

DM/2018/01089

**CONVERSION OF TWO AGRICULTURAL BARNs AND ASSOCIATED
OUTBUILDINGS TO RESIDENTIAL USE**

NEW TRECASTLE FARM, TRECASTLE ROAD, LLANGOVAN, NP25 4BW

Applicant: Ben Thorpe – MCC Estates

Plans: Location Plan - , Site Plan - , Cross Section - , Location Plan 17/463/001 REV A - , Elevations - Existing 17/463/010 REV A - , Elevations - Existing 17/463/011 REV A - , Elevations - Existing 17/463/012 REV A - , Elevations - Existing 7/463/013 REV A - , Block Plan 7/463/020 REV A - , Site Plan - , Floor Plans - Proposed 7/463/030 REV A - , Floor Plans - Proposed 7/463/031 REV A - , Proposed Roof Plan 7/463/032 REV A - , Floor Plans - Proposed 7/463/035 REV A - , Proposed Roof Plan 7/463/036 REV A - , Elevations - Proposed 7/463/040 REV A - , Elevations - Proposed 7/463/041 REV A - , Elevations - Proposed 7/463/042 REV A - , Elevations - Proposed 7/463/043 REV A - , Cross Section 7/463/050 REV A

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Young
Date Valid: 12.07.2018

1.0 APPLICATION DETAILS

1.1 This application was presented to Members of Committee on 4th September 2018 with a recommendation for approval. Members deferred the decision pending further information from the applicant about the potential for the barn to be used for business purposes (a criterion of Policy H4 of the LDP) and information about other structures on the site (a nearby silage pit and an existing agricultural building that had been proposed to be retained). The applicant has responded with the following information.

1. Policy H4 criterion g): Potential for Business Use

The barns were considered for business use to satisfy criterion g) of Policy H4 of the Local Development Plan (LDP). With similar barn conversion proposals, MCC Estates have previously instructed local rural property and land agents to provide a 'Statement of re-use for business purposes'. However, on this occasion it was deemed unnecessary, following pre-application discussions with the Planning case officer, where it was agreed that the barns are unsuitable for business use for the following reasons:

- Location – rural, semi-isolated position, accessed via narrow country lanes, with limited parking opportunities.
- Market Demand - Insufficient or no demand for small commercial units in rural locations as they are inaccessible with no nearby facilities or amenities.

- Developer Risk - Conversion to business use would be speculative with a high risk of not finding an end user and risk of buildings standing vacant/unoccupied.
- Project Viability - Conversion costs are significant and far outweigh the likely rental returns or capital value as business premises.
- Design & Scale of Buildings - Insufficient floor space for business purposes, inappropriate layout with small individual rooms and limited natural light due to the need to use existing openings as windows and doors.

In summary, without marketing the buildings for business use, of which would be a 'fruitless exercise', the applicants feel that every effort has been taken to satisfy Policy H4, criterion g).

2. Silage Clamp & Two Modern Agricultural Buildings

The silage clamp and two large modern agricultural buildings sit outside the planning application boundary but within the wider land ownership of the applicants. It is currently proposed that both buildings will sit within the boundary ownership of Stable Barn. This approach would allow the owners to exercise full control over the buildings, removing concerns of any potential impact on the residential amenity of the property.

The application is represented to Committee with a recommendation for approval. A copy of the previous report is attached.

PREVIOUS REPORT (4th September 2018)

1.0 APPLICATION DETAILS

1.1 New Trecastle Farm comprises a vacant farmhouse and several farm buildings. It is accessed via a no through road that also serves two other properties. The current full application seeks the conversion of two of the outbuildings into residential use. The first is a stone barn with brick detailing and timber boarding on the two gable ends. There is a lean-to of corrugated metal to the rear. It is proposed to demolish the lean-to and replace it with a stone and timber lean-to and to convert the barn into a two storey, three bedroom dwelling. Existing openings would be utilised and two roof lights would be provided. The free-standing Dutch barn, to the south of the building would be utilised for garaging by infilling some of the panels.

1.2 The second building is a single storey stable block of stone with brick detailing with terracotta tiles on the roof. It is proposed to convert this into a single storey three bedroom dwelling with a glazed link. The existing courtyard would be used as residential curtilage. Both buildings appear structurally sound. Post and wire fences would be used to delineate the boundaries.

