

15 DCSE2006/1133/F - VARIATION OF CONDITION 1 ON PLANNING PERMISSION SE2001/1651/F, HILL FARM, LLANCLOUDY, HEREFORDSHIRE, HR2 8QP.**For: K. & G. Feakins, Hill Farm, Llancloudy, Hereford, HR2 8QP.****Date Received: 12th April, 2006****Ward: Llangarron Grid Ref: 49286, 20138****Expiry Date: 7th June, 2006**

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 Planning permission (SE2001/1651/F) for the conversion of barns at Hill Farm, Llancloudy to 3 live/works units plus garaging was granted on 28th September, 2001. The farm was affected by foot and mouth disease and an extensive operation has been necessary to remove buried waste and animal by-products and a lagoon. This process has not yet been completed and according to the applicant has delayed commencement of the development. The current application is to vary condition no. 1 to extend the life of the planning permission.

1.2 The three stone barns are informally arranged to the east of the farmhouse and at the western end of a long farm drive (about 0.6km) off the A466 about 1km south of Llancloudy. The barns would be developed as follows:

Barn 1 - (to the north of the farm complex) would comprise a residential unit with a single-storey section becoming a dedicated office or workshop unit.

Barn 2 - would contain, at the northern end, a self-contained unit for holiday letting purposes, a central residential unit and at the southern end a two-storey office unit - the 3 units would remain in one ownership.

Barn 3 - residential accommodation with office space.

1.3 The scheme as originally submitted (SE2000/2613/F) was amended to meet concerns raised by the Council's Conservation Architect. Curtilages would be formed mainly to the east of the barns with a new block of garages in the courtyard formed to the west of the central (Barn 2) and southern barns (Barn 3). The extensive range of modern agricultural buildings would be demolished.

2. Policies**2.1 Planning Policy Statement**

PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.13 - Buildings of Special Architectural or Historic Interest

Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

- Policy H.20 - Residential Development in Open Countryside
 Policy E.8 - Development of Redundant Rural Buildings

2.3 South Herefordshire District Local Plan

- Policy C.1 - Development within Open Countryside
 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
 Policy ED.6 - Employment in the Countryside
 Policy ED.7 - Re-use and Adaptation of Rural Buildings for
 Employment/Tourism Use

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy LA.2 - Landscape Character and Areas Least Resilient
 To Change
 Policy HBA.12 - Re-use of Rural Buildings
 Policy HBA.13 - Re-use of Rural Buildings for Residential Purposes
 Policy H.7 - Housing in the Countryside Outside Settlements
 Policy E.11 - Employment in the Countryside

2.5 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

- | | | | | |
|-----|---------------|---|---|-----------------------|
| 3.1 | SH961048PF | Erection of steel framed agricultural building | - | Approved 13.11.96 |
| | SE2000/2613/F | Conversion of barns to form three dwellings and erection of garaging. | - | Withdrawn
13.07.01 |
| | SE2001/1651/F | Conversion of barns to form 3 live/work units plus garaging | - | Approved 28.09.01 |
| | SE2001/0538/F | Renewal of SH961048PF for erection of steel framed agricultural building. | - | Approved 16.05.01 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections provided a package treatment plant is proposed discharging to a soakaway, as shown on drawing no. 04 rev. C, which is sited sufficiently away from any existing or proposed disposal area (foot and mouth).

Internal Council Advice

- 4.2 Traffic Manager comments:

"I refer to my previous response of 24.04.06 indicating no objection to the above proposal. I have re-visited the site and would like to make additional comments concerning the suitability of the existing site access. Visibility from the access at its

junction with the A466 is sub-standard being restricted by boundary hedges/vegetation. However, the access has historical use serving a working farm. It is considered that the level of development proposed (3 live/work units) would not result in a significant intensification of use of the access over the agricultural use. As permission has already been granted for the development it would be unreasonable to object to the current application for an extension of time. It appears that to provide visibility at the junction to full standards would require substantial earthworks and hedge removal. Minor improvements may be achieved by some hedge trimming/removal. It is suggested that the applicant submit a scheme indicating possible improvements to the junction.”

- 4.3 The Conservation Manager does not necessarily object but points his observations on the original proposal recommending improvements to the scheme.

