **The proposed development by virtue of the introduction of residential garden areas and inevitable domestic paraphernalia would harm the character and appearance of the countryside contrary to Policies HBA12(2) and LA2 of the Herefordshire Unitary Development Plan 2007 and Policy LD2 of the Core Strategy.**

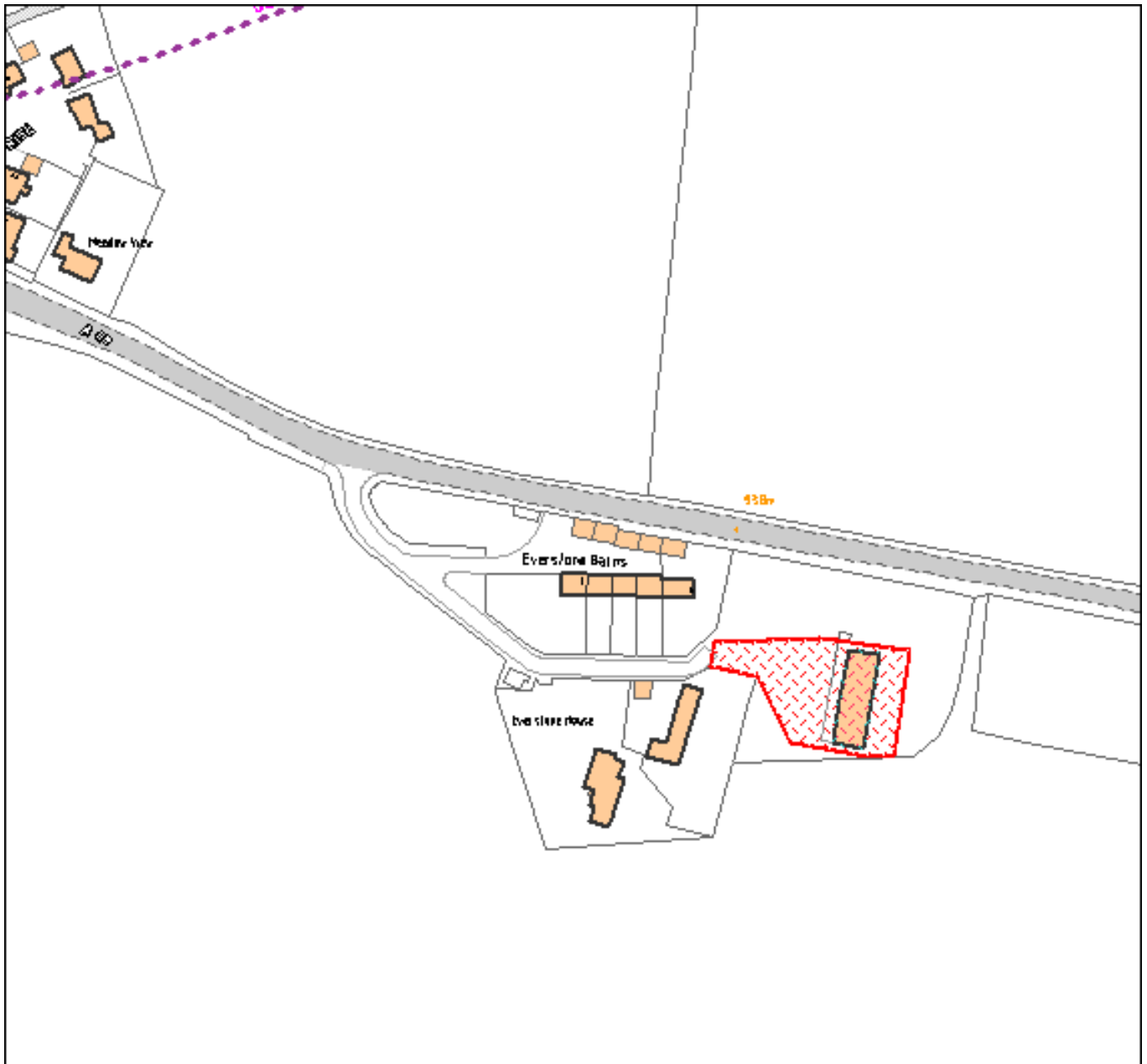
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 131981/F

SITE ADDRESS : BARN AT EVERSTONE FARM, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LH

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