

**Application Number:** DC/2017/01359

**Proposal:** Conversion of a former agricultural building into an office; retention and completion of trackway

**Address:** Sycamore Farm, Llandevenny Road, Llandevenny, NP26 3DB

**Applicant:** Mr Waters

**Plans:** All Proposed Plans 50019/34/100 REV B - Landscape Plan, All Proposed Plans 50019/34/104 - Proposed Elevations, All Proposed Plans 50019/34/102 - Sections, All Proposed Plans 50019/34/101 - Elevations, All Proposed Plans 50019/34/001 REV A - Existing Location,

**RECOMMENDATION: Refuse**

Case Officer: Mr Craig OConnor  
Date Valid: 28.11.2017

**1.0 APPLICATION DETAILS**

1.1 Sycamore Farm, which is the subject of this application, is located to the east of Llandevenny to the south of Junction 23 of the M4 close to the County boundary. The application seeks consent to convert the existing agricultural Dutch barn at the site into a building that would be utilised as an office. The proposed conversion is outlined on the submitted plan Drg No's 50019/34/104, 50019/34/101, 50019/34/100 REV B and 50019/34/102. The proposed building would have a footprint that would measure 16.3m x 7.5m and it would have a curved roof that would measure 6.84m at its highest point. The building would have a zinc effect roof, timber cladded walls and aluminium openings.

**2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DC/2017/00573	The application is the construction of a new track to the existing agricultural buildings at Sycamore Farm. It will therefore ensure that the agricultural vehicles will utilise this access rather than passing between residential properties to Llandevenny and causing nuisance. The track will provide a direct unaffected access to the agricultural buildings.	Unacceptable	28.06.2017
DC/2014/01243	Installation of additional tower into an existing overhead line		17.10.2014
DC/2017/01359	Conversion of a former agricultural building into an office; retention and completion of trackway	Pending Determination	

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design  
S8 LDP Enterprise and Economy

#### **Development Management Policies**

EP1 LDP Amenity and Environmental Protection  
DES1 LDP General Design Considerations  
RE2 LDP The Conversion or Rehabilitation of Buildings in the Open Countryside for Employment Use  
LC1 LDP New Built Development in the Open Countryside  
LC5 LDP Protection and Enhancement of Landscape Character  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations  
E2 LDP Non-Allocated Employment Sites

### **4.0 REPRESENTATIONS**

#### 4.1 Consultation Replies

Magor and Undy Community Council - No response to date

Natural Resources Wales - We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirement. Otherwise, we would object to this planning application. Requirement - Foul Drainage - further information is required to demonstrate that the proposal will not pose an unacceptable risk to the water environment/ SSSI.

Evidence should be submitted to demonstrate that any discharge from the Package Treatment Plant (PTP) will not have a detrimental impact on the Gwent Levels-Redwick and Llandevenny Site of Special Scientific Interest (SSSI).

No porosity tests have been submitted as requested. The discharge to either a watercourse/ditch or to ground is likely to require an environmental permit from NRW as the site is located in the SSSI. Notwithstanding the need for a permit, the porosity test information should be provided at the planning stage, as without that information we are unable to ascertain that there will be no adverse impact on the SSSI from the discharge. Porosity tests should be undertaken and the results submitted together with calculations of the specific size of any proposed soakaway(s) to ensure that disposal of foul effluent from the proposed PTP will be effective at this location and will not have a detrimental impact on the SSSI. Should it be proposed to discharge the effluent to surface water, then additional treatment (for example reed-bed or mound) may be required to protect the SSSI

#### Flood Risk Management

The access track lies partially within Zone C1 as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map, which is updated on a quarterly basis, confirms the site to be within the 0.5% (1 in 200 year), 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability tidal/fluvial flood outlines. Given the scale of the proposed development (and in the absence of a flood consequence assessment) we consider the risk could be acceptable subject to the developer being made aware of the potential flood risks.

Glamorgan Gwent Archaeological Trust (GGAT) - The proposals are unlikely to have an impact on archaeological features and there are no objections to the proposals.

