

MEETING:	PLANNING COMMITTEE
DATE:	14 SEPTEMBER 2016
TITLE OF REPORT:	<p>161495 & 161496 - ENGINEERING WORKS INCLUDING INSTALLATION OF GROUND SOURCE HEAT PUMPS AND SOLAR PANELS AT PENRHOS COURT, LYONSHALL, KINGTON, HR5 3LH</p> <p>161497 & 161498 – CHANGE OF USE OF LONG BARN FOR 8 NO. SELF-CONTAINED HOLIDAY LETS WITH ASSOCIATED PARKING, SIGNAGE AND LIGHTING.</p> <p>161499 & 161500 – CHANGE OF USE OF THE REAR WING OF THE COURT TO SWIMMING POOL, SAUNA, LAUNDRY ETC.</p> <p>161501 & 161502 – CHANGE OF USE OF THE COURT TO A SINGLE DWELLING HOUSE, INCLUDING NEW KITCHEN AND BATHROOM AND PRIVATE DRIVEWAY TO CONNECT TO EXISTING GATED ACCESS TO HIGHWAY; IMPROVEMENTS TO PART OF THE CARTSHED FOR USE AS A SECURE PRIVATE STORE AND CREATION OF PRIVATE GARDEN. CONSTRUCTION OF DETACHED GARAGE PREVIOUSLY APPROVED.</p> <p>161503 & 161504 – CHANGE OF USE OF THE BARN AND PART OF THE CARTSHED TO CREATE A SHOP AND CAFÉ IN THE BARN AND SITTING AREA IN THE CARTSHED, TOGETHER WITH CAR PARKING, SIGNAGE AND LIGHTING</p> <p>161505 & 161506 – CHANGE OF USE OF LAND FOR THE KEEPING OF RECREATION HORSES, WITH DEMOLITION OF EXISTING BUILDING AND REPLACEMENT WITH NEW STABLING AND SECURE STORES AND IMPROVEMENTS TO BOUNDARY TREATMENTS OF THE SITE, INCLUDING INTERNAL FENCING.</p> <p>For: Mr Bentham and Miss Laura Lane per Ms Andrea Burton, Nick Joyce Architects Ltd, 5 Barbourne Road, Worcester, WR1 1RS</p>

Further information on the subject of this report is available from Mr M Tansley on 01432 261815

**WEBSITE
LINK:**<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161495&search=161495>**Reason Application submitted to Committee – Member of Staff Application****Date Received: 16 May 2016****Ward: Arrow****Grid Ref: 331668,256082****Expiry Date: 11 July 2016**

Local Member: Councillor RJ Phillips

1. Site Description and Proposal

- 1.1 Penrhos Court a grade II* listed building lies on the south side of the A44 between Lyonshall and Kington. This composite report deals with 6 planning application and their accompanying applications for listed building consent. The applications are around a theme of commercial use of the site, for 8 holiday lets, an online business, a café and shop together with associated works/facilities and the change of use of The Court to a single dwelling for the applicants.
- 1.2 An outline masterplan for the site has been submitted and this is attached as appendix A.
- 1.3 Penrhos Court has had a variety of uses in recent history, the most recent being a hotel and restaurant.
- 1.4 The proposed developments are listed below:-
- A. Engineering works including installation of ground source heat pumps and solar panels.
 - B. Change of use of Long Barn for 8 no. self-contained holiday lets with associated parking, signage and lighting.
 - C. Change of use of the rear wing of The Court to swimming pool, sauna, laundry etc.
 - D. Change of use of The Court to a single dwelling house, including new kitchen and bathroom and private driveway to connect to existing gated access to highway; improvements to part of The Cartshed as a secure private store and creation of private garden. Construction of detached garage previously approved.
 - E. Change of use of The Barn and part of The Cartshed to create a shop and café in The Barn and sitting area in The Cartshed, together with car parking, signage and lighting.
 - F. Change of use of land for the keeping of recreation horses, with demolition of existing building and replacement with new stabling and secure stores and improvements to boundary treatments of the site, including internal fencing.

2. Policies**2.1 The Herefordshire Local Plan Core Strategy**

- SS1 - Presumption in Favour of Sustainable Development
- RA5 - Re-use of Rural Buildings
- RA6 - Rural Economy
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- E3 - Homeworking
- E4 - Tourism
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD4 - Historic Environment and Heritage Assets
- SD1 - Sustainable Design and Energy Efficiency
- SD2 - Renewable and Low Carbon Energy
- SD3 - Sustainable Water Management and Water Resources

2.2 National Planning Policy Framework

The following sections are of particular relevance:

Introduction	-	Achieving Sustainable Development
Section 3	-	Supporting a Prosperous Rural Economy
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
Section 12	-	Conserving and Enhancing the Historic Environment

2.3 Neighbourhood Planning:

Lyonshall NDP area was designated on 26th July 2012, The Plan has not reached any formal consultation stages under Reg14, therefore whilst it is a material consideration it has no 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 141850/2- Proposed change of use into 4 dwellings with additions of 3 small outbuildings and the demolition of another, the removal of later additions, conversion of part of an outbuilding to create communal biomass heating plant, alteration to internal vehicular access and parking, and improvements to landscaping.

