

7 DCNW2004/3810/F - PROPOSED BARN CONVERSION TO ONE HOUSE AT REDUNDANT THRESHING BARN ADJACENT TO THE LION INN, WOONTON, ALMELEY, HEREFORDSHIRE**For: The Executors of R Eggerton per Burton & Co,
Lydiatt Place, Brimfield, Ludlow, Shropshire, SY8 4NP****Date Received:
3rd November 2004****Ward:
Castle****Grid Ref:
36070, 51800****Expiry Date:
29th December 2004**

Local Member: Councillor J Hope

1. Site Description and Proposal

- 1.1 The application site currently comprises a single traditional barn with a number of modern agricultural buildings that are in state of disrepair to the rear. The barn has a stone rubble plinth is timber clad with a corrugated tin roof and rear lean to. Access is currently via an existing field gate immediately adjacent to the Lion Inn pub and near to the sharp bend of the road.
- 1.2 Planning permission is sought for the conversion of the barn into one single unit of residential accommodation. The accommodation would comprise a living room, sitting room, study, shower room, bathroom, two bedrooms, store room, kitchen and utility. A detached timber building which lies immediately adjacent to the roadside would be retained for use as a garage. The existing access to the site would be closed and a new access proposed to the east of the site. Car parking on site would be to the front of the barn.
- 1.3 The existing modern farm buildings that lie immediately adjacent and to the rear of the barn would be demolished and removed from the site. The hedgerow that currently lies to the east of the building would also be retained and a new hedgerow planted along the roadside.
- 1.4 The application is accompanied by a statement of market testing, a structural survey and ecological surveys relating to bats, great crested newts, and barn owls

2. Policies**2.1 Herefordshire & Worcester Council Structure Plan**

Policy H16A - Development Criteria

Policy H20 – Residential Development in Open Countryside

Policy CTC3 – Sites of National and International Importance

Policy CTC9 – Development Criteria

Policy CTC11 – Conservation and Expansion of Tree and Woodland Cover

Policy CTC13 – Buildings of Special Architectural or Historic Interest

Policy CTC14 – Criteria for the Conversion of Buildings in Rural Areas

2.2 Leominster District Local Plan (Herefordshire)

Policy A1 – Managing the District’s Assets and Resources
Policy A2(D) – Settlement Hierarchy
Policy A5 – Sites Supporting a Statutorily Protected Species
Policy A7 – Replacement of Habitats
Policy A8 – Improvements to or Creation of Habitats
Policy A9 – Safeguarding the Rural Landscape
Policy A10 – Trees and Woodlands
Policy A16 – Foul Drainage
Policy A36 – New Employment Generating Uses for Rural Buildings
Policy A60 – Conversion of Rural Buildings Outside Settlements to Residential Use
Policy A70 – Accommodating Traffic from Development

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1 – Criteria for Retail Development
Policy S2 – Development Requirements
Policy S7 – Natural and Historic Heritage
Policy DR1 – Design
Policy DR2 – Land Use and Activity
Policy H7 – Housing in the Countryside Outside Settlements
Policy E11 – Employment in Smaller Settlements and Open Countryside
Policy LA2 – Landscape Character
Policy NC5 – European and Nationally Protected Species
Policy NC8 – Habitat Creation, Restoration and Enhancement
Policy HBA12 – Re-use of Rural Buildings
Policy HBA13 – Re-use of Rural Buildings for Residential Purposes

2.4 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1 None found.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency has no objection to the development.

4.2 Traffic Manager raises no objection subject to conditions relation to visibility splays, access and the provision of parking and turning.

4.3 The Conservation Manager responded as follows:

Design/Listed Building: raises no specific objection in principle to the barn conversion but requests that the number of openings be reduced where possible.

Ecology: This survey has confirmed that it is being used as a roost by Long Eared Bats and Pipistrelle Bats. The barn is also being used by a variety of birds, including swallows, blackbirds and house sparrows.

"I have discussed this application with Ms Collins and the applicant's agent, and I believe that I am now in a position to recommend conditions. Ms Collins has outlined measures to mitigate, compensate and enhance the area for the species mentioned above, but these are outlines and are not detailed enough, but I am confident that they can be dealt with by condition".

5. Representations

- 5.1 Almeley Parish Council makes the following comments: No objections were raised but the parish council is concerned that the ecological survey is strictly adhered to so that the welfare of the bats and birds are protected.
- 5.2 One letter of objection has been received from Mr Simon Smith of The Lion Inn, woonton. He raises concerns:
- The impact of the proposed conversion on his business, and the potential conflict of interest between a dwelling and busy pub.
 - Location of an existing septic tank in front of the barn conversion and impact on the occupier of the barn conversion
 - Highway safety
 - Query over how two storeys can be accommodated in such a building
 - Offer of differing uses for the barn other than residential
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main issues for consideration is the determination of this application are as follows:-
- a) the principle of residential conversion having regard to the attempt to secure alternative commercial uses for the buildings;
 - b) the principle of residential conversion having regard to the structural integrity of the buildings;
 - c) the impact of the proposed conversion on the character and appearance of the buildings and the wider impact on the surrounding countryside;
 - d) residential amenity;
 - e) highway safety, and;
 - f) ecological and landscape issues.
- 6.2 The application submission includes reference to the marketing of the building by Richard Hyde of Sunderlands. This was marketed between the dates of 18th March 2004 and July 2004 in the Hereford Times and was also placed in the Herefordshire Council Property Register from 1 January 2004 and February onwards. Particulars

were also available from Sunderland's. No interest was registered. In the light of this it is considered that the applicant has fulfilled the administrative requirements of Supplementary Planning Guidance on the residential conversion of buildings.

