

**9A DCNC2005/1941/F - CONVERSION OF LISTED BARN INTO RESIDENTIAL DWELLING AT EYE COURT BARN, EYE, LEOMINSTER, HEREFORDSHIRE, HR6 0DT**

**9B DCNC2005/1942/L – AS ABOVE**

**For: Lord J F Cawley per Berringtons The Estates Office The Vallets Wormbridge Hereford HR2 9BA**

**Date Received:**

**14th June 2005**

**Expiry Date:**

**9th August 2005**

Local Member: Councillor J Stone

**Ward: Upton**

**Grid Ref:**

**49581, 63883**

**DWT/MM**

## **Introduction**

These applications were deferred by the Sub-Committee for further investigation as whether the building is redundant. Officers have revisited the site and can confirm the building is not being used for agricultural purposes. It is though being used as a log store, and storage of non-agricultural items. It is considered the building is redundant. Photographs of the interior of the building will be available at the Sub-Committee meeting.

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

1.1 Eye Court Barn, a 2-storey red brick building under a clay tiled roof and Grade II Listed building, is located within a group of buildings that are on the south side of Eye Lane, C1048. Court Farm and farm buildings which are used for the storage of potatoes and chemicals are to the west, Perch Cottage to the north, and Eye Manor is to the south-east. The site is located in open countryside.

1.2 These applications for both planning permission and listed building consent propose the conversion of the building to a single dwelling accommodating sitting room, entrance hall, kitchen/dining room, utility and WC on the ground floor with 4 bedrooms, en-suite bathroom, and a bathroom at first floor. Two roof lights are proposed in the south elevation.

## **2. Policies**

### **2.1 Leominster District Local Plan (Herefordshire)**

A2 – Settlement Hierarchy

A18 – Listed Buildings and their Settings

A54 – Protection of Residential Amenity

A60 – Conversion of Rural Buildings Outside Settlements to Residential Use

**2.2 Hereford and Worcester County Structure Plan**

H20 – Residential Development in Open Countryside  
CTC9 – Development Criteria  
CTC14 – Criteria for the Conversion of Buildings in Rural Areas

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

H7 – Housing in the Countryside Outside Settlements  
HBA12 – Re-use of Traditional Rural Buildings  
HBA13 – Re-use of Traditional Rural Buildings for Residential Purposes

2.4 PPS1 – Delivering Sustainable Development  
PPS7 – Sustainable Development in Rural Areas  
PPG15 – Planning and the Historic Environment  
SPG – Re-use and Adaptation of Traditional Rural Buildings

**3. Planning History**

3.1 None.

**4. Consultation Summary**

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No objection.  
4.3 Conservation Manager: No objection.

**5. Representations**

5.1 Eye, Moreton and Ashton Group Parish Council: We object, the barn is set too close to other existing farm buildings. The barn is set in a working dairy farm complex, the conversion would have an adverse effect. There are also safety issues to consider.

5.2 Objections have been received from:

D G Barrington, Perch Cottage, Eye  
Dr M L Moncrieff, Eye Manor, Leominster  
M Conod, Eye Court Farm, Eye, Leominster

- a) It will look directly into the upper floor of my property and overlook my garden.
- b) Increase in traffic.
- c) The potato store is used outside normal working hours.
- c) This is a quiet hamlet.
- d) The adjoining barns are in regular use, including the keeping of livestock, by the tenant farmer.

5.3 In reply to the objections the applicant has said:

- a) All of the residential properties on the site are in close proximity to each other.

- b) The access is large enough to cope with the increased traffic, which will be minimal.
  - c) There is plenty of turning space into the potato store, but it could be accessed from the far end if necessary. Anyone coming to live in the proposed dwelling would see that it is on a working farm and accept the fact. Working outside normal working hours would be no more disruptive to the proposed dwelling than the other adjacent dwellings.
  - d) The proposal would not cause undue noise or disturbance, ensuring that Eye remains a quiet hamlet.
  - e) The barns used for the keeping of livestock are at the far end of the farm, away from this barn.
- 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 Policy A60 and the Council's own Supplementary Planning Guidance deal specifically with the Re-use and Adaptation of Traditional Rural Buildings to residential use. In accordance with the policy and guidance, the building has been marketed through an Estate Agent for 6 months for commercial/employment generating uses. The applicant has provided evidence to show that no interest has been shown. The residential use of the building can be considered.
- 6.2 Eye Court Barn is a suitable building for residential use. The building is considered large enough and capable of conversion to another use without the need for extension or reconstruction. The proposal retains the character of the building, re-using openings and restricting new windows and doorways to a minimum.
- 6.3 There is access to the proposal off the C1048. The entrance is in regular use by agricultural traffic, and Eye Manor and Perch Cottage. The Traffic Manager considers the entrance suitable in its width and construction to serve the proposal without compromising matters of highway safety.
- 6.4 In terms of impact on the amenity of Perch Cottage is concerned, and in order to achieve adequate privacy, a minimum of 21m is normally required between buildings. This standard is achieved with the buildings being some 25m apart. It is not considered the proposal will cause an unreasonable loss of residential amenity to the nearby dwelling through overlooking.

