

10 DCSW2004/3260/F - CHANGE OF USE TO FORM THREE BEDROOM PRIVATE DWELLING, BARN ADJACENT TO THE PARKS FARM, POOL PARDON, NR. CUSOP, HEREFORDSHIRE, HR3 5HH

For: Mr. J. Mutimer per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ

Date Received: 20th September 2004 Ward: Golden Valley Grid Ref: 25986, 45676 (North)

Expiry Date: 15th November 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is on the eastern side of an unclassified road (u/c 75201) as this narrow highway declines south-eastward past The Parks Farm. The buildings the subject of this application are aligned north north-east/west south-west. There is a communal courtyard on the south-eastern side of the stone barn and further to the south-east a farmhouse. Access off the unclassified road is between the proposed dwelling and existing farmhouse. There is a registered public footpath (CL7) that runs along the western boundary of the site. Stone walling runs along the western side of the unclassified road.
- 1.2 The buildings the subject of this application comprise the main stone barn. It has a single storey wing. There is a breeze-block lean-to building on the north-western corner of the main barn which it is proposed to render. There are existing openings on the western gable end of the stone barn that will be utilised, as will the existing cartway openings. A covered barn leads off and overlaps the south-western corner of the stone barn. It will provide the communal car parking area for the barn. The existing sheeted roofs will be replaced with slates.
- 1.3 A new garden on the northern side of the barn projects some 40 metres out on the western boundary following the line of the public footpath and then returning along the line of the stone wall fringed unclassified road.
- 1.4 The proposal is described as being in Poolpardon near Cusop, when in fact Poolpardon, a small dispersed group of dwellings is wholly within the parish of Clifford.
- 1.5 The delay in determination has been brought about by the need for an ecological appraisal.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy H.20 - Housing in Rural Areas
- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

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.36 - Re-use and Adaptation of Rural Buildings
- Policy C.37 - Conversion of Rural Buildings to Residential Use
- Policy SH.24 - Conversion of Rural Buildings

3. Planning History

- 3.1 No relevant history identified.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency recommend that a condition is attached to any grant of planning permission.

Internal Council Advice

- 4.2 Traffic Manager recommends that conditions be imposed if planning permission is granted. It is also noted that public footpath CL7 is not affected by the proposed development but should not be encroached or obstructed.
- 4.3 Head of Conservation does not object, notes a discrepancy in the submitted plans and recommends that conditions be imposed on detailed matters. The Head of Conservation also requires that conditions be attached in line with the submitted Ecological appraisal in relation to bats.

5. Representations

- 5.1 The Parish Council's observations are as follows:

“Councillors commented that plans are unclear.

9 parish councillors have no objections, however roofs should be in slate tiles as shown on the plans and redundant barns removed.”

- 5.2 Four letters of representation have been received from:

Mr. A. Munro, Pool Pardon Cottage, Parks Road, Clifford, HR3 5HH
Mr. A. F. & Mrs C. Keil, Wye View, Clifford, HR3 5HQ
Mr. C. Eveleigh, Walkers Cottage, Pool Pardon, Clifford, HR3 5HQ
P. & M. Sarbicki, Courtapella, Clifford, HR3 5HH

in which the following main points are raised:

- fully support development, at present an eyesore
- encroachment into field, lead to further development
- field important archaeologically, not ploughed, also linked to Priory nearby at Priory Wood
- landmark building, looked down upon in valley
- breeze-block element not traditional. Do not use brick or UPVC
- retain curved roof
- problems with drainage at farmhouse, not sure if residual or not
- bats seen around buildings. Need to inform Council's Ecologist
- loss of privacy and amenity from first floor window and proposed garden area.

