



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/10/20

gan **Joanne Burston, BSc MA MRTPI
AIPROW**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 5th November 2020

Appeal Decision

Site visit made on 19/10/20

by **Joanne Burston, BSc MA MRTPI
AIPROW**

an Inspector appointed by the Welsh Ministers

Date: 5th November 2020

Appeal Ref: APP/E6840/A/20/3257266

Site address: Worthybrook Farm, Wonastow, Monmouth, Monmouthshire, NP25 3DJ

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Bevan against the decision of Monmouthshire County Council.
 - The application Ref: DM/2018/01720 dated 1 July 2018, was refused by notice dated 11 February 2020.
 - The development proposed is alterations and conversion of existing agricultural buildings to form two-bedroom dwelling unit with ancillary works.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr A Bevan against Monmouthshire County Council. This application is the subject of a separate Decision.

Procedural Matters

3. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable growth and better environments.

Main Issue

4. The main issue in this case is whether the proposal is consistent with local and national policies relating to the conversion / rehabilitation of buildings in the open countryside for residential use and if not whether there are other material considerations sufficient to lead to a conclusion contrary to the development plan.
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Reasons

5. Planning Policy Wales, Edition 10 (PPW) states at paragraph 3.56 that *“Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where they meet a local need for affordable housing, or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.”* Whilst the appellant also refers to paragraph 3.72 of PPW, this specifically refers to ‘inappropriate development’ in the Greenbelt which is not relevant to the case before me.
6. Monmouthshire Local Development Plan (LDP) Policy H4 establishes strict controls to be applied in the consideration of the conversion of barns and rural buildings to residential use. Further advice is also provided in the Council’s ‘Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance, November 2017’ (SPG). The general thrust of Policy H4 and the SPG is to ensure that the conversion /rehabilitation of buildings does not detract from the special qualities of Monmouthshire’s open countryside and in particular that all rural buildings suitable for conversion must be traditional in design and material, of good quality and have character in their appearance.
7. The appeal site contains a coterie of agricultural buildings broadly laid out in a ‘U’ shape. The appeal proposal will utilise two of the buildings on the eastern edge of the site, with the remaining building, on the southwestern edge of the site, demolished.
8. It is accepted by the Council that LDP Policy H4 allows for the conversion of rural buildings to residential use. Nevertheless, criterion (e) states, amongst other matters, that *“buildings of modern and /or utilitarian construction and materials such as concrete block work, portal framed buildings clad in metal sheeting or buildings of substandard quality and / or incongruous appearance will not be considered favourably for residential conversion.”* Furthermore, criterion (f) states that *“the building is capable of providing adequate living space (and ancillary space such as garaging) within the structure. Only very modest extensions will be allowed and normal permitted development rights to extend further or to construct ancillary buildings will be withdrawn.”*
9. The existing stone building is of traditional character and appearance and is structurally sound, thus suitable for conversion. However, given that this building is 34m², a figure not disputed by the appellant, it is significantly below the 50m² threshold established in the SPG. It would therefore, by itself, fail to provide adequate living space. Accordingly, the appellant has sought to utilise the more recent lean-to addition to the stone barn and the stables constructed of concrete blocks with a corrugated metal sheet roof.
10. The appellant states that these buildings were erected in the 1950’s and cannot be considered as ‘modern’. Nevertheless, Policy H4 at (e) also refers to ‘utilitarian construction e.g. designed to be useful rather than attractive, which to my mind, is the case here. Whilst I accept that these materials have generally been used for a period in excess of 70 years, there is no substantive evidence that the characteristics of these particular buildings have inherent architectural value, or that they are

constructed of traditional materials that respects the character and appearance of the rural area.

11. On the evidence before me, therefore, these buildings cannot properly be considered to be traditional agricultural or rural buildings for which a re-use for residential purposes in order to protect the character and appearance of the Monmouthshire countryside would be desirable.
12. Moreover, even if I were to consider these additional buildings as extensions to the core accommodation, being some 67.5 m² they could not be considered as 'very modest extensions' and would fall foul of LDP Policy H4(f). Whilst the basement excavation may benefit from permitted development rights, Policy H4 also states that "*normal permitted development rights to extend further or to construct ancillary buildings will be withdrawn.*"
13. Overall, the cumulative effect of the proposal, given the number of extensions and the proposed glazed link corridor, would be tantamount to a new dwelling in the countryside, where the original form of the stone building would fail to be appreciated. As such it would be contrary to PPW and LDP H4, in particular criteria (e) and (f).

Other Material Considerations

14. In support of the proposal the appellant states that the proposed barn conversion would support a single person and such accommodation is difficult to find in Monmouthshire. Whilst I have no evidence to confirm this contention, I acknowledge that the appeal proposal would contribute to housing in the area. Nevertheless, the provision of one dwelling would make a very limited impact.
15. I also accept that the appeal scheme as an improvement on that previously dismissed¹. Further, if it were well-executed it would improve the character and appearance of the local area, but that argument could be applied to almost any ugly and derelict or semi-derelict farm building, resulting in a proliferation of dwellings in the open countryside (contrary both to PPW and to development plan policies). So that in itself could not be decisive.
16. My attention has been drawn to a number of recent decisions², by the Council that the appellant suggests indicate an inconsistency in its approach to the consideration of the appeal proposal compared to other proposals for the conversion of agricultural buildings to residential use. Although I have been provided with some information regarding these decisions, I am not aware of the full details of the circumstances relating to these decisions such as to enable me to judge whether they are directly comparable to this case. Furthermore, a number of these decisions were based on previous development plan policies and guidance. In any event I have considered the appeal proposal on its own merits taking into account the specific context of the site and its surroundings and current local and national planning policy. Consequently, I give these other planning permissions little weight in favour of the development.

Planning Balance and Conclusion

17. PPW establishes that new building in the open countryside away from existing settlements must continue to be strictly controlled and this is made evident through the LDP policies. Consequently, substantial weight must be given to the conflict with

¹ Appeal decision reference: APP/E6840/A/06/1198888

² Planning Permission references: DC/2007/01144; DC/2016/00287; DC/2011/00823; DM/2018/01888; DC/2017/00895; DM/2020/00571; DM/2019/02004; DC/2007/01297

LDP Policy H4³ and the harm to the countryside. On the other hand, as I set out above, benefits would arise from the proposal, most notably the small contribution to housing.

18. However, the benefits of the scheme, whether considered individually or cumulatively, are not such to outweigh the totality of harm I have identified. The proposal conflicts with both the development plan and PPW when each is considered as a whole. There are no other material considerations that suggest the decision should be taken otherwise than in accordance with the development plan.
19. Therefore, for the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Joanne Burston

INSPECTOR

³ Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
