

DELEGATED DECISION REPORT

APPLICATION NUMBER P141889/F

The Bache, Kimbolton, Leominster, HR6 0ER

CASE OFFICER: Mr A Banks
DATE OF SITE VISIT: 08/07/14

Relevant Development Plan Policies: Herefordshire UDP
 S1 – Sustainable development
 DR1 – Design
 HBA12 – Re-use of rural buildings
 HBA13 – Re-use of rural buildings for residential purpose

Relevant Site History: NC00092087/F – Conversion of barns to 2 dwellings – Approved

130238/AM – Non-material amendments to NC00092087/F - Refused

130648/AM - Non-material amendments to NC00092087/F - Approved

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
Transportation	X		X		
Ecologist	X		X		
Neighbour letter/ Site Notice	X				X
Local Member	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The original application as described above relates to a pair of redundant farm buildings at The Bache, Kimbolton, a group of buildings occupying a discrete position in the open countryside. A range of converted buildings, originally part of Lower Bache Farm, lie to the north east and both are served by a narrow unclassified road with emerges onto the A4112. The former farmhouse of Lower Bache Farm lies in closer proximity to the application site and is 20 metres to the east of the building to which this application relates.

The proposal relates to a 1 ½ storey timber framed building with brick infill running along the eastern boundary of the site; from hereon in referred to as The Bache Barn. A single storey part exists to its southern end, but does appear to be part of the original construction rather than being a later addition. It has a series of openings facing onto the former farmyard at

both ground and first floor level and is sub-divided into five bays. Work to complete its conversion is well under way and this application seeks to amend the external appearance through the installation of two additional roof lights into the roof of a single storey element of the building on the eastern elevation, the reinstatement of a window in the east elevation of the single storey part of the building at its southern end and the installation of an array of solar panels on the western elevation. The solar panels also require the repositioning of two previously approved roof lights.

Representations:

Transportation Manager – no objection

Ecologist – no objection

Representations have been received from Mr & Mrs Wiles of Lower Bache Farm. In summary the points raised are as follows:

- The boundary between the two properties has been confirmed by the Land Registry and is formed, in part, by the east elevation of The Bache Barn.
- The door marked as D7 on the plans has no validity. Notwithstanding, it should open inwards only but has been designed to open outwards.
- The roof lights described as RL13 and RL14 directly overlook Lower Bache Farm.
- In the original plans the hayloft door in the north elevation was to be in-filled. It is now shown to be half glazed and half boarded and it will cause overlooking of Lower Bache Farm.

In response to the objections received the applicant has said that he is willing to board over the door (D7) and that he will install obscure glazing in roof lights R13 and R14, but highlights that they have previously been approved and do not actually form part of this application.

The application has been discussed with Cllr Stone and he has confirmed that he is content for it to be dealt with as a delegated matter.

Pre-application discussion:

The application is a result of on-going discussions with the applicant and the objectors at Lower Bache Farm.

Constraints:

None relevant to this application.

Appraisal:

The matters raised regarding the precise location of the eastern boundary are a civil dispute between the two parties. For the purposes of the application the applicant has provided a location plan with the red line to indicate the extent of the site running along part of the eastern wall of The Bache Barn. However, his representations refer to detailed survey work

to establish the precise position of the boundary and it is clear from the correspondence received that this is still in dispute.

The applicant has previously accepted that the plans previously approved require the door marked as D7 on the plans to be inward opening. He has also offered to board the door over, although details of how this would be completed are not submitted with this application. In order to attempt to bring this matter to a conclusion it is recommended that a condition be imposed to require the detail of how this would be achieved, should planning permission be forthcoming.

With regard to the roof lights annotated as R13 and R14, the applicant is correct in his summary that they have been approved and their inclusion as part of the scheme is not a matter for further debate here. However, he has offered to obscure glaze both of them and this is another matter that can be addressed through the imposition of an appropriately worded condition.

The hayloft opening in the northern elevation was originally fully glazed under the original approval and not, as suggested in the objectors representations, blocked up. A non-material amendment to the scheme (130648/AM) changed the opening to a half glazed, half boarded opening and this remains the case with the current proposal.

The actual elements to which this application relates are considered to be acceptable. The installation of the two new roof lights in the lean to part of the building is in fact retrospective as they are currently in situ. However, they are positioned at a high level and their function will simply to allow more light into the building. Their inclusion will not give rise to any demonstrable overlooking of Lower Bache Farm because of their position and they are considered to be acceptable.

The proposed window in the eastern elevation of the single storey part of the building looks out onto a wooded area and will not cause any loss of privacy. It is a modest addition that will not demonstrably alter the overall appearance of the conversion scheme and accords with Policy HBA13 of the UDP.

The installation of solar panels on the west facing roof slope represents a sustainable form of development in accordance with Policy S1 of the UDP and is something that is to be encouraged. The consequent re-positioning of the two roof lights (RL5 and RL6 on the submitted plans) is also considered to be acceptable as it will not demonstrably alter the overall appearance of the conversion scheme.

In conclusion, there are a number of matters that have been raised that are either beyond the remit of this application or relate to aspects of the scheme that have previously been approved. Notwithstanding this, the applicant has indicated a willingness to make further amendments to the scheme to address the matters raised by the objector and these can be satisfied through the imposition of conditions. The specific matters to which the application relates are all acceptable and accord with the relevant policies of the UDP and the guiding principles of the NPPF. The application is therefore recommended for approval.

RECOMMENDATION: PERMIT ☒ REFUSE ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1. C01
2. C06 – CC_2014_10_1 to 6 inclusive.
3. Within 2 months of the date of this permission, details of the treatment for the boarding up of the external door marked on the approved plans as D7 shall be submitted to the local planning authority for their written approval. The work shall be completed in accordance with the approved details within 2 months of the local planning authority's written approval.

Reason: In order to protect the residential amenity of occupiers of nearby properties and to comply with Policy DR1 of the Herefordshire Unitary Development Plan and the guiding principles of the National Planning Policy Framework.

4. C68

Informatives

1. 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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Signed: AB Dated: 16/10/14

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐

Signed: VP Dated: 16/10/14

REASON FOR DELAY (if over 8 weeks)

Negotiations

☐

Consultees

☐

Other

☐