

7 DCSE2005/0065/F - PARTIAL RECONSTRUCTION AND EXTENSION OF BARN FOR ONE NO. DWELLING, NEWTON FARM, WELSH NEWTON, MONMOUTH, NP25 3RN

For: Mr. & Mrs. J. Gilling per M. John Crowther & Associates, Suite 2, Cobb House, 82 Newport Road, Caldicot, Monmouthshire, NP26 4BR

Date Received: 11th January, 2005 Ward: Llangarron Grid Ref: 50016, 17872
Expiry Date: 8th March, 2005

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 The site is located at Welsh Newton which is a small settlement located on the east side of the Class I A466 in the extreme south of the County. The site itself is just to the south east of the settlement and is approached by an unmade track.
- 1.2 The proposal relates to a stone building for which planning permission was granted in 2002 for conversion into a dwelling. Recent investigations have revealed that the work as undertaken is significantly different from that approved. This application seeks to essentially regularise the work as carried out.

2. Policies

2.1 Planning Policy Guidance/Statements

PPG.1	-	General Policy and Principles
PPG.15	-	Planning and the Historic Environment
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2	-	Area of Great Landscape Value
Policy CTC.7	-	Development and Features of Historic and Architectural Importance
Policy CTC.9	-	Development Requirements
Policy CTC.14	-	Criteria for the Conversion of Buildings in Rural Areas
Policy H.16A	-	Development Criteria
Policy H.20	-	Residential Development in Open Countryside

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.29	-	Setting of a Listed Building
Policy C.36	-	Re-use and Adaptation of Rural Buildings

Policy C.37	-	Conversion of Rural Buildings to Residential Use
Policy SH.11	-	Housing in the Countryside
Policy SH.24	-	Conversion of Rural Buildings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H.7	-	Housing in the Countryside outside Settlements
Policy H.14	-	Re-using Previously Developed Land and Buildings
Policy HBA.4	-	Setting of Listed Buildings
Policy HBA.12	-	Re-use of Rural Buildings
Policy HBA.13	-	Re-use of Rural Buildings for Residential Purposes
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy DR.1	-	Design

2.5 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

- 3.1 There have been a considerable number of applications with respect to Newton Farm. The following are those most directly relevant to this proposal:

SH890603PF) SH890604LA)	Barn to staff accommodation, part of equestrian training centre and stud	-	Approved 21.06.89
SW2000/0312/O	Equestrian centre with car parking	-	Approved 11.10.01
SW2000/0313/F	Conversion of equestrian building to farmhouse	-	Approved 11.10.01
SW2000/0314/F	Conversion to form 6 holiday cottages	-	Approved 11.10.01

NB. A Section 106 Agreement was completed in association with the above-mentioned permissions

SW2002/2136/F	Barn conversion for residential purposes	-	Approved 13.11.02
SW2002/3708/F	Erection of domestic garages	-	Approved 06.03.03
SW2002/3712/F	Conversion of stable block into three holiday cottages	-	Approved 01.05.03
DCSE2003/2909/F	Upgrading existing access	-	Refused 20.11.03
DCSE2003/3063/F	Equestrian Centre, including restaurant, staff and instructors accommodation, car parking and ancillary works	-	Refused 08.01.04 (subject of current Appeal to DoE)
DCSE2004/0912/RM	Proposed equestrian centre, car parking and ancillary works	-	Refused 07.05.04
DCSE2004/3729/F	Conversion of existing stables into holiday accommodation	-	Refused 29.11.04

DCSE2004/2607/RM Equestrian centre, car parking and ancillary works - Approved 17.01.05

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections subject to conditions.
- 4.2 The Open Spaces Society have no comments.

Internal Council Advice

- 4.4 The Traffic Manager has no objection subject to conditions and advises that parking should not be permitted where it would obstruct the Public Right of Way.
- 4.5 The Conservation Manager objects as the proposal does not meet the criteria in the Council's Supplementary Planning Guidance.

5. Representations

- 5.1 Llanrothal Parish Council object to this proposal. The building is out of scale with the existing barn and both larger and higher increasing the impact on the local environment in an area of great landscape value. The building is now the dominant feature in that area. The increased size has greatly caused concern about the proximity to a Grade 2 listed building and also the reduction in privacy this entails. Again the Council are worried about the precedent in allowing a previous conversion of an old traditional barn transform into an almost complete modern new build which we believe would have been very unlikely to have been approved.
- 5.2 The applicant and his agent have both written in support/explanation and these are attached as an appendix.
- 5.3 Three letters in support have been received. These consider that the building has only been slightly altered in a minor way, it will enhance the site and the area and there will be no effect on adjoining buildings.
- 5.4 Thirteen letters of objection have been received. The objections raised are:
- this is a new building and not a conversion
 - it is contrary to planning policy
 - it dominates the area
 - it harms the setting of the nearby listed building
 - its style is unseemly and insensitive
 - it should be reinstated to its previous form
 - it is not a conversion but a new house and is too large
 - there is disruption for the Public Right of Way and traffic danger
 - there are discrepancies in the drawings
 - the barn is a listed building
 - the privacy of adjoining houses has been lost
 - the building is not in the form of the permitted conversion
- 5.5 It should be noted that the consultation period expires on 14th February, 2005.