1.3 A Design & Access Statement and an Ecology Survey were submitted as part of the application.

1.4 This application is presented to Committee as the applicant is Monmouthshire County Council.

2.0 RELEVANT PLANNING HISTORY (if any)

DC/2014/00821 Discharge of condition 5 of DC/2012/00917
Approved 31.07.2014

DC/2006/00419 Provision and erection of a double portal framed covered yard
18.3m long x 16.8m wide for housing of livestock.
Approved 06.09.2006

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

S4 LDP Affordable Housing Provision

S16 LDP Transport

Development Management Policies

EP1 LDP Amenity and Environmental Protection

DES1 LDP General Design Considerations

H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use

LC5 LDP Protection and Enhancement of Landscape Character

NE1 LDP Nature Conservation and Development

MV1 LDP Proposed Developments and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultation Replies

Raglan Community Council: no objections.

MCC Housing, Strategy & Policy Officer: It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. As this site falls below the threshold at which affordable housing is required on site, the calculation of the financial contribution that will be required is £54,321.

The calculator does not assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full viability assessment would need to be undertaken.

MCC Highways: No Objection. Vehicular Access to/from the public highway, the farm access and the development will remain unchanged. Sufficient parking is being provided.

Natural Resources Wales (NRW): We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission. Condition: The development to be carried out in line with Section 10 of the submitted Ecological Report, to ensure

the favourable conservation of Bats, a European Protected Species. European Protected Species

We have reviewed the submitted Ecological Report 'The Barn and Stables, New Trecastle Farm, Llangovan, Monmouthshire NP25 4BW - An Ecological Survey Report' prepared by Just Mammals Consultancy, dated February 2018. We note that evidence of lesser horseshoe, brown long-eared and common pipistrelle bat use of the buildings was found, and that historic records of soprano pipistrelle and Natterer's bat presence on the site exist. Legislation and policy Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if: i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; ii. There is no satisfactory alternative; and iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied. On the basis of the above information, we do not consider that the development is likely to be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range, provided that the development is undertaken following the recommendations made in section 10 of the document titled 'The Barn and Stables, New Trecastle Farm, Llangovan, Monmouthshire NP25 4BW - An Ecological Survey Report' by Just Mammals Consultancy, dated February 2018. European Protected Species Licence Please note, a European protected species (EPS) Licence is required for this development. If granted, planning permission does not provide consent to undertake works that require an EPS licence.

MCC Biodiversity: Thank you for consulting the Biodiversity and Ecology Officer on the above case. Due to the numbers and types of bat species recorded at the site we need to formally consult NRW (Ecology).

4.2 Neighbour Notification

Letters of objection received from two addresses.

Significant change of use from farming which will impact on the landscape and its management

The site is adjacent to the AONB

New agricultural buildings may be required to replace those lost

These barns have only been redundant since April 2017

MCC has changed its policy and is now trying to sustain commercial use in agricultural buildings

New Trecastle is a viable farm

Need to update the ecology survey

Impact on historical interests, there is a SAM and Grade II* building adjacent to the site

The site was well managed and husbanded until the forced termination of the tenant farm

MCC is in breach of its obligation to conserve the character of the area

The land for each plot should remain as agricultural land and not be developed as ornamental gardens or built structures

The ecological report is incorrect and misleading. Barn Owls and Little Owls are nesting in the barn, there are long eared bats in the farm house. Playing down the ecological value of the site

DNA analysis is required

The site may be very significant for bats and owls

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 This application seeks the conversion of buildings in the open countryside into residential use and as such it falls to be considered against Policy H4 of the LDP. These are traditional stone buildings with some timber cladding, no extension is required other than replacing the existing lean-to. The principle of converting these buildings is acceptable and complies with the objectives of Policy H4. The conversion of the stables does not involve any extension to the original building but a glazed section will replace some of the original structure, other than that no other new openings will be made. With regards to the stone barn the lean-to at the rear will be replaced with a stone and timber structure and two roof lights will be added. As such the form, bulk and general design of the proposal will respect the rural design and character of the original buildings. Each plot will be given a generous parcel of land but the residential curtilage will be tightly drawn around each property and its parking area, it will be defined by a post and wire fence which is in keeping with the rural character of the area. The curtilage and access is in scale and sympathy with the surrounding landscape. The existing Dutch barn will be utilised to provide parking for plot 1. No other infrastructure or ancillary buildings will be required. Both buildings are structurally sound and only localised repair work will be required. There is no need for substantial reconstruction. The buildings are in a relatively isolated location close to existing residential properties and have limited access; therefore they are not considered suitable for business use.

5.1.2 The proposed conversions comply with all of the criteria set out in Policy H4 of the LDP.

5.2 Affordable Housing Provision

5.2.1 It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning area. As this site falls below the threshold at which affordable housing is required on site, the calculation of the financial contribution that will be required is £54,321. This can be secured through entering into a Section 106 Legal Agreement.

5.3 Highway Safety

5.3.1 No new or altered vehicular or pedestrian access is proposed from the public highway. Each new dwelling would have a separate access from the no through road which also serves two other properties. Each plot would have at least three car parking spaces within the site which is in accordance with the adopted Monmouthshire Parking Standards. MCC Highways have no objection to the proposal.

