

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>3 FEBRUARY 2016</b>
<b>TITLE OF REPORT:</b>	<b>152559 - PROPOSED CONVERSION OF A DUTCH BARN TO PROVIDE A DWELLING WITH ANNEXED HOLIDAY ACCOMMODATION AT LAND TO THE SOUTH EAST OF STANLEY BANK FARM, KIMBOLTON, LEOMINSTER, HEREFORDSHIRE</b>  <b>For: Mr &amp; Mrs Duggan per RRA Architects, Watershed, Wye Street, Hereford, Herefordshire, HR2 7RB</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152559&amp;search=152559">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152559&amp;search=152559</a>
<b>Reason Application submitted to Committee – Re-direction</b>	

**Date Received: 25 August 2015**

**Ward: Leominster  
North & Rural**

**Grid Ref: 352390,260486**

**Expiry Date: 3 November 2015**

Local Member: Councillor J Stone

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

- 1.1 The application site is on the southern side of an unclassified road (u/c 94213) it comprise an arbitrary area of field above the level of the unclassified road from which access will be gained from an existing gateway in the hedgerow. The unclassified road continues northwards to Kimbolton, joining the main thoroughfare, the A4412 close to the Stockton Cross Inn.
- 1.2 The proposal relates to an existing barrel roof structure open on four sides (dutch barn). The steel supports are bedded into concrete pads. It is proposed to infill this structure with a mix of triple glazing, corten steel cladding, vertical weather-boarding predominantly behind the footprint of the structure, the exception being a balcony on the northern end. The northern end of the building will have glazing on the first floor, which is reflected on the southern end of the roughly north to south aligned building.
- 1.3 The accommodation will comprise a two bedroom dwelling in the northern portion comprising kitchen/sitting room and shower room on ground floor with two bedrooms and bathroom on the first floor. The other two bedroom unit will have the inverse i.e sleeping accommodation on the ground floor and dining/living area and kitchen on the first floor.
- 1.4 The dwelling and holiday unit annex will be served by a package treatment plant and a ground source heat pump housed in an energy centre structure at the southern end of the arbitrarily defined curtilage boundary. The existing hedgerow along the northern roadside boundary and the western boundary will be retained. The new defined eastern boundary will be planted up

with a native species hedgerow that will be supplemented by tree planting as recommended by an ecologist advising the applicants.

- 1.5 The application was accompanied by a Design and Access Statement, Transport statement, topographical survey and ecological survey.

## **2. Policies**

### 2.1 The Herefordshire Local Plan-Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Environmental quality and local distinctiveness
RA1	-	Rural Housing Strategy
RA2	-	Herefordshire's Villages
RA3	-	Herefordshire's Countryside
RA4	-	Agricultural, forestry and rural enterprise dwellings
RA5	-	Re-use of rural buildings
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Local Distinctiveness
LD2	-	Landscape and Townscape
LD3	-	Biodiversity and Geo-Diversity
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources

### 2.2 National Planning Policy Framework

The following chapters are of particular relevance to this proposal:  
Introduction - Achieving sustainable development

Section 4 - Promoting sustainable transport  
Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design  
Section 8 - Promoting healthy communities  
Section 11 - Conserving and enhancing the natural environment

### 2.3 Neighbourhood Planning

Kimbolton Parish Council has designated a Neighbourhood Plan Area under the Neighbourhood Planning (General) Regulations 2012. The Parish Council will prepare a Neighbourhood Development Plan for the area. There is no timescale for proposing/agreeing the content of the plan at this stage, but the plan must be in conformity with the strategic content of the Core Strategy. Whilst the Neighbourhood Plan is a material consideration it is not sufficiently advanced to attract weight for the purposes of determining planning applications.

- 2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

## **3. Planning History**

- 3.1 None

## **4. Consultation Summary**

Statutory Consultations

4.1 None

### **Internal Council Consultations**

4.2 Transportation Manager has not responded

4.3 Conservation Manager (Historic Buildings) objects:

The application site is to the south of Kimbolton and Stockton Bury, amongst a few scattered farms and dwellings. The site contains a Dutch Barn of very slim construction which seems to have been built in the mid-20<sup>th</sup> century, judging by historic OS mapping.

The barn does not appear to have any particular historic merit or specific detail that would make it architecturally worthy of retention or conversion. It is possibly an interesting question as to whether the proposal is a conversion given that the new house seems to be inserted into and under the existing structure, rather than the structure needing to be adapted.

The approach to the site from the north at present allows the light to be framed by the barn's structure and the enclosure of the banks and hedging lining the lane. The proposal would close off this light and the new house would dominate the northern approach rather than blending into the landscape.

The objections to the scheme are fundamental, that the barn is not suitable for conversion and that the location is too dominant in the landscape.