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

6. Officers Appraisal

- 6.1 Welsh Newton is identified in the Local Plan as a smaller settlement. The application site is to the south of the main group of dwellings that constitute the settlement and therefore is in the open countryside. Planning policy seeks to restrict new development in such locations. In terms of housing exceptionally, permission can be granted where the proposal is for the conversion of an existing building, in the case of a new dwelling where it is required for an agricultural worker or for affordable housing.
- 6.2 This original permission related to a traditional rural building. This essentially comprised a long stone structure of single storey with an attic, with on its west side two single storey additions. In 1989 permission was granted for its conversion to residential accommodation. Subsequently in 2001 permission was granted for its conversion to six holiday cottages with this scheme being one of three permissions, the others being conversion of a further building into a farmhouse and construction of an equestrian centre. In 2002 permission was granted for the conversion of this building into a residential use (SW2002/2136/F). It is considered that this is not a Listed Building.
- 6.3 The applicant sought to implement the 2002 permission. The approved plans showed the retention of the principal stone structure but with the two wings on the west side to be reconstructed. The finished conversion would create a five bed roomed house.
- 6.4 Work commenced in early 2003 (as noted by Building Control). However recently it became apparent that the work was not proceeding in accordance with the permission. It seems clear that the majority of the original barn has been demolished and rebuilt. The only identifiable remaining part of the original is a seven metre length of wall. In its rebuilding the main structure has been increased in height, from a ridge height of some 6.6 to some 7.6 metres. The wagon way gable entrance on the east side is significantly larger than the original; the width has increased from 3.9 to 5.8 metres and the ridge height from 5.7 to 7.2 metres. The rear wings are also different to that approved. One has increased in width from 8.7 to 9.8 metres and its ridge height from 5.8 to 7.6 metres. The ridge height of the other has risen from 5 to 6 metres. In addition a chimney has been added. There are other matters of important detail – the new stone walling does not reflect the local character, the treatment of the eaves has a modern boxed appearance and the roof is entirely new. When these discrepancies were identified the applicant was advised that the work was unauthorised.
- 6.5 This application seeks permission for the work as, so far, completed. In support reference should be made to the letters from the agent and the applicant in the appendix.
- 6.6 In considering the original application there was no suggestion on the submitted drawings that major reconstruction was intended or even necessary. With regard to the issue of the Building Regulations the position as stated by the agent is disputed. Although the site was visited on a number of occasions by the Building Inspector at no time was it suggested or required that any existing walls should be removed.

- 6.7 Planning permission was for the conversion of a building. The only part of the original building that remains appears to be a short section of wall, which is now an internal wall. Effectively this is a new dwelling.
- 6.8 Planning policy clearly restricts new housing in the countryside. The conversion of rural buildings can be permitted. The scheme in 2002 met the policy requirement. Although it involved some reconstruction, of the rear wings, these would in their design retain their 'agricultural' scale and appearance especially in relation to the main structure. The site is near to a Listed Building, Pembridge House. The 2002 scheme respected the setting of Pembridge House.
- 6.9 It is not the case that the structure as built will look the same as would a scheme based on a pure conversion. It is a significantly different structure.
- 6.10 It is an important element of policy that in dealing with rural buildings any conversion is that – a conversion and not a new structure. This is emphasised in all relevant policies and in the Supplementary Planning Guidance. The policy aim is to preserve important structures and not to permit new dwellings.
- 6.11 In terms of the principle, the proposal is contrary to policy in that it is the erection of a new dwelling in the countryside without planning permission. It appears to be based on the 2002 permission but the construction has resulted in a new and significantly different building. The new construction does not reflect the original agricultural character and it is a significantly more intrusive feature in the local landscape particularly when viewed from the west. The site is within the Area of Great Landscape Value. The changes are such, particularly with regard to the scale and design of the wings on the west side, that there is now a detrimental impact on the setting of Pembridge House.
- 6.12 It is not considered that changes could be readily made to the structure that would mitigate its overall unacceptability. A new house has been constructed, albeit very loosely based on a planning permission for a barn conversion, in the open countryside. There would appear to be no justification why an exception should be made to normal policy. It should be noted that if permission is refused then it would be expedient to proceed with enforcement action to secure the removal of the building.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. Notwithstanding that planning permission was granted in 2002 (Application SE2003/2136/F) for the conversion of a building, the development as carried out has resulted in the erection of a new dwelling in the open countryside. This is contrary to Hereford and Worcester Structure Plan Policies H.16A and H.20, and South Herefordshire Local Plan Policies C.1 and SH.11, as supplemented by the advice in PPS.7. There does not appear to be justification for these policies to be set aside. In addition the development, due to its scale and form, would have a harmful effect on the Area of Great Landscape Value and the setting of Pembridge House, a Listed Building.**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.