

DELEGATED DECISION REPORT

APPLICATION NUMBER

183806

Brick House Farm, Edwyn Ralph, Bromyard, HR7 4LU

CASE OFFICER: Mr Andrew Prior and completed by Mr Josh Bailey

DATE OF SITE VISIT: 14th March 2019

**Relevant Development
Plan Policies:**

Herefordshire Local Plan – Core Strategy – Policies:

SS1 – Presumption in favour of sustainable development

SS4 – Movement and transportation

RA5 – Re-use of rural buildings

MT1 – Traffic management, highway safety and promoting active travel

LD1 – Landscape and townscape

LD4 – Historic environment and heritage assets

SD1 – Sustainable design & energy efficiency

Edwyn Ralph Parish are not considering a Neighbourhood Development Plan at this time

NPPF

Chapters 11, 12 and 16

Relevant Site History:

MH90/1155 and MH90/1156 – conversion of redundant barn to cottage – refused

MH89/1232 and MH89/1233 – conversion of barns into two cottages – allowed on appeal

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X(SUP)		
Transportation	X		X (Conditions recommended)		
Buildings Conservation Officer	X			X (Conditions recommended)	
Ecologist	X		X (Following submission of bat roost assessment)		

Hereford Wildlife Trust	X	X			
Environmental Health (Housing)	X			X (Suggested informatives)	
Site Notice/Press	X	X			
Local Member	X		X		

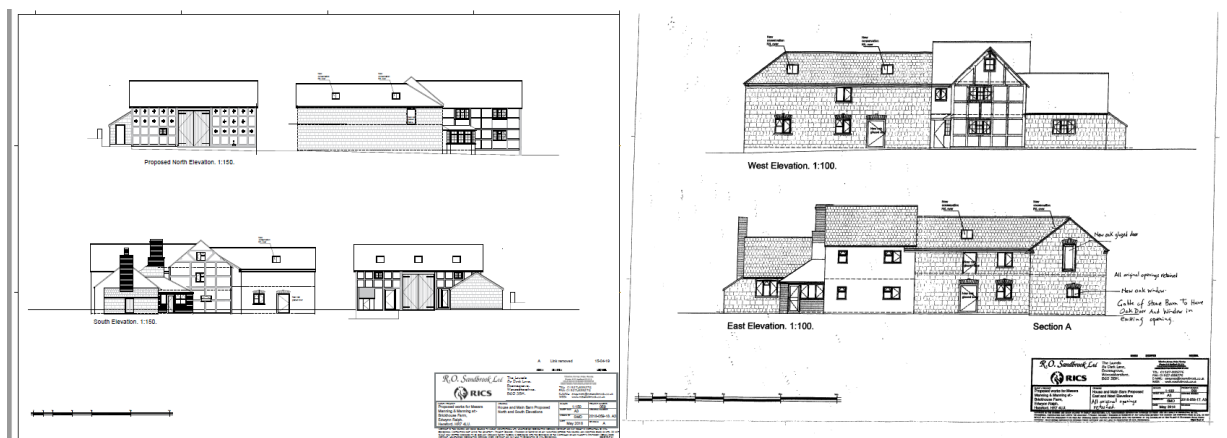
PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The site relates to an agricultural barn of stone, which is in good condition, located within the grounds of Brick House Farm, Edwyn Ralph, in which the farmhouse is Grade II Listed. The barn of relevance to this application is also Grade II listed. The application proposes the conversion of this barn into residential use.

The scheme was originally for the conversion of the barn into residential use, along with the erection of a first floor link between two barns. However, following concerns from a heritage perspective, this link has now been omitted.

For ease of reference, I refer to the revised scheme under consideration below:



Representations:

Parish Council – Support

Transportation – Conditions recommended: CAZ; CAT; I11; I05; I51; I47; I35

Ecology – No objections following submission of a preliminary bat roost assessment

Building Conservation Officer – Qualified Comments: *“The conversion scheme extends the accommodation of the house into the stone barn and is unusually low-key, leaving much of the interior open, using existing openings and demanding few new rooflights. This part of the scheme could be approved with conditions which are listed below.”*

The principal new element is the first-floor link between the stone and framed barns. This would have a very significant impact on the character and appearance of the building, and require making new openings through framing and masonry. This part of the scheme is not

essential to the successful operation of the group of buildings as a whole and I recommend its removal from the scheme.

As it stands, I recommend refusal of the scheme, but with the omission of the link, I recommend approval subject to conditions:

LBC 16 – all items.

LBC 25 – stonework.

LBC 30

LBC32

LBC29

LBC36 inserting the words “timber floor and roof frames” in place of the words “timber frame”.

Also an informative that the permission relates solely to the barns and gives no permission in relation to the house, for which no details have been submitted”.

Environmental Health (Housing): Suggested informatives in relation to fire escapes, fire detection system and sufficient ventilation.

Local Member – Ward Cllr Baker confirmed delegated authority via email on 18th April 2019.

