

11A DCNW2005/1056/F - CONVERSION OF REDUNDANT FARM BUILDING TO FORM SIX HOUSES. MARLBROOK HALL, AT LEINTHALL STARKES, LUDLOW, HEREFORDSHIRE, SY8 2HR

11B

DCNW2005/1057/L – THE SAME

For: S R Morgan & Sons, Burton & Co, Lydiatt Place, Brimfield, Ludlow, Shropshire, SY8 4NP

Date Received:
31st March 2005

Ward:
Mortimer

Grid Ref:
43565, 70946

Expiry Date:
26th May 2005

Local Member: Councillor O Barnett

1. Site Description and Proposal

- 1.1 The application site comprises a group of traditional agricultural buildings that lie within the curtilage of the Grade II listed farmhouse. A number of modern buildings are also located within this complex. The buildings lie to the east of a relatively quiet lane that runs from Leinthall Stakes to the north towards Burrington. The farm complex is a working farmyard with the buildings being used for storage and livestock.
- 1.2 Planning permission is sought for the conversion of the barns to 6 units of residential accommodation. House 1 is an independent detached unit that lies to the south, furthest from the highway. This unit would provide 2 bed accommodation. Houses 2, 3 and 4 are contained within a linear two storey barn that faces the courtyard and would be divided. Each unit would provide a three bed dwelling. Houses 5 and 6 are also created through the subdivision of the single barn that is closest to the highway and existing driveway and would comprise one four bed and a one bed dwelling.
- 1.3 Access to the site would be via the existing farm yard driveway as well as through the access that lies further to the south. Parking and amenity space for each dwelling is provided within the proposed curtilages. The open yard would be retained for parking in association with the farmhouse.
- 1.4 The existing modern farm buildings that lie immediately adjacent to barns would be demolished and removed from the site.
- 1.5 The application is accompanied by a statement of market testing by John Amos & co, an ecological survey relating to bats, and barn owls and a statement in support of the application by the applicants agent, including a landscape appraisal and structural survey.

- 1.6 The large centre barn is listed in its own right and the remaining barns are curtilage listed and as such a listed building consent application has also been submitted. A further application for the erection of new agricultural buildings to the north of, and on the other side of the farmhouse to these traditional buildings has been submitted separately (DCNW2005/1067/F).

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 A18 – Listed Buildings and their Settings
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

NW2002/3371/F (adjacent site) - Erection of 1 Grandparent poultry breeding house together with feed silos and ancillary works - approved 10th Jan 2003. (erected)

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Advice

4.2 Traffic Manager raises no objection but notes that visibility splays are below standard but given low speed on the road it would be unreasonable to refuse. Intensification of traffic on narrow roads needs to be considered, although again probably not a reason for refusal.

Further to this and after discussion with the applicant and highways it has been suggested that the provision of passing places either through a S106 agreement or through condition would be appropriate to prevent a conflict of traffic and improve current situation.

4.3 The Conservation Manager responded as follows:

Design/Listed Building: raises no objection subject to removal of a number of rooflights and external appearance of timber framed barn (units 2, 3 and 4) where timber framing is being covered by weather boarding. Conversion of barns will enhance the setting of the Listed Building by removing the modern unsightly lean-to and will enhance the character and appearance of the listed threshing barn and Cow house.

Ecology: The ecological survey work undertaken is acknowledged and a condition should be included to ensure that works are carried out in accordance with the details/mitigation contained within the survey. Bat activity noted and also that there is no Barn Owl activity. Enhancement measures are proposed. Defra licences will be required.

4.4 The Public Rights of Way Officer: The proposal would appear to affect public footpaths ET2 and ET4 as they run across the development site and ask that points relating to keeping the footpaths clear and the legal obligations to do so.

4.5 The Environmental Health Manager: awaiting further comments, will verbally update members.

5. Representations

5.1 Leinthall Starkes Parish Council raises some concern about the access lane, the applications were considered to be acceptable as being an excellent and beneficial use of the area currently redundant farm buildings and the appropriate re-siting of new farm buildings.