4.4 Conservation Manager (Ecology) states that there will be a low risk of impact on bio-diversity and that the measures proposed for biodiversity enhancement are encouraged and therefore the subject of a recommended planning condition.

4.5 Public Rights of Way Manager has no objection

## **5. Representations**

5.1 Kimbolton Parish Council states:

I write with reference to the current Stanley Bank Farm planning proposal to carry out conversion of an existing dutch barn into living accommodation and holiday cottage.

Kimbolton Parish Council gives full support of this application. The proposal suggests utilising an existing farm building with good access just off the main farm stead. Mr and Mrs Duggan have two sons who both wish to work on the farm.

The project would enable practical living accommodation based on site in hand with the modern demands of running a farm twenty four hours a day, seven days a week.

This would enhance the farms future security and enable potential for further employment within the wider community.

This is also an ideal opportunity to preserve a building of character utilising both traditional and sustainable modern building techniques.

Part of the proposal to create a holiday cottage would enable diversification of the existing business together with promotion of local tourism.

There is opportunity to create an enriched bio diversity through planting of additional native trees and hedge row schemes.

The requirement of additional housing within the village has been earmarked under recent core strategy planning review.

We would strongly urge you to review the application based on this information.

5.2 22 letters of support have been received. The main issues raised can be summarised as follows:

- Provide needed accommodation on livestock enterprise
- Diversification , with holiday let(s) good for village
- Good use of building , well designed often infilled with straw bales
- Planting will enhance bio-diversity

5.3 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:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require local planning authorities to determine applications in line with provisions of the local development plan unless material considerations dictate otherwise.

6.2 In this instance the Development Plan is the recently adopted Herefordshire Local Plan Core Strategy. CS Policy SS1 enforces what is at the heart of the Government's National Planning Policy Framework in its '*presumption in favour of sustainable development*'. This policy states:

*When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.*

*Planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.*

*Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise - taking into account whether:*

- a) *any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or*
- b) *specific elements of national policy indicate that development should be restricted*

- 6.3 Policy SS2 (Delivering new homes) of the Core Strategy sets out clearly the need to ensure sufficient housing land delivery across the County. In order to meet the targets of the Local Plan the Council will need to continue to support housing growth by granting planning permissions where the developments meet with the policies of the CS, (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans).
- 6.4 The main issue is the principle of erecting this building, on this particular site in open countryside, this is given that the proposal site is not within or indeed adjoining a settlement boundary. There is a presumption against new residential development as set out within Policy RA3 of Core Strategy and as set out in Paragraph 55 of the National Planning Policy Framework. Development may be permitted only in exceptional circumstances such as when a case has been substantiated for a dwelling serving an established rural enterprise, or the new dwelling is a replacement for an existing dwelling with established use rights and lastly the proposal constitutes the conversion of a building. No case has been submitted in respect of these matters.
- 6.5 This proposal does not fall within the remit of a barn conversion; the dwellings proposed are inserted and independent, the barrel roof covering the resultant two-storey glazed and timber clad structure apart from where it juts out on the northern side in the form of a balcony. These new dwellings will be visible above the level of the adjoining road particularly when heading southwards along the unclassified road, more so when lit up internally. It is stated in letters of support that when the structure is used for its primary purpose i.e storage of bales it presents a dark silhouette in the landscape akin to the new dwelling. This will not be the case though when the new dwelling is lit and therefore establishing its prominence in the landscape.

### **Transport**

- 6.6 Notwithstanding that at the time of drafting this report, the formal response of the Transportation Manager had not been received, it is considered that continued use of the existing access point will not have an adverse impact on highway safety given the visibility achievable and level of traffic entailed.

### **Foul and surface water drainage**

- 6.7 There is sufficient land available to provide for foul and surface water drainage on the site particularly given the topography, land available and scale of development

### **Ecology**

- 6.8 The Council's Ecologist states that there will be a low risk of impact on biodiversity and that subject to a condition providing for measures improving enhancement of biodiversity, the application is supported.

### **Summary and Conclusions**

- 6.9 This application needs to be determined on its merits and with particular regard to Policy RA5 of Core Strategy that requires that proposals *respect the character and significance of any redundant or disused building* and that *buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction*. It is evident that this proposal falls outside the remit of such fundamental policy requirements and as such constitutes development that falls outside the remit of the conversion policy and without countervailing grounds for support i.e as use as a key workers' accommodation in accordance with policy RA4 of the Core Strategy. In the absence of a substantive case being made for such a dwelling, the erection of this dwelling is contrary to policies in the Core Strategy and the provisions of Paragraph 55 of the National Planning Policy Framework. The proposal is therefore contrary to Policy RA3, being housing development in the open countryside

- 6.10 Additional traffic can be accommodated on the road network without an adverse impact on highway safety.
- 6.11 It is also concluded that the measures proposed by the applicants will enhance the biodiversity interest of the site and environs.
- 6.12 Foul and surface water drainage can be provided without consequences for flooding or pollution of the local environment
- 6.13 Officers conclude that there are no overriding grounds for not refusing the erection of a dwelling on this site, notwithstanding the support advanced. This proposal constitutes development in the open countryside contrary to policies in the Herefordshire Local Plan-Core Strategy.

