

PLANNING PERMISSION

Applicant:

Mr John Lister
Coinstone Limited
C/O Agent

Agent:

Mr Guy Bailey
RPS Group
20 Western Avenue
Milton Park
Abingdon
OX14 4SH

Date of Application: 3 June 2019

Application No: 191674

Grid Ref:327231:233836

Proposed development:

SITE: Upper Blaen Farm, Llanveynoe, Longtown, HR2 0NL

DESCRIPTION: Restoration and redevelopment of the existing disused cottage and outbuildings to residential use and associated access, parking, planting and associated infrastructure

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been GRANTED for the development described above in accordance with the application and plans submitted to the authority subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the approved plans:

Proposed Plans and elevations Farmhouse

Proposed plans and elevation Byre EW

Proposed plans and elevations Barn EW3

Proposed drainage

Existing plans and elevations Farmhouse

Existing plans and elevations Byre

Proposed block Plan

Existing plans and elevations Barn

Location Plan

and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3 The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority, at a gradient not steeper than 1 in 12.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4 Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the local planning authority and such provision shall be retained and kept available during construction of the development.

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

- 5 The landscaping scheme as required under condition 19 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.

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

- 6 The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity net gain enhancements, as recommended in the ecology report Ecology Services dated April 2019 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation or any biodiversity net gain enhancement features.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2018 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006.

- 7 Before work begins the details of appointment of an appropriately qualified professional specialising in conservation work who will supervise the hereby approved works of alteration or demolition shall be submitted to and agreed in writing with the Local Planning Authority. Any proposed change to the appointed supervisor shall be subject to the prior written agreement of the local planning authority.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 8 Before work begins in relation to re-building works of the cottage details of measures to protect historic timberwork and interior features from damage shall be submitted to and approved in writing by the Local Planning Authority.

No works in relation to any historic timberwork shall commence until details are submitted, where possible and appropriate, for their retention and re-use and approved in writing by the Local Planning Authority.

The work shall be carried out in accordance with the approved details and protection measures shall remain in place for the duration of the conversion works hereby permitted.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 9 No structural re-building works shall begin until details and the methodology to secure the safety and stability of the cottage and byre are submitted to and approved in writing with the Local Planning Authority. The works are to be carried out fully in accordance with the approved methodology and details. The methodology and details shall include:

- Strengthening any wall or vertical surface;
- Support for any floor, roof or horizontal surface.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 10 Demolition work shall be carried out by hand or by tools held in the hand other than power-driven tools.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 11 No development approved by this permission shall commence until a Level 2 Survey, as defined in Historic England's guidance 'Understanding Historic Buildings: A Guide to Good Recording Practice' of the building has been submitted to and approved in writing by the Local Planning Authority. A copy of the approved record survey shall be submitted to the Herefordshire Historic Environment Record within 1 month of the commencement of development.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 12 Before any works to the cottage and byre begin in relation to the aspects specified below, the following details shall be submitted to and approved in writing by the Local

Planning Authority:

- Details of the cottage and byre roof construction;
- A sample of the type of roofing material proposed;
- New dormers;
- Treatment of gables and cappings;
- Treatment of verges and barge boards;
- Leadwork details (in accordance with LCA good practice)
- The means of ventilating the roof;
- Flues, vents or other pipework piercing the roof;

And as shown on drawings to a scale of 1:20 & 1:5 as applicable.

The works shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 13 Stone slating stripped from the roof should be inspected for defects and set aside for reuse. Any balance to make up the shortfall should match the existing as far as possible.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 14 No joinery works to the cottage and byre shall commence until details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- 1:5 sections and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings.
- Method & type of glazing.
- Colour Scheme/Surface Finish

The development shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 15 All routes for mechanical and electrical services and drainage (including rainwater goods eg gutters, downpipes, hopper-heads and soil pipes) shall be arranged where possible to be visually unobtrusive and cause the minimum disturbance to historic fabric. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant sections of works. These shall include types, colours, sizes and positions of soil and vent pipes, waste pipes, rainwater pipes, boiler or stove flues and ventilation terminals, meter boxes, exterior cabling etc. The development shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policies LD4 & RA5 of the Herefordshire Local Plan - Core Strategy, and the National Planning Policy Framework.

- 16 With the exception of site clearance and groundworks, no further development shall commence until a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:

Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.

Trees and hedgerow to be removed.

All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.

All proposed hardstanding and boundary treatment.

All tree planting shall be carried out in the first planting season following the occupation of the building, in accordance with an approved plant specification as well as BS 8545: - Trees from nursery to independence within the landscape.

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

- 17 The outbuildings shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Farmhouse.

Reason: It would be contrary to Policy SD1 of the Herefordshire Local Plan – Core Strategy to grant planning permission for a separate dwelling in this location.

- 18 Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without Modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, Shall be carries out.

Reason: To ensure the character of the original building is maintained and to comply with Policy RA5 and to protect the character of the locality and to comply with Policy SD1 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

Informatives:

- 1 It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
- 2 This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire

Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

- 3 Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.
- 4 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 5 It is the responsibility of the developer to arrange for a suitable outfall or discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.
- 6 The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
- 7 A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.
- 8 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.
- 9 No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.
- 10 The buildings were constructed using traditional methods and materials. As a result, it will be important to use new materials that work in tandem with existing and complement the eco-system of the building.
- 11 Natural, breathable, insulation materials, Limecrete flooring and traditional lime plasters (or hemp lime for improved thermal performance) should ensure that the natural balance of the building is maintained, and internal levels of humidity can be better managed by the materials themselves.

- 12 When installing insulation care should be taken to avoid the risk of interstitial condensation, particularly at junctions with roofs and floors. Historic England guidance notes on 'Energy Efficiency and Historic Buildings' and the Sustainable Traditional Building Alliance (STBA) website are worth consulting.
- 13 This roof type is an important characteristic of domestic and agricultural buildings in this region. Information relating to best practice in their repair and re-instatement can be found in the Historic England Technical Advice Note: Stone Slate Roofing.

Planning Services
PO Box 4
Hereford
HR4 0XH



Date: 3 October 2019

KEVIN BISHOP
LEAD DEVELOPMENT MANAGER

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

Notes

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular consent may be required under the Building Regulations.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, or 12 weeks if the scheme is for that of "household" development using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible.

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.