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 There are considered to be issues relating to the conversion of this building into one dwelling and these include the principle, ecological matters, privacy issues, and creation of the garden area.
- 6.2 There is encouragement for the conversion of suitable rural buildings for residential use not only in the development plan, the South Herefordshire District Local Plan and Hereford and Worcester County Structure Plan, but also in Government advice contained in PPS.7. This application has been marketed, as required by the provisions of Policy C.37 contained in the South Herefordshire District Local Plan and Government advice contained in PPS.7. This building is an important one that contributes to the landscape and undulating topography at Pool Pardon. The north elevation is the one most visible to other dwellings further up hill from the site. The courtyard elevation is the south facing one that faces the farmhouse nearby that will utilise the existing access point as at present to the south of the barn. Existing garaging are utilised, and a new slate roof provided. An existing lean-to building on the north elevation is proposed to be rendered. This would be better covered in boarding as recommended by the Conservation Manager. The elevational treatment is generally sympathetic and subject to the further use of boarding and conditions relating to details for finishes and materials for joinery, together with details of rooflights, and any flues and vents proposed.
- 6.3 The ecological matter raised relating to the presence of bats has been addressed by the production of an ecological appraisal. This report is one required by the provisions of the Wildlife and Countryside Act 1981, and is one that recognises the presence of two species of bat and recommends measures for mitigation. The Conservation Manager has no objection subject to the mitigation necessary being followed by the imposition of planning conditions.
- 6.4 The north elevation of the barn will have windows for bedrooms that face north-westward towards Court-a-Pella, a dwelling from which representations have been received relating to overlooking and therefore a loss of privacy. It is generally accepted that a distance of between 20/21 metres between dwellings that are back to back is acceptable. The distance here is 40 metres between the proposed bedroom windows for the stone barn and Court-a-Pella. This is further mitigated by the fact that the barn is down hill from Court-a-Pella and that the existing dwelling and proposed

dwelling do not line up as envisaged by the 20/21 metres guideline. Therefore it is not considered that adverse overlooking nor a resultant loss of privacy would occur.

- 6.5 The issue of encroachment into the field has been raised in representations received, albeit with the loss of what is deemed an historic tract of land is again the issue of encroachment on Court-a-Pella. It is considered that the arbitrary area of garden formed by the boundaries of the stone wall fringed unclassified road and public footpath does not entail a means for overlooking the nearest dwelling across the highway from it. However, it is considered that the garden area should be pulled closer to the barn as proposed in order to reduce the impact of the development on this attractive undulating area of the designated Area of Great Landscape Value. The boundary treatment for the residential curtilage created will need to be the subject of a planning condition in the event that the application is supported
- 6.6 It is considered that subject to revised plans being received in relation to the roof pitch alignment and treatment of the external finish to the lean-to extension on the northern side of the barn and the delineation of the new garden area, the application can be supported given that it is structurally sound, retains the intrinsic character of a building that contributes to the amenity of this part of the Area of Great Landscape Value. The new dwelling will also not result in the loss of amenity to residents in the locality. The wildlife interest is also addressed in this application, particularly the use of the buildings by bats.

RECOMMENDATION

That subject to the receipt of revised plans relating to the lean-to extension on the north elevation and the reduction in the garden area, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any conditions considered necessary by officers:

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. A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. B01 (Samples of external materials)

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

4. C02 (Approval of details)

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

5. E16 (Removal of permitted development rights)

Reason: In order to define the terms to which the application relates.

6. G01 (Details of boundary treatments)

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

- 7. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local planning authority. The scheme shall be implemented in accordance with the approved details.**

Reason: To prevent pollution of the water environment.

- 8. The recommendations for bats and birds outlined in the Mitigation and Compensation section of the ecologist's report for mitigation should be followed. The details of these are contained in the tables under the following headings:**

- planning and during development
- post-development
- habitat creation, restoration and enhancement
- timber treatment
- other provisions for bats

Reason: To ensure that wildlife including bats and birds are protected under the Wildlife and Countryside Act 1981 and to ensure that the laws relating to nesting birds in the same Act are protected.

- 9. Time of the development together with post-development site safeguards and monitoring mentioned in the report should be adhered to.**

Reason: To ensure that wildlife including bats and birds are protected under the Wildlife and Countryside Act 1981 and to ensure that the laws relating to nesting birds in the same Act are protected.