## **RECOMMENDATION**

### **DCNC2005/1941/F**

**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 - 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.

3 - E16 (Removal of permitted development rights )

Reason: To ensure the character and appearance of the building is maintained.

4 - 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.

5 - G40 (Barn Conversion - owl box )

Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.

Informative:

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

DCNC2005/1942/L

That Listed Building Consent be granted subject to the following conditions.

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 - 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.

Informative:

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

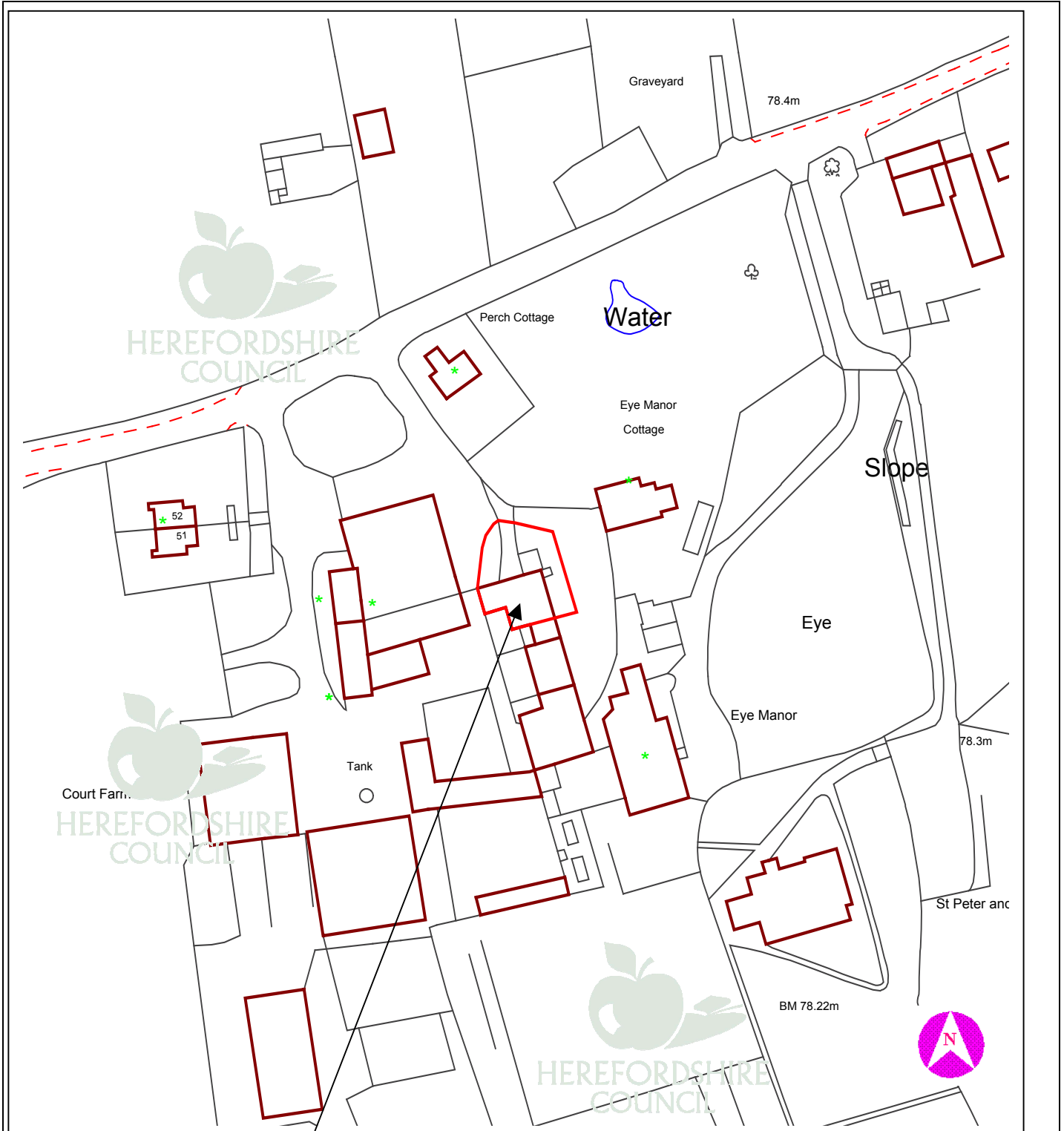
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNC2005/1941/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Eye Court Barn, -, Eye, Leominster, Herefordshire, HR6 0DT

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