

DELEGATED DECISION REPORT

APPLICATION NUMBER

143736

The Barn, Court Mews, Hole in the wall, Foy, Ross-on-Wye, HR9 7JN

CASE OFFICER: Mrs Charlotte Atkins

DATE OF SITE VISIT: 15.1.2015

Relevant Development Plan Policies:

- S1 – Sustainable development**
- S2 – Development requirements**
- S7 – Natural and historic heritage**
- DR1 – Design**
- DR2 – Land use and activity**
- DR3 – Movement**
- DR7 – Flood risk**
- H7 – Housing in the countryside outside settlements**
- H13 – Sustainable residential design**
- H16 – Car parking**
- LA1 – Areas of Outstanding Natural Beauty**
- LA2 – Landscape character and areas least resilient to change**
- LA4 – Protection of historic parks and gardens**
- LA6 – Landscaping schemes**
- NC1 – Biodiversity and development**
- NC4 – Sites of local importance**
- NC6 – Biodiversity Action Plan priority habitats and species**
- NC7 – Compensation for loss of biodiversity**
- NC8 – Habitat creation, restoration and enhancement**
- NC9 – Management of features of the landscape important for fauna and flora**
- HBA1 – Alterations and extensions to listed buildings**
- HBA3 – Change of use of listed buildings**
- HBA4 – Setting of listed buildings**
- HBA8 – Locally important buildings**
- HBA12 – Re-use of rural buildings**
- RST12 – Visitor Accommodation**
- ARCH1 – Archaeological assessments and field evaluations**

NPPF – Achieving Sustainable Development, chapters 3, 6, 7, 8, 11 and 12.

Relevant Site History: S122237/F – The Gate House – Redevelopment, alterations and extensions to form one number dwelling – Refused

S122239/F – Anchor and Can – Change of use from staff accommodation to one number dwelling – Refused

S122241/F – Court Farm and adjacent buildings – Change of use of 'Abrahall Cottage', 'Wayside Cottage', 'Court Farm', the dinning hall, kitchen, drying room/ office, and 'The Barn' from staff and visitor accommodation and facilities to form seven number dwellings – Refused

S122242/F – Land to the rear of Court Farm – Proposed development of eight number low cost affordable dwellings – Refused

S122247/F – Demolition of existing three storey activity barn and erection of three number dwellings – Refused

S130187/F – Change of use of The Anchor and Can, Abrahall Cottage, Wayside Cottage, The Farmhouse, dining hall/kitchen and barn to residential use. Change of use of office to holiday let and change of use of activity barn to 4 no holiday lets – approved 15.5.2013

S140716/CE - Pre-application advice for a change of use of kitchen, shower block & wc and activity barn to form 4 dwellings. Minor amendments to the dining room proposals and the 'barn'.

S141987/F - Change of use of former dining room and kitchen to two new residential dwellings approved 10.9.2014

S142472/F – change of use of former holiday let to self contained holiday let – approved 8.10.2014

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	√√	√(amended plans)	√		
Transportation	√	√			
Ecologist	√	√			
Site Notice	√	√			
Hereford & Worcester Gardens Trust	√	√		√	
Local Member	√	√			

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The site is located in the open countryside on the south-eastern side of the C1273 at Hole in the Wall. The area comprises a cluster of buildings, which lie some distance from any sustainable settlement identified in the local plan. It is located in the Wye Valley Area of Outstanding Natural Beauty and in close proximity to the River Wye itself, which lies to the north of the site on the opposite side of the road. The locality is of exceptionally high landscape quality and character and along with being within the AONB, also forms part of an unregistered park and garden. Furthermore the site is located within Flood Zone 2 and 3 as identified by the Environment Agency. The locality features a SAC, SSSI, SWS, and BAP and is thus ecologically important and sensitive. Protected species identified and known in this locality include rarer species of bats.

Permission was granted in 2013, following earlier refused schemes, to redevelop the former PGL site as a whole, including The Anchor and Can, Abrahall Cottage, Wayside Cottage, The Farmhouse, dining hall/kitchen and barn. That permission has been implemented and therefore remains extant. Work is ongoing on site.

This application is for a revised scheme for the conversion of the timber clad barn with a pantile roof, which lies at right angles to the lane and in an elevated position at the western end of the site. The existing building has limited openings and the original central doorway has been infilled historically and rather unsympathetically with the insertion of domestic scaled, white painted windows. It has a single storey outshut to the rear (west) elevation and alterations have been carried out to the southern gable end to provide an external timber staircase, presumably in connection with the former use by PGL.

This revised scheme seeks alterations to the elevations, the incorporation of the adjoining, single storey building to the east, to provide extended accommodation and the provision of a detached outbuilding, to the south of the barn. The main driver behind the revisions to the originally approved scheme seems to be derived from the desire to provide the bedrooms at first floor, rather than the 'upside down' layout. The original scheme submitted was considered to include an excessive number of rooflights and new openings and the orientation of the outbuilding was considered to be intrusive. Following negotiations the number of rooflights has been reduced from 5 to 1 on the east elevation and from 4 to 2 on the western elevation. The siting of the outbuilding has been revised so that it would be further to the east, between the rear elevation of the single storey building attached to the barn and the activity barn to the south. This is essentially on the siting of an existing storage building to be removed and within the existing area of hardstanding already authorised for parking. The outbuilding would be a three bay structure, with the left hand bay enclosed with side hung, timber doors. The roof would have either slate or tiles to the roof. It would have a footprint of 9m by 5.5m, with a dual pitched roof with a ridge height of 4m and eaves at 2.3m.