Planning Permission and Listed Building Consent granted 31/10/14

4. **Consultation Summary**

Statutory Consultees

4.1 Historic England:

Raise No objections subject to the solar panels being all black and conditions for appropriate materials.

Internal Council Consultations

4.2 Transportation Manager:

Response will be in Members update, given previous similar uses no objection anticipated, but expect conditions to be recommended.

4.3 Public Rights of Way Officer: No objection.

4.4 Conservation Manager (Historic Buildings):

Penrhos Court is a grade II* heritage asset located northwest of Lyonshall and west of Kington. It consists of a 15th century Hall with 16th and 17th century additions and a 20th century rear wing, an 18th century barn with a 20th century addition linking to the Hall and the 20th century

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wing. The Court and barn form part of a courtyard of buildings, which are of 19th century date and curtilage listed, including a detached part-single, part-two storey barn and an open cart shed.

In response to all the applications there are no objections subject to conditions, which vary from proposal to proposal.

4.5 Conservation Manager (Ecology):

Agreed the Cartshed does need a bat survey (we found fresh droppings) but that on other buildings, there was some evidence of past use by occasional bats throughout the building but as the roof voids/gaps in these buildings shouldn't be disturbed or altered a well worded Working Method Statement will suffice.

The results of the survey will be presented in the update report.

5. Representations

5.1 Lyonshall Parish Council strongly support all applications. The improvements suggested are a sustainable solution and will revitalise an old building. This development is particularly important to the Parish as it will enable the applicant to attract holiday makers to the area who will spend money in Lyonshall and Kington helping in the effort to create a sustainable community. The site itself is expected to provide 2 to 3 jobs. Lyonshall Parish Council strongly support all applications.

5.2 Herefordshire Wildlife Trust refer to the pond and consider a full assessment is required.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161495&search=161495>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161496&search=161496>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161497&search=161497>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161498&search=161498>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161499&search=161499>

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<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161502&search=161502>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161503&search=161503>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161504&search=161504>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161505&search=161505>

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161506&search=161506>

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 Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"

6.2 In this instance the Development Plan for the area is the Herefordshire Local Plan – Core Strategy.

- 6.3 In addition s66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to give special regard to the the desirability of preserving of the heritage assets.
- 6.4 Heritage statements were provided with each application. The Historic England and the Council's Conservation Manager (Historic Buildings) have assessed the significance of the asset. Great weight should be given to the preservation of the historic asset. The proposed developments do not cause any harm to the significance of the asset subject to suggested conditions recommended by the Historic England and the Conservation Manager.
- 6.5 The proposed uses are not dissimilar to the previous use of the site. The most recent application set out in the history section has not been implemented. Therefore a number of the issues have been previously considered and not found to be problematic, satisfying the policies on re-use of rural buildings and the economy, at that stage under the Unitary Development Plan Policies, but remaining equally compliant with replacement Core Strategy policies and the NPPF.
- 6.6 The main new issue therefore relates to the manner of the conversion works and new build, ie the historic heritage matters. In this instance Historic England has commented that the solar panels should be a completely black finish, otherwise that they are content with the works subject to the use of appropriate materials/finishes. There is no objection to the new car park area or stable building to the west of the main group of buildings. The Council's Conservation Manager (Historic Buildings) has no objection to any of the 12 proposals, subject to appropriate conditions. Consequently it is considered that polices LD4 and section 12 of the NPPF are satisfied, together with s66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.7 There are two existing accesses to the site, the main one is to be utilised by the majority of the developments, and serves the new car park, the other to the east is to serve the newly created single dwelling part of the scheme.
- 6.8 Herefordshire Wildlife Trust consider a full assessment is required. The Council's Conservation Manager (Ecology) requested a report on limited elements of the proposals following a site visit and evaluation. This will be available through the update prior to the meeting. Following an inspection of the site and buildings it is not anticipated that there will be any issues which cannot be mitigated through conditions.
- 6.9 It is also considered that the proposals comply with policy E4 of the Core Strategy, promoting tourism, and the pertinent sections in the NPPF particularly section 3.