No further representations received.

Pre-application discussion:

None

Constraints:

Grade II Listed Building

PROW adj.

Surface Water

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows: *“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The current National Planning Policy Framework, is itself a significant material consideration.

In considering the details of the scheme, it is acknowledged that the site and building forming the subject of the application is sensitive in heritage terms. The barn is listed at Grade II and is also within the curtilage of Brick House farmhouse, also listed at Grade II. Accordingly, the duties placed upon the Local Planning Authority by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are considered

In respect of heritage assets, the advice set out at paragraph 193 of the Framework is relevant, insofar as it requires that great weight be given to the conservation of a designated heritage asset. The more important the asset, the greater the weight should be. Paragraph

194 goes on to advise that any harm to, or loss of, the significance of designated heritage assets should require clear and convincing justification. At paragraph 195, it states that where substantial harm is identified local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Assessment

The barn is clearly of permanent substantial construction and would lend itself relatively well to a conversion, as shown in its current status below:



The proposed conversion of the barn to residential use makes use of the existing opening and would not unduly alter the character of the building, demanding few new rooflights. The conversion scheme extends the accommodation of the house into the stone barn and is unusually low-key, leaving much of the interior open as such.

Given the omission of the link, following concerns raised from a heritage perspective, it is considered that the proposals would not lead to any significant harm to the character of the building, and any harm which would occur as a result of this development use, would be, on balance, minor. The test set out at 196 therefore applies.

The proposal would not have any demonstrable adverse impact upon the setting of the area or any other buildings in the immediate locale. The site is located towards the end of a lane and is not visually prominent from any areas of the public realm; albeit the adjacent PROW. Therefore the potential for impact in this regard is relatively limited.

Nonetheless, the proposal is of an appropriate design and the scheme would have acknowledged benefits in terms of improving the appearance of a redundant building. The proposal respects the character and significance of the redundant building and it is considered that this represents the most viable option for the long-term conservation and

enhancement of any heritage asset, together with its setting. No harm or conflict with Policies LD4/LD1 is therefore found, and the duty imposed by Section 66 of the Act is fulfilled.

The proposal here sits broadly in open countryside along an unclassified road. Due to the lack of neighbouring dwellings, albeit the other buildings at Brick House Farm, it is considered that the proposal does not give rise to any significant concerns in terms of overlooking. In terms of design, the conversion does not look distinctively out of character, being sympathetic to its existing form and use, and on the basis of the above, no conflict with SD1 is found.

Given that the proposal has made adequate provision for protected and priority species and associated habitats, following the submission of a bat roost assessment after comments of the Planning Ecologist regarding bats were submitted, this will be secured through a condition, this will ensure the scheme complies with the requirements of LD2 and the Paragraph 170 of the NPPF.

Furthermore, the comments raised by the Council's Environmental Health Officer are relating to building control and so not a material consideration when determining the application.

The proposal will continue to be compatible with neighbouring uses, given that the proposal represents ancillary accommodation and does not result in the formation of a new residential use. Furthermore, given the appropriate nature of the scheme, it is not considered that the building requires substantial alteration or extension which would consequently adversely affect the character or appearance of the building or have a detrimental impact on either its surroundings or landscape setting, in accordance with RA5 of the CS.

Summary

The correct approach to decision taking in this case begins with the test set out at Paragraph 196 of the NPPF. This is in the sense that 'less than substantial' harm to a designated heritage asset (in the form of the listed building and conservation area) has been detected, where such harm would be at the minor end of the this scale. This harm should therefore be weighed against the public benefits of the proposal.

The scheme here would have benefits in terms of securing a use and need for a designated listed heritage asset. This is a significant public benefit given the duty to protect listed buildings placed upon local authorities. Further benefits are also identified through the sustainable re-use of an agricultural barn, preserving its character. No other unmitigated potential for harm has been identified, and in the application of the 196 test the benefits of the scheme are considered to significantly and demonstrably outweigh the very minor harm which has been identified.

The duties imposed upon the Authority by Section 66 of the act are therefore discharged, and the scheme does not give rise to any conflict with relevant policies such as LD4, LD1, SD1 or RA5 of the Core Strategy or the advice set out in the NPPF. The application is accordingly recommended for approval subject to the conditions set out below. The comments raised by the Building Conservation Officer and recommended conditions are affixed to the Listed Building Consent.

The Local Member has been updated and does not offer any objections.

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

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:
(please note any variations to standard conditions)

1. C01
2. C08 (Drawing Numbers: 2018-059-18.A3 Rev A; 2018-059-15.A3 Rev A; 2018-059-016.A3 Rev A; 2018-059-13.A3 and 2018-059-17.A3)


Informatives

1. IP2 – Application approved following revisions.

Signed:  Dated: 2/5/19

TEAM LEADER'S COMMENTS:

DECISION: **PERMIT** ☒ **REFUSE** ☐

Signed:  Dated: 3/5/19