

**12 DCNW2005/2906/F - CONVERSION OF OUTBUILDING TO FORM ANCILLARY LIVING ACCOMMODATION TO MAIN DWELLING AT LOWER YATTON FARM, YATTON, LEOMINSTER, HEREFORDSHIRE, HR6 9TL**

**For: Mr & Mrs R Bevan per Mr R B Pipe, Pipedream, Bridgend Lane, Bucknell, Shropshire, SY7 0AL**

**Date Received:**  
**6th September 2005**

**Ward: Mortimer**

**Grid Ref:**  
**42845, 66649**

**Expiry Date:**  
**1st November 2005**

Local Member: Councillor Mrs O Barnett

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

- 1.1 The application site comprises one of a group of former agricultural buildings that is currently used for domestic storage in association with the former Farm House known as Lower Yatton Farm. The other formally associated barns lie to the South East of the application site and have been converted to residential use. The barn that is the subject of this application is a relatively large L-shaped building that lies immediately on the boundary with The Granary House.
- 1.2 Planning permission is sought for the change of use and conversion of the barn so that the existing garage is retained and the current ground floor workshop is divided to provide a kitchen. The first floor will be used as an Office and Studio with two bedrooms and a bathroom being inserted above the existing garage. The external alterations comprise the insertion of two windows and 3 roof lights in the West elevation to serve the two new windows. The stone stairs to the East elevation would be repaired and railings added. An existing window opening to the North Elevation would be altered and a door inserted.
- 1.3 The barn previously received planning permission as an independent residential unit in 2001 as part of an application for the conversion of four of the traditional barns. The applicant purchased this barn and the farmhouse and has since been used as ancillary storage and garaging. The first floor has also partly been used as an office by the owner/occupier of the dwelling.

## **2. Policies**

### **2.1 Herefordshire & Worcester Council Structure Plan**

Policy H16A – Development Criteria

Policy H20 – Residential Development in Open Countryside

Policy CTC9 – Development Criteria

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 A10 – Trees and Woodlands

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 S2 – Development Requirements

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 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**

NW2001/1318/F - Conversion of farm buildings to form 4 no. dwelling units with workshop/office space - Approved with Conditions 8th January 2002

NW2003/3247/F - (Unit 1 - The Dairy House) - Removal of conditions 3, 7 and 19 (relating to provision of live work unit conditions) - Approved 28th January 2004

NW2004/1665/F - (unit 2 - The Granary) - Removal of restrictions relating to business use (condition 3) and use of workshop (condition 7) of Planning Permission NW29001/1318/F - approved 30th June 2004.

**4. Consultation Summary**Statutory Consultations

## 4.1 None

Internal Council Advice

## 4.2 Traffic Manager raises no objection and notes that three car parking spaces should be retained within the curtilage of the Lower Yatton Farm and that Condition E29 should be added to ensure that the use is ancillary to Lower Yatton Farm.

## 4.3 The Conservation Manager responded as follows:

There are two new openings for windows on the west elevation which are necessary for the owner to comply with building regulations (bedrooms). There are also 3 velux roof lights indicated on the plan. I believe one of these rooflights will be over a bathroom which could be artificially ventilated and lit (however I am not too concerned if it remains).

No objections subject to the following Conditions:

C05: details of external joinery finishes  
C10: details of rooflights

4.4 The Public Rights if Way Manager responded as follows:

The proposed development does not affect public footpath Aymestry 7A (AY7A). However the footpath does pass very close to the site of the development and points relating obstruction and encroachment should be noted.

## 5. Representations

5.1 Aymstrey Parish Council has no objection to the proposal.

5.2 The Ramblers Association requests that the applicant is made aware of their requirement to keep the footpath (AY7A) clear at all times. They raise no objection to the proposed development.

5.3 One letter of objection has been received from Mr and Mrs Kyriakou of The Granary House, Yatton, Leominster who makes the following comments:

"We have few concerns about the planning application to convert an outbuilding - to form ancillary living accommodation to main dwelling. The main concern being the two extra windows to go above the existing garage doors which will then overlook our private garden area and then the three sky lights that are to be put in the roof above these two windows also facing in the same direction which again would overlook our garden. We feel the building in question has already got enough windows overlooking our property as we already have five overlooking us now, which might I add are opening onto our boundary, because of this when we were buying the property in August 2004 we double checked with yourselves that the building would not be a living dwelling and only had planning permission for garage/workshop. So now we find ourselves in the position that we might have people living in a building which does not have a boundary all the way around, because our land is right up against the one side of the building in question, so we are concerned as to the level of noise we will hear from the building and of course the extra windows which will overlook use even further which if people are staying in will almost certainly disrupt our privacy".

5.4 The full text of these letters can be inspected at Northern 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 and history of the site
- b) the impact of the proposed conversion on the character and appearance of the buildings and the wider impact on the surrounding countryside;
- c) residential amenity.