Listed Building Consent

- 6.10 Works affecting listed building require a consent from the Local Planning Authority. In considering whether to grant listed building consent, section 16 of (Listed Buildings and Conservation Area) Act 1990 requires the Local Planning Authority to have a special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.11 The proposed developments do not cause any harm to the historic asset subject to the conditions recommended by the Historic England and the Conservation Manager.

- 6.12 It is considered therefore that the proposals constitute sustainable development and can be recommended for planning permission and listed building consent as appropriate to the type of application.
- 6.13 Whilst there will be a number of standard conditions which apply throughout, given the extent of the proposals and number of different plans to be referenced it would not be conducive to committee time to list all 12 decision notices with conditions in this report. The conditions will relate to matters of use of buildings, details of works, including materials, highway matters, ecology and any others appropriate to the individual application.

RECOMMENDATION

Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission and listed building consent subject to conditions for each proposal as appropriate.

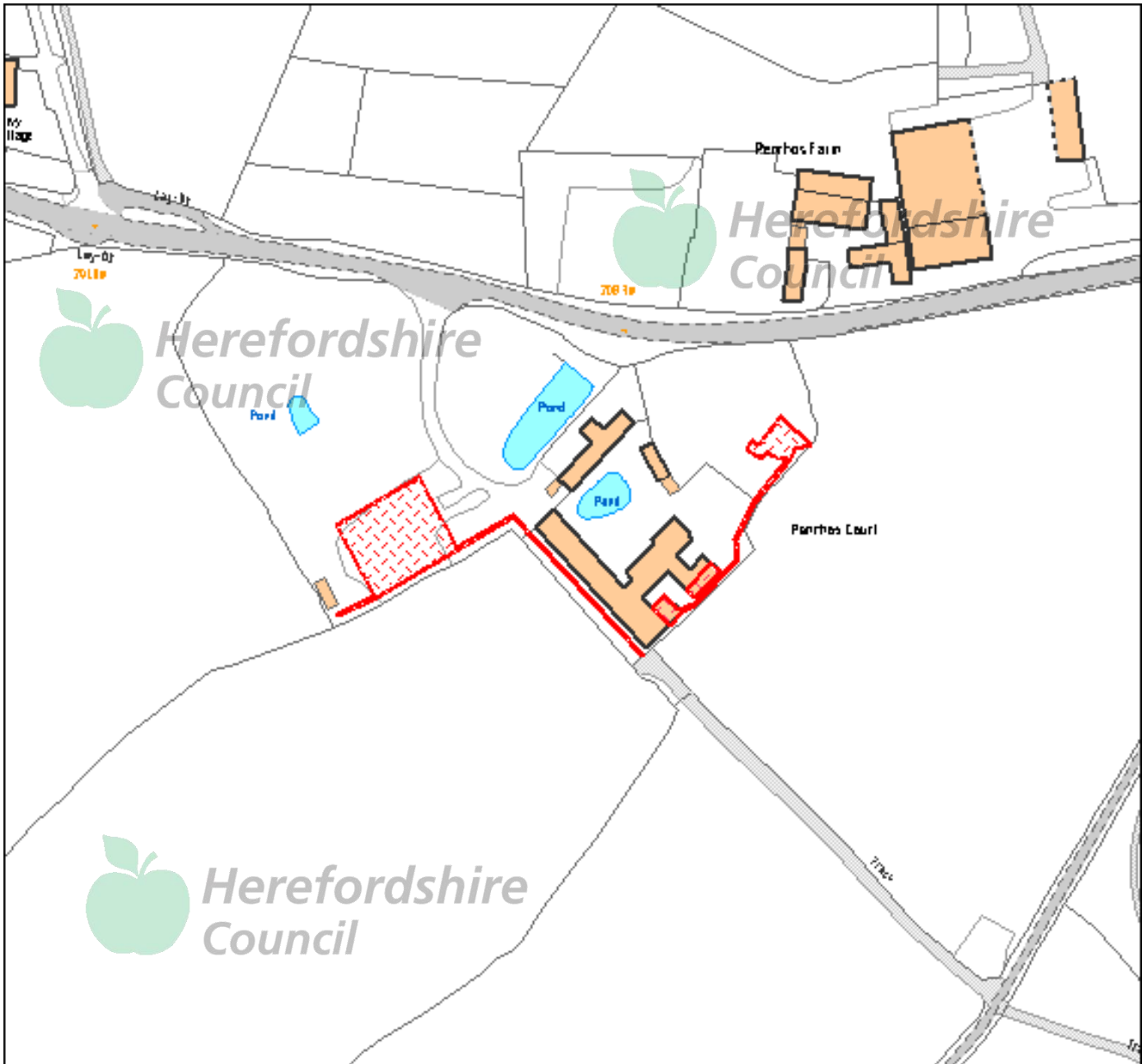
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 161495

SITE ADDRESS : PENRHOS COURT, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3LH

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