- 5.2 Letters have also been received from the Ramblers Association and Open Spaces Society which make comments on the obstruction of the public footpaths and obligation of developer to keep the site free from obstruction. In addition to this they raise concern that:
- The development is not within walking distance of a village or town
 - Will cause additional car traffic with the associated environmental impact
 - Increase in urbanisation of the countryside
 - Does not provide affordable housing for local people
- 5.3 The applicant's agent has submitted a supporting statement (including landscape appraisal and structural report). He has also responded to the local objections received and highways as follows:

"Neighbour Objections

There are six letters of objection: from Mr & Mrs Midwood of Brinshope Farm, Wigmore who also own The Willows Farm near to Marlbrook Hall; from Mr Midwood's mother; from three tenants of Mr & Mrs Midwood; and one anonymous. Unsurprisingly, these letters all make the same points. It is claimed that the proposed conversions will damage both the barns and the setting of Marlbrook Hall, a view not shared by your Conservation Officer who confirms that the scheme will enhance both house and barns. The condition of the road is also a concern - this matter is discussed below.

Highways

Regarding the condition of the road, I should explain our recent negotiations. On 25th May we met on site Mr David Davies, Area Engineer (Development Control), to discuss improvements to the road. It was confirmed that the County Council will be constructing a lorry passing place along this road in July 2005. In addition our clients have agreed with Mr Davies to construct four more passing places at locations agreed with him. Two of these are former passing places that have grown over with disuse and will be refurbished and two others will be newly constructed. This work will be funded by the applicant. I enclose two copies of an O.S. plan showing the location of these passing places at O.S. grid references 435701, 435702, 434705 and 434708."

- 5.4 A total of 7 letters have been received from the following persons:

Nicholas Maxted Jones, 1 Willow Cottages, Burrington
Mr & Mrs Brian Smith, 2 Willow Cottages, Burrington
Mr Douglas, The Willows Farm, Burrington
Mr & Mrs Midwood, The Willows Farm, Burrington
Mrs Midwood, Virginia Cottage, Leintwardine
R & V Taylor, Elton Farm, Elton
1 anonymous letter, no address supplied

The concerns raised can be summarised as follows:

- Intensified use of highway causing highway safety concerns
- Conflict of use between farm traffic and vehicles
- Inadequacy of road network and quality of road, especially given narrowness of road and height of hedges

- d) Request for S106 for payment towards road upgrade and changes to accommodate traffic
- e) Danger to pedestrians, in particular children
- f) Impact on the landscape causing harm to the valley and area of outstanding beauty.
- g) Impact and damage to the setting of the listed building making reference to the SPG which says that conversion of Listed Buildings should be strongly resisted
- h) Impact on peaceful area

5.4 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 principal 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 a comprehensive marketing report provided by John Amos and Co. It advises that the buildings have been marketed since January 2004 for a period exceeding 12 months being regularly advertised in the local press including the Hereford Times and Ludlow Journal. Very little interest was shown in the use of the buildings for a commercial purpose. 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 the buildings.

6.3 The structural condition of the building has been submitted in the form of a building survey and report. This is a detailed report, which is summarised as follows:

“This report outlines the extent of the work required to restore structural stability. To summarize, the great majority of the buildings remain in quite good condition and can easily be repaired in-situ where necessary. There are two exceptions: firstly an area of brickwork on the southwest elevation of the Threshing Barn and Cow House has bulged and requires rebuilding, and secondly the roof structure of the Cart Shed has been removed and shall be rebuilt as discussed above.

These buildings, by virtue of their form, dimensions, construction and condition, are suitable for conversion to residential use. In particular, the overall height to tie-beam level is very good in the Threshing Barn and Cow House and the Threshing Barn allowing for excellent headroom at the upper level. Also, the layout of these buildings allows for the provision of private gardens and parking areas. Finally, the existing window and door openings greatly reduce the need for many new openings. The conversions may therefore be achieved with minimal structural alterations.”