- 6.2 The building that is the subject of this application has previously received planning permission as an independent unit of living accommodation. The owners chose not to take up this opportunity and having been using the barn in conjunction with the main use of the dwelling house. The principle of conversion and capability of the barn for conversion has therefore been established. The applicants / owners have previously been advised that if they wished to use the barn for ancillary accommodation then planning permission would be required for its change of use as this would differ from the previous application. It is however worth noting that after an inspection of the barn it is clear that it is in a good state of repair and well kept.
- 6.3 The use of the barn as ancillary accommodation is in itself considered acceptable and perhaps an improvement than if the barn was an independent unit of accommodation. A condition restricting the use is recommended. The fact that part of this barn would be used as an office for home working is also considered acceptable, promoting the ideals of sustainability and restricting the need to travel.
- 6.4 The proposed conversion, although requiring the insertion of windows in new openings, does present a scheme, which respects the character and appearance of each of the barns. This number of new openings has been reduced in comparison to the approved scheme for an independent unit of accommodation.
- 6.5 The proposed use of the site for residential purposes would potentially introduce an issue of overlooking of the garden of The Granary and this issue has been raised in their letter. The new windows are located in a similar position to those already approved but notwithstanding this the concern could be overcome through the use of obscure glazing to these windows. The roof lights would not have the same effect and it is felt unnecessary to ensure that these are obscure glazed. The existing windows to the rear elevation have not been altered and are in non-habitable rooms.

## **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 - 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.**

**3 - C05 (Details of external joinery finishes )**

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

**4 - E18 (No new windows in specified elevation )**

**Reason: In order to protect the residential amenity of adjacent properties.**

5 - E29 (Occupation ancillary to existing dwelling only (granny annexes) )

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

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 architectural or historical interest.

**Informatives:**

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

2 - The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of work starting.

3 - The rights of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion.

4 - The applicants should ensure that they hold lawful authority to drive over the registered right of way.

5 - The applicants should note that the right of way is footpath status and will only be maintained as such.

6 - Please be aware that the registered route of public footpath Aymestry 7A does not pass very close to the site of the development and must not be obstructed in any way.

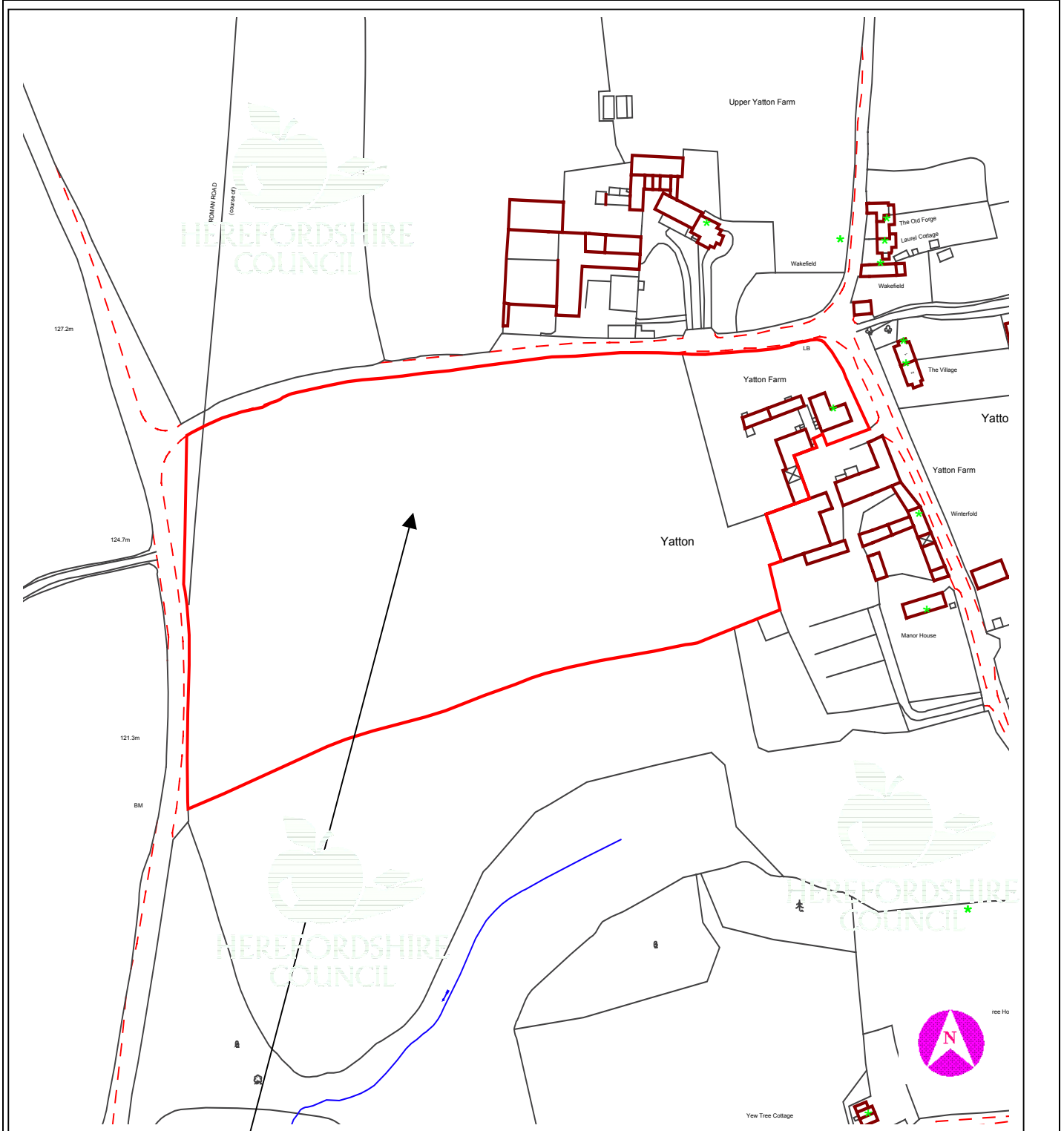
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW2005/2906/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Lower Yatton Farm, -, Yatton, Leominster, Herefordshire, HR6 9TL

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