MCC Planning Policy Officer - The site is located in the open countryside. The proposal cannot be considered under Policy E2 relating to Non-Allocated Employment Sites as this Policy is aimed at new, non-speculative, single-site users that cannot be accommodated on existing or proposed industrial or business sites within the County. Policy RE1 is referred to in the Design and Access Statement along with Policy RE3. As the site is located within the open countryside RE1 is not applicable. It is also my understanding that the proposal does not relate to agricultural diversification, RE3 is therefore not applicable. Policy RE2 may be of relevance relating to the conversion or rehabilitation of buildings in the open countryside for employment use. The first part of criterion b) is not of relevance as this relates to proposals for farm diversification. The second part relates to all other buildings and is of particular importance noting buildings should be capable of conversion without major or complete reconstruction. Section 5 of the Design and Access Statement states that the proposal will utilise the existing frame with the remainder being timber clad under a zinc effect roof. This suggests the only part of the existing Dutch Barn to be retained is the steel frame, the proposal therefore appears to relate to substantial reconstruction and the proposal would subsequently not comply with Policy RE2, specifically criterion b). The Dutch Barn is also of modern construction, no information has been provided in relation to the length of time the building has been utilised for an agricultural use. This would need to be determined in relation to criterion d).

The Rural Conversions to a Residential or Tourism Use SPG while strictly speaking is not relevant for this type of use, has a paragraph referring specifically to Dutch barns:

3.14 Open structures such as Dutch Barns do not lend themselves to conversion. These are often large open structures of steel frame construction and would require a substantial amount of new build development to enable them to accommodate a residential use. Buildings of substandard quality or incongruous appearance will not be considered favourably for conversion.

MCC Biodiversity officer - The barn is a Dutch barn with open sides; no features suitable for bats have been identified and no further surveys are recommended. Based on the description and photographs of the building provided, I am satisfied with the level of survey and conclusions of the report. The area immediately surrounding the barn that will be affected by construction and is presumably intended to provide parking, is of low ecological value and is unlikely to support protected species. No further information with regard to ecology is required for these areas. No objection to the proposal subject to the suggested conditions.

MCC Public Rights of Way - The applicant's attention should be drawn to Footpath No 92 in the community of Magor with Undy which runs adjacent to the site of the proposed development. Public Paths no. 92 must be kept open and free for use by the public at all times, alternatively, a legal diversion or stopping-up Order must be obtained, confirmed and implemented prior to any development affecting the Public Rights of Way taking place.

MCC Green Infrastructure and Landscape Officer - the proposal is for new development within the open countryside (LC1). The proposal is to remove an agricultural barn and replace it with a heavily glazed, industrial looking office of similar form. The site is not within a designated landscape, but it is within a valued landscape (LC5) (as defined by LANDMAP). LANDMAP has defined this area as Flat lowland/Levels where gently rolling lowland forms a transition to the open levels to the south of the site and rolling agricultural land to the north. It is worth noting that their assessment identified inappropriate modern development as a key concern. The site can be viewed from the main railway line, PROW [No. TBC], the A4810 and some minor roads around the site.

Given the proximity of the industrial units to the north and south of the site, and when viewed in this context from the previously mentioned viewpoints: the proposal would convey only slight (adverse) changes in the character and appearance of the (wider) landscape. Having said that, at a local level, the overall design (LDP Policy DES1) needs to be improved. The rationale behind architectural style is missing and the overall layout (including the access track) is unsympathetic, and it has missed numerous opportunities to improve the energy efficiency of the building and sustainable drainage for hard surfaced areas (the landscaping plan should also be revised to

accommodate these changes). As such, the proposal does not meet requirements set out in LDP Policies S13/S17; GI1, DES1, SD2 and SD4 and I am unable to support it.

#### 4.2 Neighbour Notification

There have been two letters received in relation to the application which made general comments rather than object. These letters outline the following: -

1) Confirmation that the new track recently laid across the field will be the only access to any development. We would object to any access to 'offices' from the present lane, that presently serves two private properties and a farm, into the field. Any such access would significantly change the type and quantity of usage of the lane.

2) Confirmation that the present gateway would be blocked with an appropriate wall to prevent casual usage of the lane from the proposed offices.

3) Clarification that the situation regarding any future change of status from office to housing.

4) Clarification regarding the term 'conversion'. The present state and material of construction hardly represents a conversion opportunity and so this would seem to be a new build. Does this affect any planning?

4) Clarify the nature and extent of the proposed 'offices'. This 'conversion' represents a significant change in usage for this piece of land.

#### 4. Local Member Representations

Cllr F Taylor - Requesting that the application be considered by the Planning Committee.