- 6.3 The structural condition of the building has been submitted in the form of a building survey and report. This report specified that the building remains in a reasonable condition, however, it does specify that some significant repairs are required to parts of the building. It states that 90% of the wall frame is complete and sound and that damaged area can be replaced in situ. The roof would be stripped of corrugated tin and replaced. The report concludes that the work required can be carried out in situ and does not require large scale dismantling or rebuilding. A condition referring to the structural report and method statement is recommended.
- 6.4 As such it is considered that the conversion scheme can be undertaken without major intervention or rebuilding, therefore satisfying the criteria of the local plan policies and Supplementary Planning Guidance.
- 6.5 The barn has a number of existing openings which are being used to form windows and doors to the barn. Two roof lights are proposed to the rear elevation. The conservation officer raises some concern in relation to the number of new openings; however, it is considered on balance to have a minimal amount of openings, respecting the character and appearance of the barn. Joinery details. Materials samples and finishes will be required by condition to ensure a satisfactory external appearance.
- 6.6 The proposed use of the site for residential purposes would not in its own right lead to undue concerns in respect of overlooking or privacy to neighbouring properties.
- 6.7 Access to the site is currently via the farm gate immediately in front of the barn. This access is hazardous due to substandard visibility and as such the proposal would involve the permanent closure of this access and creation of a new access to the east. The Traffic Manager raises no objection to the new access subject to conditions relating to visibility.
- 6.8 In response to the identification of the likelihood of bats roosting on the site, mitigation and DEFRA licences will be required. This is outlined in the report submitted. Conditions are recommended to ensure this is complied with in full.
- 6.9 In order to provide a satisfactory access, landscaping to the roadside would include the laying of a new hedgerow behind the visibility splay. There is no objection in principle to this and a condition is recommended to ensure that hedgerow is laid with appropriate species.
- 6.10 To conclude, the information provided as part of the application submission satisfies the criteria and requirements of the relevant supplementary planning guidance and local plan policies. The conversion scheme is sympathetic to the character and appearance of the existing building. There are no highway safety concerns and ecological and landscape issues can be dealt with by condition. As such it is considered that the proposals accord with policies and are recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

3 - B05 (Alterations made good)

Reason: To maintain the appearance of the building.

4 - C02 (Approval of details) (joinery details & joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - E16 (Removal of permitted development rights)

Reason: To protect the character and appearance of the traditional building in accordance with the policies and guidance in the Supplementary Planning Guidance.

6 - Notwithstanding the approved plans, the foul drainage shall be connected to the mains sewerage system.

Reason: To ensure a satisfactory drainage arrangement.

7 - Prior to the occupation of the dwellings hereby permitted, the existing agricultural buildings shown on the submitted plan shall be removed from the site and the land reinstated in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: For the purposes of clarification in the interest of the amenities of the occupiers of the barn conversion.

8 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

9 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

10 - H03 (Visibility splays) (2.4 metres x 90 metres)

Reason: In the interests of highway safety.

11 - H05 (Access gates) (6 metres)

Reason: In the interests of highway safety.

12 - H08 (Access closure) (use & vehicular access)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

13 - H12 (Parking and turning - single house) (2 cars)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

14 - F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

15 - No works or development shall take place until details of a scheme, including architectural drawings for the creation and implementation of bat roosting opportunities has been submitted to and approved by the local planning authority.

Reason: To conserve and enhance protected species' and its habitat.

16 - Prior to the commencement of development, details of a scheme for the retention and/or creation of suitable features and habitat for barn owls and nesting birds, shall be submitted to and approved in writing by the Local Planning Authority. Works should be carried out in accordance with the approved plans.

Reason: To conserve and enhance protected species' and its habitat, and to adhere to the Wildlife and Countryside Act 1981 and UDP Policies 5, 7, 8 and 9.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN10 - No drainage to discharge to highway**
- 4 - N11A - Wildlife and Countryside Act 1981 (as amended) - Birds**
- 5 - N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 - Bats**
- 6 - In relation to conditions 15 and 16 above: N11A and N11B - the scheme of mitigation should be based on, but expanded from the recommendations within the ecological survey report by Rebecca Collins dated September 2004. Advice can be obtained from the Council's Ecologist.**
- 7 - It is drawn to the applicants attentions that a DEFRA licence be obtained prior to commencement of development. Additional surveys will be required for the preparation of the Method Statement. The Method Statement should be approved by the Local Authority's ecologist prior to submission to DEFRA.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.