5. Representations

- 5.1 The applicant has written to explain why the application has been submitted. In summary the reasons are:

1. Planning permission on three stone barns was granted in September 2001. At about the same time it came to our attention that DEFRA had buried, and or left material at Hill Farm, from the foot and mouth clean up, that was unlawful to be buried or left, which was causing contamination to the groundwater. It was also within the area that would have to be landscaped.
2. The material consisted of category [1] animal by-products, a pit full of asbestos, agro-chemicals, oils, paints, PCB's and a great deal of other materials.
3. In addition, a lagoon constructed by DEFRA to catch all the dirty water, blood, animal body fluids and cleaning acids was left full to the brim and within 70 metres from the house and buildings.
4. A considerable number of cattle and sheep belonging to other farmers were buried by DEFRA. Some of the older cows were carrying the risk of BSE infection.
5. It therefore became necessary to take action against DEFRA to force them to remove all the material. That process took a considerable time and works are expected to be complete by August 2006.
6. No developer has been interested to commence the development until the lagoon and other materials that were buried had been removed.
7. By their action of failing to carry out the Court Order by the 31st March, 2005 and refusing to agree a route, DEFRA have now placed us in a precarious position with our planning consent.
8. We therefore, respectfully ask the Planning Department for an extension of one year to condition [1] of the planning permission SE2001/1651/F.

- 5.2 Llangarron Parish Council have no objections to this planning application.

- 5.3 Welsh Newton Parish Council (adjoining parish council) support this request.

5.4 Two letters have been received expressing concerns regarding this proposal. In summary the following concerns are raised:

1. The units could readily be converted into complete business units (as at Treddunock) and noted that there would be 14 parking spaces plus unallocated areas capable of further temporary parking.
2. Safety is of concern: amount of traffic joining A466 Monmouth/Hereford road at slight bend on this very fast road.
3. Photographs submitted showing a car parked in current entrance to Hill Farm would not be seen by traffic approaching from either direction.
4. The movement of contaminated waste has required special traffic control.
5. Visibility splay should be checked on site and changes could then be required.
6. Alternative route via 'back' lane would create intrusion and possible damage to properties.
7. Elevated position of farm means any powerful security lighting will be intrusive.
8. In view of contamination of bore hole where will drinking water come from?
9. In view of disagreements over route for removing contamination it is questioned why extension of time is required.

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. Officer's Appraisal

6.1 The development accords in principle with the Council's policy to encourage re-use of rural buildings for commercial purposes, which would benefit the local economy. The residential accommodation would be integral to securing employment uses. The concerns of the Conservation Architect were specifically addressed in revised drawings and it was this amended proposal that was granted planning permission.

6.2 The main issue raised by this proposal is highway safety. Visibility at the access is sub-standard and as the Traffic Manager points out full visibility would require substantial earthworks and hedge removal. Furthermore, the land to the south of the access is not in the applicants' ownership. The earlier permission was granted on the basis that the traffic generated by the farm involving considerable movement of livestock was considerably greater than that anticipated by 3 live/work units. All the principle farm buildings would be removed, including an existing poultry house and a permission for additional stock building (SE2001/0538/F) would not be implemented. Since then the foot and mouth epidemic and aftermath has prevented the farm from operating at the same intensity. The removal of the farm buildings required by the permission for the barn conversions would limit the scope for agricultural development and new farm buildings would be subject to planning control. In these circumstances it would not be reasonable to refuse permission because the full standard could not be achieved. Nevertheless as recommended by the Traffic Manager a condition requiring improvements to visibility at the access could be imposed.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission) (1 year))**

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. **B07 (Stonework laid on natural bed)**

Reason: In the interests of conserving the character of the building.

5. **B10 (Details of cladding (agricultural and industrial buildings))**

Reason: To minimise the visual impact of the development.

6. **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.

7. **C05 (Details of external joinery finishes)**

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

8. **C06 (External finish of flues)**

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

9. **C09 (External repointing)**

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

10. **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.

11. **C11 (Specification of guttering and downpipes)**

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

12. RB1 (No Permitted Development)

Reason: To ensure the character of the original conversion scheme is maintained.

13. The offices and holiday accommodation hereby permitted shall be retained and used for the purpose intended at all times and shall not be converted to or used as living accommodation.

Reason: To define the terms of this planning permission.

14. The offices and holiday accommodation shall be retained as part of the residential use hereby permitted and shall not be sold separately from each other.

Reason: It would be contrary to the policy of the local planning authority to grant consent for separate offices and holiday accommodation in this location.

15. F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

16. F19 (Drainage in accordance with approved plans)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

17. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

18. G01 (Details of boundary treatments)

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

19. G04 (Landscaping scheme (general))

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

20. G05 (Implementation of landscaping scheme (general))

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

21. This permission shall be implemented only in lieu of, and not in addition to, the planning permission SE2001/0538/F dated 16th May, 2001.

Reason: To prevent over-development of the site and to protect the amenities of the occupants of the dwellings hereby approved.