### **5.0 EVALUATION**

#### 5.1 Principle of the proposed development

5.1.1 The description of the development is for the conversion of the existing Dutch barn into a professional office (Use Class B1), however after reviewing the existing structure and the proposals the development is not considered to be a conversion. The existing Dutch barn is a dilapidated modern structure that has a steel frame and metal sheeted walls. The extent of work that would be required to construct the proposed office building would represent a substantial amount of construction work. Open structures such as Dutch Barns do not lend themselves to conversion. These are often large open structures of steel frame construction and would require a substantial amount of new build development to enable them to accommodate a use (as referred to in the Council's Supplementary Planning Guidance for Policy H4 and T2). Buildings of substandard quality or incongruous appearance such as the one subject to this application are not considered favourably for conversion. Section 5 of the Design and Access Statement states that the proposal would utilise the existing frame with the remainder being timber clad under a zinc effect roof. This outlines that only a small part of the existing Dutch Barn would be retained, the steel frame. The proposal therefore relates to substantial reconstruction of the building and the development would be contrary to LDP Policy RE2. Criterion b) of Policy RE2 clearly outlines that "buildings should be capable of conversion without major or complete reconstruction". The degree of rebuilding required to create the office building is substantial and unacceptable. The proposed development cannot be considered as a conversion and the proposals would be contrary to criterion b) of Policy RE2 of the LDP.

5.1.2 There would be substantial reconstruction work required to provide the resultant building and therefore the application represents a proposal for new build development in the open countryside. The principle of constructing a new build development within the open countryside is unacceptable and would be contrary to national and local planning policies.

5.1.3 Policy LC1 of the LDP outlines that "There is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies S10, RE3, RE4, RE5, RE6, T2 and T3 for the purposes of agriculture, forestry, 'one planet development', rural enterprise, rural / agricultural diversification schemes or recreation, leisure or tourism." The applicants have outlined that the application is an agricultural diversification, but

there is no evidence to suggest that the proposed building would supplement the income of a working farm. The office building would act independently to any agricultural business and therefore it is not considered to be an agricultural diversification scheme. There is no exceptional rationale or justification to deviate from national and local planning policies which clearly outline that there is a presumption against new built development in the open countryside. The construction of the new building is not justified for the purposes of agriculture or forestry and is therefore contrary to the guidance within Planning Policy Wales and Policy LC1 of the LDP.

5.1.4 The applicants have outlined that the location of the site should be a material consideration in allowing the development given that the site is located between two protected employment sites and thus lends itself to be designated to provide employment. However it is not considered that this would form a reasonable justification to allow this new build development. This site is not allocated as an employment site and for policy interpretation purposes is located within the open countryside. New build development within employment sites can be acceptable and there is land specifically designated within the LDP for this type of development. It is appreciated that this site is close to employment sites, however the site is not within a designated area and thus this development does not accord with the current adopted policy framework. This type of proposal should be sited within a sustainable location, i.e. within a recognised settlement or within a designated employment area. The proposed development is not in accordance with national and local planning policies.

## 5.2 Impact of the development on the SSSI

5.2.1 It is noted that NRW have outlined concerns with the development and its potential to have an adverse impact on watercourses. Given that porosity tests have not been conducted the potential for the development to harm watercourses has not been evaluated. The development does have the potential to have an adverse impact on the water environment and in the absence of evidence to prove otherwise would be contrary to the requirements of Policy EP2 of the LDP. This concern may be overcome if the application was to be supported by porosity tests which could demonstrate that any discharge from the proposed Package Treatment Plant (PTP) would not have a detrimental impact on the Gwent Levels-Redwick and Llandevenny Site of Special Scientific Interest (SSSI).

## 5.3 Well-Being of Future Generations (Wales) Act 2015

5.3.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 5.4 Conclusion

5.4.1 The proposed development would require a substantial degree of reconstruction and would result in the creation of a new building in the open countryside, contrary to long established national and local planning policy. The proposed unjustified new build office would be contrary to the guidance within Policies RE2 and LC1 of the LDP. The development also has the potential to harm the water environment and the Gwent Levels-Redwick and Llandevenny Site of Special Scientific Interest and would be contrary to Policies EP2 and NE1 of the LDP.

## **6.0 RECOMMENDATION: REFUSE**

### **Reasons for Refusal:**

1 The proposed development requires substantial construction and rebuilding and would result in a new build that is unjustified development within the open countryside contrary to criterion b) of Policy RE2 and Policy LC1 of the Monmouthshire Local Development Plan.

2 Due to the lack of information in the form of porosity tests the proposals do not evidence that the development would not harm the Gwent Levels-Redwick and Llandeenny Site of Special Scientific Interest. The development does have the potential to have an adverse impact on the water environment and therefore would be contrary to the requirements of Policy EP2 and NE1 of the LDP.