5.4 Residential Amenity

5.4.1 The main property affected by this proposal is New Trecastle Farm House, which is in the same ownership. The farmhouse is set at a higher level than the barns but faces towards them. It is approximately 14 metres from the Dutch barn, to be used for garaging, 15 metres from the stables and 22 metres from the two storey stone barn. The buildings to be converted are already there so there will be no additional impact on outlook and there will be no direct overlooking. The two properties at Old Trecastle are both at least 100 metres from the site and there are mature trees in-between which will act as a screen. There will be an increase in traffic using the access to Old Trecastle, but the amount of traffic generated by two additional residential properties, after the construction phase is over, is not likely to be so significant as to justify refusal. The proposal accords with the objectives of Policy DES1 and EP1 of the LDP with regards to residential amenity.

5.5 Impact on Historical Features

5.5.1 The Historic Motte and Bailey and Listed Building are approximately 100 metres from the site. The proposal is not involving any new building work on greenfield sites that could affect archaeology and there is no new significant building work that could affect the setting of these structures.

5.6 Ecology

5.6.1 An Ecology Survey by Just Mammals was submitted as part of the application. An Ecological assessment was undertaken in summer 2017, in accordance with the local planning authority guidelines, and national survey standards. Two dusk emergence/activity observations identified the presence of a small number of bats in both buildings. From the barn a single brown long-eared bat and a common pipistrelle bat were seen to fly out at the western end, indicating summer day roosting behaviour. Evidence of lesser horseshoe bat was also found, with fresh bat droppings and insect remains, consistent with night roosting activity. There is also historic data of soprano pipistrelle bat, and Natterer's bat roosting in the barn.

5.6.2 The stables building is also a bat roost location, with a single brown long-eared bat and a common pipistrelle bat seen to exit from the open-fronted wagon bay at the western end of this building too. No other species, and no bat droppings, were found inside the building, suggesting it is an occasional day roost for these two species. No evidence for the presence of a maternity roost was found in either of the buildings, but the farmhouse, a short distance to the east of the outbuildings, is

known to be a maternity roost location for a colony of brown long-eared bats. Historic breeding bird activity was also noted, with old nests of swallows, and other bird species. A live barn owl was seen during the second dusk observation, and a quantity of barn owl pellets were found in the upper level of the barn, indicating a regular perch location for this bird. No evidence of barn owl breeding activity was found. As a result of these findings a scheme of mitigation is proposed on the site which retains bat roost locations in both the barn and stables and also makes use of the Dutch barn which stands between the barn and the stables. A Scheme of Mitigation for bird species is also provided, which includes a barn owl loft in the Dutch barn. NRW have reviewed the report and agree with the findings, they offer no objection to the proposal but do state that a European Protected Species (EPS) licence will be required from Natural Resources Wales (NRW) for both buildings before any work is done which affects roosts and the bat exit entry points.

5.6.3 European Protected Species – Three Tests

5.6.3.1 In consideration of this application, several bat species will be affected by the development and it has been established that a derogation licence from Natural Resources Wales will be required to implement the consent. Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (as amended) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests have been considered in consultation with NRW and the Council's Biodiversity and Ecology Officers as follows: (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment. Development Management Comment: This proposal will provide two residential properties. There is a shortage of new residential options within the County and these two relatively small units will go some way to address that shortfall. There is a social and economic benefit from providing two new residential units.

(ii) There is no satisfactory alternative Development Management Comment: This application seeks the conversion of two barns into residential use, as such there is no alternative. New build residential development would not be policy compliant.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Development Management Comment: Mitigation is being proposed as part of the development to provide specific bat roost opportunities within the existing buildings.

5.6.3.2 In the light of the circumstances outlined above which demonstrate that the three tests would be met, and having regard to the advice of Natural Resources Wales and the Council's own Biodiversity Officers, it is recommended that planning conditions are used to secure the following: • compliance with the submitted mitigation/method statement

5.7 Well-Being of Future Generations (Wales) Act 2015

5.7.1 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' wellbeing objectives set out in section 8 of the WBFG Act. 6.0

6.0 RECOMMENDATION: APPROVE subject to a 106 Legal Agreement requiring the following:

A financial contribution of £54,321 for affordable housing in the area.

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: If substantial extensions or alterations were necessary this development would not normally be favourably considered.

4 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity and to safeguard the appearance of the area.

5 The development to be carried out in line with Section 10 of the submitted Ecological Report, to ensure the favourable conservation of Bats, a European Protected Species.

REASON: To ensure the favourable conservation of Bats, a European Protected Species.