**RECOMMENDATION**

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

- 1. **The proposal represents unjustified unsustainable development in a prominent location in open countryside, failing to satisfy exception criteria in the Herefordshire Local Plan-Core Strategy under policies SS1, SS6, SD1, RA3, RA4 and RA5.**

**INFORMATIVE**

**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason(s) for the refusal, approval has not been possible.**

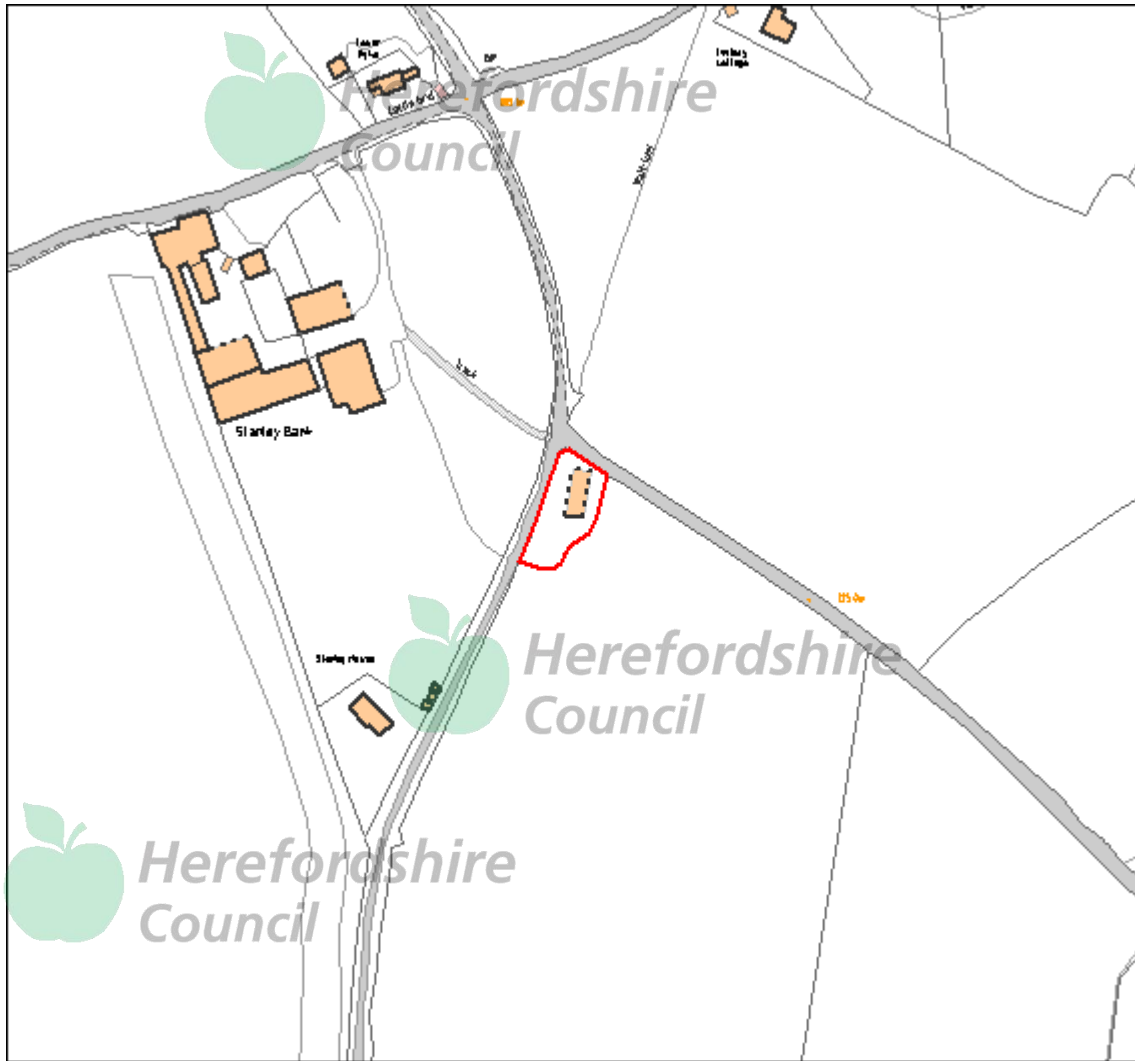
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



© Crown copyright and database right 2016 (100024168)

This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** 152559

**SITE ADDRESS :** LAND TO THE SOUTH EAST OF STANLEY BANK FARM, KIMBOLTON, LEOMINSTER, HEREFORDSHIRE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005