- 22. Before any other works are commenced the existing agricultural buildings not covered by this planning permission shall be removed and that part of the site restored in accordance with the landscaping scheme required by condition 20 of this planning permission.

Reason: To protect/enhance the amenities of the dwellings hereby permitted and to conserve the character and amenities of the area.

- 23. The existing poultry house located at Grid Ref: SO 4919 2009 shall be permanently removed and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenities of the future occupiers of the development hereby permitted.

Informative(s):

- 1. N19 - Avoidance of doubt
- 2. N15 - Reason(s) for the Grant of Planning Permission

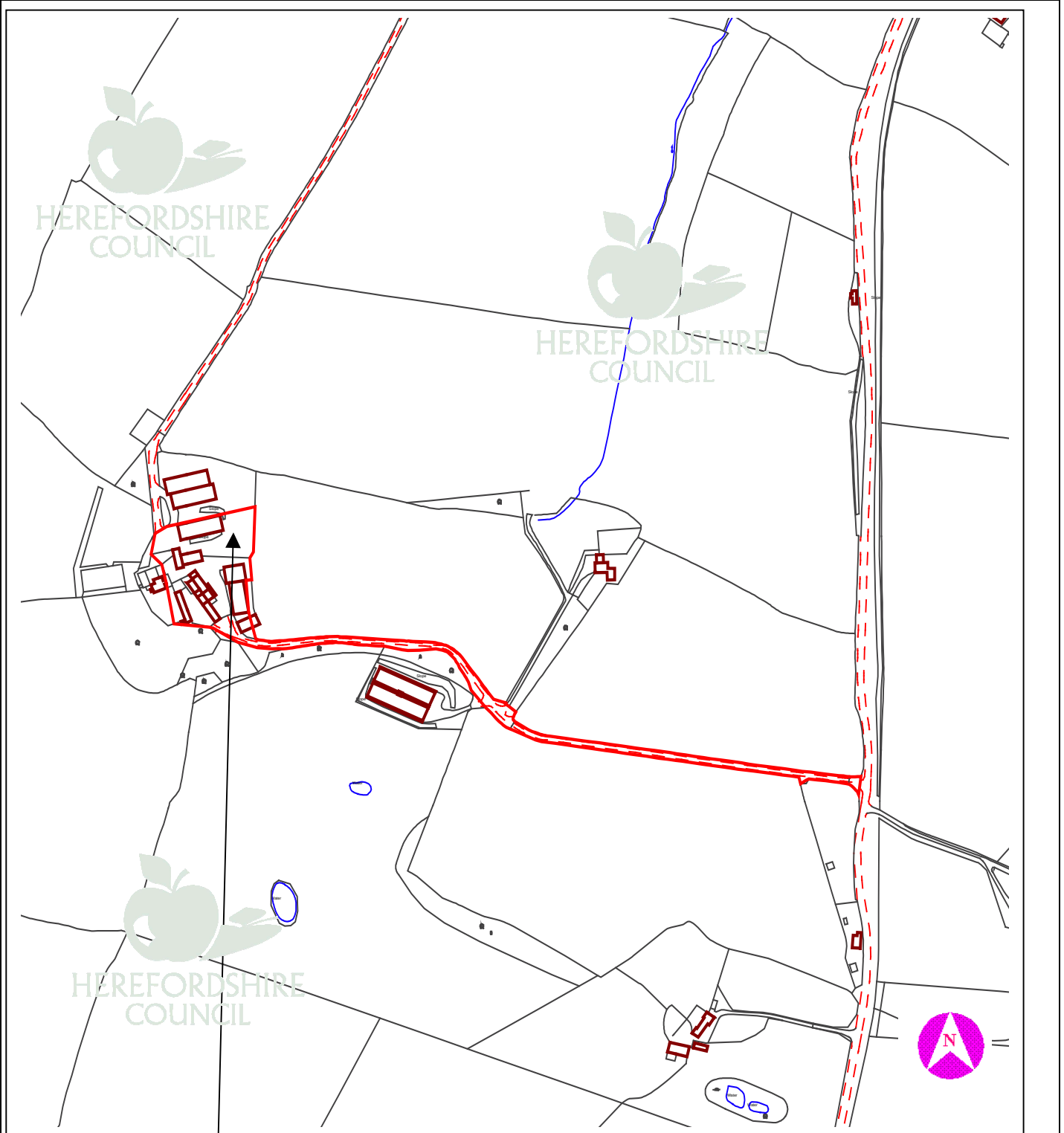
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1133/F

SCALE : 1 : 5001

SITE ADDRESS : Hill Farm, Llancloudy, Hereford, Herefordshire, HR2 8QP

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