Representations:

Local Member: contacted by email on 19.1.2015 – no response so agreed to a delegated decision by default.

Pre-application discussion:

140716/CE – amendment – discussed alternative scheme to the originally approved plans (130187/F – whole site redevelopment). Email to agent 3.11.2014, expressed some concerns regarding the number of new openings, compared to the existing building and approved scheme, and the provision of a large new outbuilding.

Constraints:

AONB, open countryside, SSSI, SAC, local important buildings, protected species, Eaton Tregoz unregistered park and garden (of local historic interest), Lyndor Wood – ancient replanted woodland and SWS, Landscape character type – wooded estatelands. Public footpaths (FY4, FY3 and FY2, linking to the Herefordshire Trail and the access road forms part of the Wye Valley Walk), HRA

Appraisal:

The site is isolated in terms of its access to facilities and services and is thus considered to be locationally unsustainable. However, the reuse of disused rural buildings is considered to be acceptable in such locations as confirmed by para 55 of the NPPF and policies H7(3), HBA12 and HBA13 of the HUDP. Given the broad consistency between the NPPF and HUDP with regards conversions and achieving high quality design (para 17 and chapter 7 - NPPF and DR1 and the detail of HBA12 - UDP), the more detailed UDP policies can be afforded due weight. Moreover, as an important material planning consideration, there is an extant permission to convert the barn to a single dwelling. This confirmed that the barn is structurally sound and given the limited time since that permission was granted and the nature of the building this remains to be the case. This application therefore falls to be considered in respect of matters of detail only. Policy HBA12 requires conversion schemes to retain the essential qualities of the building, keeping new openings to a minimum and without the need for substantial extension or alteration.

Following negotiations the number of new openings have been drastically reduced. As a result the revised scheme now accords with policy requirements and would retain the essential, utilitarian characteristics of the barn, where the original submission did not. The single storey building, at right angles to the east elevation of the barn, was not included in the originally approved scheme, but nor was it required to be removed. Whilst, it is not of any historic or architectural merit it forms part of the group of buildings and does not detract from their setting. Its incorporation into the dwelling's accommodation is entirely logical. The proposal to timber clad the elevations and provide full height, equally spaced openings in the north elevation would enhance its appearance.

The revised siting of the outbuilding would ensure that it would not be visually intrusive, when viewed from the west. Whilst new buildings should be restricted in this open countryside location, it would be viewed in the context of the barn and the modern activity barn, which are of greater scale and consequently I am satisfied that the outbuilding would be assimilated into this group. The agent has advised that two of the bays are left open to permit swallow activity as proposed in the Habitat Scheme.

It is reasonable and necessary to remove permitted development rights to protect the setting of the local important barn and the landscape, which is highly sensitive.

Previously the assessment of the earlier application by Natural England and the Council's Forward Planning Officer accept that as the discharge was within current EA consent, the proposal was considered as having No Likely Significant Effect. Original concerns had related to whether any outfall was contributing to a failure of a watercourse. It was advised that the lower River Wye hereabouts is not failing and, although the application is close to the River Wye, increased discharge from this change of use is unlikely to have any effect and a formal HRA screening report was not considered necessary. Given that the proposal is not for an additional dwelling this position remains the same.

The site is in an unsustainable location, but overall the proposal represents sustainable development as it comprises the reuse of a redundant building, which is a valuable contribution to the area. The scheme accords with paragraph 55 of the NPPF and H7(3), HBA12 and HBA13 of the UDP.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITIONS & REASONS:

- 1) C01
- 2) C08 –371-TB02 rev A, 371-TB03, 371-TB04 - amended & received 19.1.2015
- 3) C26
Reason 2
- 4) C27
Reason 2 – delete HBA13 reference
- 5) C31
- 6) C58
- 7) Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, C, D and E of Part 1 and of Schedule 2, shall be carried out.

Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy HBA12 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

- 8) The soft landscaping scheme as shown on the approved plan no. 1112/001 Rev A shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period. The hard landscaping shall be completed prior to the first occupation of the development hereby permitted.

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan and the National Planning Policy Framework.

- 9) The off road parking spaces as shown on drawing 423-PL02 shall be made available prior to the first occupation of the dwelling hereby approved and shall be retained thereafter for such use.

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan and the National Planning Policy Framework.

- 10) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To prevent pollution of controlled waters and to comply with Policy DR7 of Herefordshire Unitary Development Plan and the National Planning Policy Framework.

(Note to above - Use for the sites where the water environment is at risk and there is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins (some SuDs techniques may still be possible if lined for example).

- 11) The development shall be carried out in accordance with the wildlife and biodiversity enhancement approved on 7 November 2013 (under Planning Permission reference S130187/F).

Reason: In order to ensure that diversity is conserved and enhanced in accordance with the requirements of PPS9, the NERC Act 2006 and Policies NC6, NC7, NC8 and NC9 of Herefordshire Unitary Development Plan and the National Planning Policy Framework.

Informatives

1. Pro active reason 1
2. I 30
3. I 33
4. Welsh Water Note:

As the applicant intends utilising a private treatment works we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

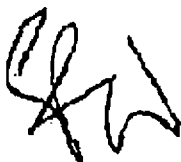
Signed:  Dated: ...25.2.2015.

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐

Signed:  Dated: 25 February 2015.....