



survey and mitigation measures in respect of both newts and bats prior to determination of the application in a favourable manner. In response to further information received the Ecologist recommends a condition to be attached to any approval notice issued with regards to a working method statement being attached to any approval notice issued.

The Transportation Manager raises no objections.

Birtley with Upper Hill Parish Council has responded to the application indicating 'no comments made or received'.

Pre-application discussion:

Pre-application discussions took place with the Case Officer to which an indication was given that the principle of the proposed development was considered acceptable.

Constraints:

None.

Appraisal:

Application proposes the provision of a self contained unit of accommodation within an attached first floor agricultural barn, which is attached to a large farmhouse, in order to provide a unit of self contained accommodation for a live in carer.

The application is accompanied by a building condition report and its conclusion is considered acceptable.

The proposed development is considered acceptable in scale and design and makes use of an attached rural barn considered suitable for the proposed use.

Marketing of the site in accordance with criteria of Policy HBA12 in this instance in consideration of the intended use is not considered necessary.

The proposed development will have no detrimental impact on residential amenity and privacy issues and is also considered acceptable from a public highway perspective.

The plans submitted for planning consideration indicate appropriate external construction/repair materials in consideration of the historic and architectural interest of the building except for the fact that there is no mention with regards rainwater goods and therefore it is recommended that a condition is attached to any approval notice to reflect this issue.

Ecological issues appear to have been adequately addressed and it is noted that the Planning Ecologist raises no objections in consideration of additional information received in relationship to ecological issues.

With the above taken into consideration the proposed development is considered acceptable and in accordance with relevant Herefordshire Unitary Development Plan Policies. The recommendation is one of approval under the Council's scheme of delegation.

Local member raises no issues with regards to delegated procedure.

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

CONDITION(S) & REASON(S) / :

(please note any variations to standard conditions)

1. C01
2. C06 (site and location plan as proposed – drawing number 9279-JH-P3, floor plan – drawing number 9279-JH-P1, Rev. A, elevations plan – drawing number 9279-JH-P2 Rev. B).
3. C32
4. C64 (self contained ancillary accommodation/The Thorn).
5. The recommendations set out in the ecologists' reports - Bat mitigation method statement dated December 2012 and Great crested newts survey report dated September 2012 must be followed in relation to the identified protected species. Prior to commencement of the development, a full working method statement must be submitted to and be approved in writing by the local planning authority, and the works shall be implemented as approved. An appropriately qualified and experienced ecological clerk of works must be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure all species under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 are protected. To comply with the National Planning Policy Framework, Circular 06/2005 and Policies NCI, NC4, NC6 NC7, NC8 and NC9 within Herefordshire's Unitary Development Plan and also to meet the requirements of the NERC Act 2006.

Reasons for Approval

The development is of a scale and design that is considered acceptable in consideration of the location for the development and justification as put forward by the applicant.

The development will have no detrimental impact on residential amenity and privacy issues or on issues of a public highway nature.

A condition has been attached to the approval notice with regards to rainwater goods in consideration of the rural and architectural character of the building.

The development is considered to be in accordance with the Herefordshire Unitary Development Plan, key policies of which are Policies S1, DR1, H18, HBA12, HBA13, LA2 and NC1. The development also considered to be in accordance with the National Planning Policy Framework.

Informatives

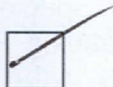
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Signed: *rm* Dated: December 20th 2012.

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT



REFUSE



Signed: *KOB* Dated: *20/12/12*

REASON FOR DELAY (if over 8 weeks)

Negotiations ☐
Consultees ☐
Other ☐
(please specify)