- 6.4 The complex of the building, as described above, is in a good state repair and well kept. The proposed conversion, although requiring the insertion of windows in new openings, does represent a scheme which generally respects the character and appearance of each of the barns. This scheme embraces the simplicity and linear forms of the buildings, utilising existing openings and materials. The simple design and configuration of the proposed conversion scheme would not detract from the Grade II Listed farmhouse. As such its setting would certainly be preserved and potentially enhanced.
- 6.5 Disappointingly, the timber framed barn which faces the farmhouse is proposed to be clad in timber weatherboard and it is suggested that this would result in the loss the character of the barn and as such it is suggested that revised plans are submitted in order to address this point and a number of other minor concerns relating to roof lights, prior to the determination of this application. The recommendation reflects this request.
- 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 both the farmhouse gate and via a 'farm entrance' to the south. Both of these would be formalised and retained for use by both the farmhouse and occupiers of the converted barns. There is strong local concern in relation to the current problems with the narrow road network, high hedges and the problems that the increase in traffic would have causing vehicles to reverse and manoeuvre on sometimes blind bends and corners. In response to this, it has been suggested that in addition to the passing place which is already planned by Herefordshire Council, the applicant provides four further passing bays between Leinthall Starkes and the application site. Two of these will involve renewing old bays that have overgrown. This would be carried out at the applicants expense and to a specification agreed by the Local Planning Authority in conjunction with the Transport Manager. It is felt that this would satisfactorily alleviate the concerns of the local road users and serve to considerably improve highway safety on this lane for pedestrians and vehicles.
- 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 ecology report submitted. Conditions are recommended to ensure this is complied with and an informative note included to bring the ecology report recommendations to the attention of the applicant.
- 6.9 In terms of landscape impact, the plans show significant landscaping in addition to existing hedgerows and trees planted around the site. A neighbour has requested further planting across the lane, but this is considered to be particularly onerous given the distances of some 500m to the nearest property. The landscaping proposed will compliment the existing buildings and provide an attractive backdrop to the development. The mature hedgerows and trees already in existence around the site are also to be retained so screening is already in situ. Details of landscaping, hardsurfacing, and boundary treatments for each unit are also requested by condition to ensure that the overall impact is not overly urban in appearance from public vantage points.

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, with the exception of the details requested by way of amended plan is sympathetic to the character and appearance of the existing building and would preserve the setting of the adjacent Listed Building. Highways matters have been carefully considered and the introduction of passing bays prior to the commencement of development has overcome these concerns. As such it is considered that the proposals accord with policies and are recommended for approval subject to the receipt of amended plans.

RECOMMENDATION

DCNW2005/1056/F

That planning permission be granted subject to the receipt of suitably amended plans

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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - B01 (Samples of external materials)

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

4 - B05 (Alterations made good)

Reason: To maintain the appearance of the building.

5 - C04 (Details of window sections, eaves, verges and barge boards)

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

6 - C05 (Details of external joinery finishes)

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

7 - C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural or historical interest.

8 - C11 (Specification of guttering and downpipes)

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

9 - C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

10 - F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

11 - E16 (Removal of permitted development rights)

Reason: [Special Reason].

12 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

13 - G04 (Landscaping scheme (general))

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

14 - Prior to the commencement of development four passing bays shall be provided, to a specification and location to be submitted to and agreed in writing by the Local Planning Authority. These bays shall be constructed in accordance with the approved specifications and plans.

Reason: In the interests of highway safety.

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

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

16 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

17 - 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. Works shall be carried out strictly in accordance with this scheme.

Reasons: To conserve and enhance protected species and its habitat.

18 - 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.

Reasons: To conserve and enhance protected species and its habitat.

Informatives

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N11A – Wildlife and Countryside Act 1981 (as amended) – Birds
- 3 - N11B – Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C) Regs 1994 – Bats (conditions 15 and 16)

DCNW2005/1057/L

That listed building consent be granted subject to suitably amended plans

- 1 - C01 - Time limit for commencement (Listed Building Consent)

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 - C04 - Details of window sections, eaves, verges and barge boards

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

- 5 - C05 - Details of external joinery finishes

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

- 6 - C10 - Details of rooflights

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of special architectural or historical interest.

- 7 - C11 - Specification of guttering and downpipes

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

- 8 - C13 - Repairs in situ

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

INFORMATIVES

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.