10. H14 (Turning and parking: change of use - domestic)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

Informative(s):

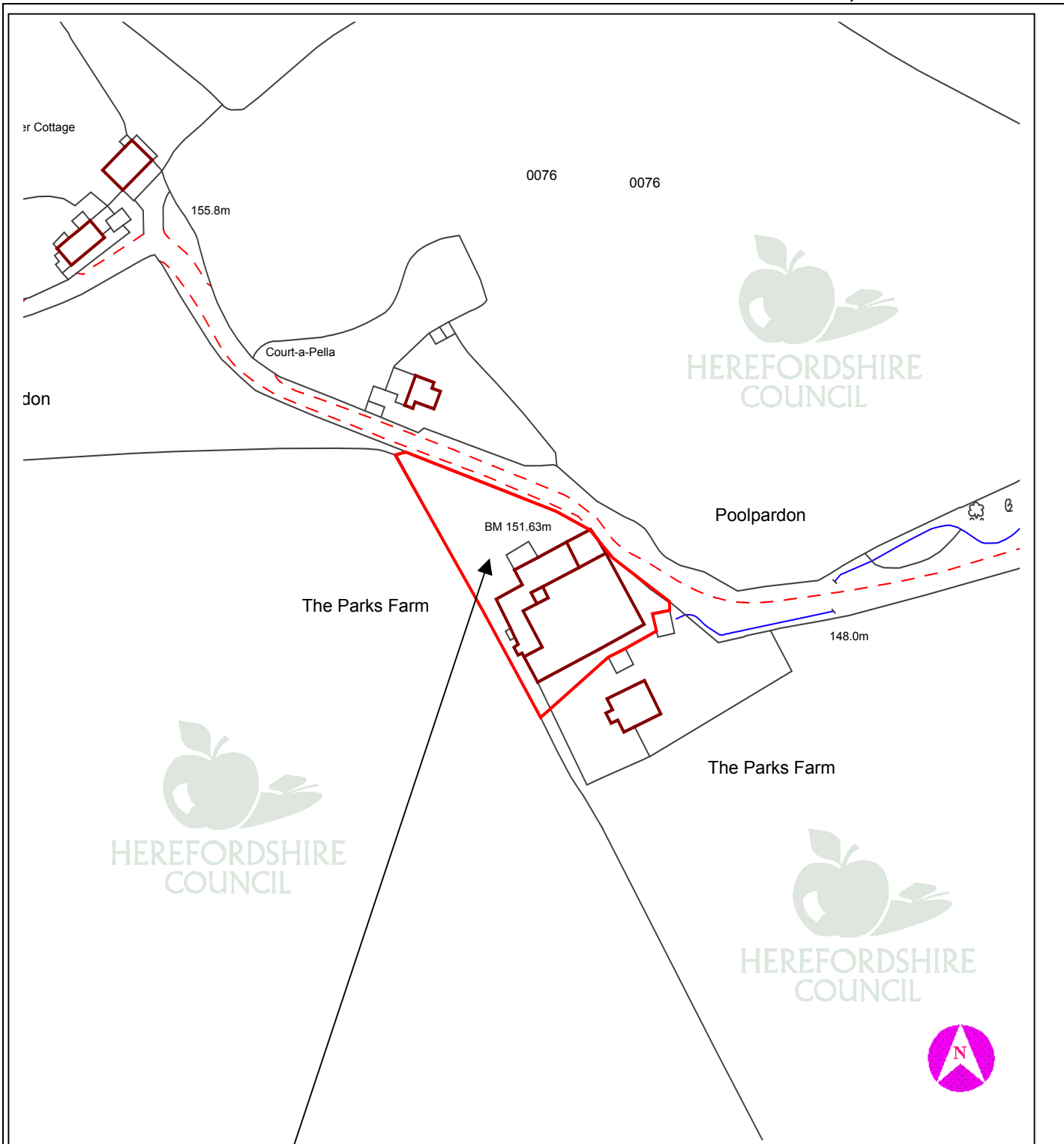
1. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2004/3260/F

SCALE : 1 : 1250

SITE ADDRESS : Barn adjacent to The Parks Farm, Pool Pardon, Nr. Cusop, Herefordshire, HR3 5HH

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