

Application Number: DM/2023/00063

Proposal: Conversion of barn to dwelling and installation of sewage treatment plant

Address: Proposed Barn Conversion, Gethley Road, Parkhouse, Trellech

Applicant: Ms L Prichard

Plans: All Existing Plans 01 - , All Proposed Plans 02 - , All Existing Plans 03 - , Site Plan 04 - , Design and Access Statement August 2023 - V10, Ecology Report Updated Bat surveys V1 - 22/05/20, Structural Survey Vale Consultancy - 29/06/21

RECOMMENDATION: REFUSE

Case Officer: Ms Jo Draper
Date Valid: 12.01.2023

This application is presented to Planning Committee at the request of the Local Member

1.0 APPLICATION DETAILS

1.1 Site Description

The application relates to the remains of a dilapidated stone barn which is located in open countryside, to the west of Parkhouse. The site is located within the Wye Valley Area of Outstanding Natural Beauty (AONB). The derelict structures form part of Llan Y Nant Farm which extends to 109 hectares (270 acres) plus about 60 hectares (148 acres) of rented land. The group of structures comprise a stone gable end and two returning walls that have relatively recently been constructed, a stone gable end and two returns that are in a poor state of repair, a timber structure that at one time may have been a lean to with a metal-sheeted roof and an open shed which has a corrugated asbestos roof supported on steel pillars.

The following supporting information regarding the history of the site has been submitted with this application:

Llan Y Nant Farm was one of a small number of farms developed within the bounds of Tintern Abbey's historic Trellech Grange in post-medieval times which supplied food and necessities to the abbey. According to historic research by Trysor the barn at Gethley dates back to the time when Trellech Grange formed part of the then Beaufort Estate. While its precise origins are not known, the earliest record of Gethley Barn is 1765 when the Duke of Beaufort's property in the area was recorded on a detailed estate map. Three barns are shown on this map, the largest of which is a threshing barn subject of this application. In c.1940 a string of 5 bombs are understood to have dropped hitting the barn (and a neighbouring cottage) causing one end of the barn (known as the "pine end") to lean outwards along with part of the side wall. In 1962 the Applicant's family moved to the farm and in 1964 it was decided to take down the "pine end" gable and rebuild it in concrete blockwork. In 1992 thieves stole the Welsh slates off the roof which could not be replaced due to the cost. In 2012 the "pine end" gable collapsed in high winds. In order to avoid further collapse of the structure the Applicant's father subsequently rebuilt this wall in the original stone along with part of one side wall and the opposite side wall, also in original stone. The remaining walls were steam cleaned and repointed in lime mortar. An enforcement investigation by Monmouthshire County Council for "alleged unauthorised works to demolish stone barn building" concluded in August 2012 that no planning consent was required because permission was not required for demolition.

1.2 Proposal Description

The application seeks the conversion of the stone section of the structure into a three-bedroomed dwelling. The former lean-to element would become a car port. A new sewage treatment plant would be installed. A residential curtilage would be identified within a post and wire fence and a driveway would be created.

A Design & Access Statement, a Structural Survey and a Bat Survey have been submitted in support of the application. The site is outside of any designated flood zone and is not in a Phosphate Sensitive Area.

This proposal does not differ in any form to the scheme proposed in the previous planning refusal.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2021/01342	Conversion of barn to dwelling and installation of sewage treatment plant	Refused	15.03.2022
DM/2023/00063	Conversion of barn to dwelling and installation of sewage treatment plant.	Pending Determination	
DC/2016/01098	Barn conversion to residential use	Refused	15.11.2016
DC/2017/00524	Proposed restoration and conversion of stone barn	Refused Appeal dismissed	25.09.2017 22.03.2018

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S12 LDP Efficient Resource Use and Flood Risk
S16 LDP Transport
S17 LDP Place Making and Design
S13 LDP Landscape, Green Infrastructure and the Natural Environment

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
NE1 LDP Nature Conservation and Development
SD4 LDP Sustainable Drainage
MV1 LDP Proposed Developments and Highway Considerations
LC4 LDP Wye Valley AONB

Supplementary Planning Guidance

Conversion of Agricultural Buildings Design Guide SPG April 2015:

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/H4-LDP-Barn-Conversion-SPG-April2015.pdf>

LDP Policy H4 (g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use Assessment of Re-use for Business Purposes SPG April 2015:

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/LDP-Policy-H4-g-SPG-April-2015.pdf>

Monmouthshire Parking Standards (January 2013)

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan2013.pdf>

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Trellech United Community Council: Refuse

Council can see no reason that this would gain approval when none of the previous reasons for refusal have been answered satisfactorily.

MCC Biodiversity: Holding Objection

A report titled 'Update Bat Surveys' by AVA Ecology has been submitted to inform the application. The report details the findings of an initial Preliminary Roost Assessment inspection and two follow-up emergence surveys.

The report found no evidence of bats roosting within the structure, noting that droppings previously found onsite were no longer present. However, the surveys were undertaken over three years ago in May 2020 and are therefore no longer within the valid timeframe as specified by both CIEEM

and the Bat Conservation Trust guidance. Therefore, update surveys will be required to inform any application.

Biodiversity Net Benefit

Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. The submitted Existing and Proposed Site Plan by Griffiths Design details a number of features aimed at enhancing the overall site for biodiversity. These include the planting of a native hedgerow, a wildflower meadow and native trees, along with the provision of bat and bird boxes on the building. The hedgerow mixture comprises predominantly hawthorn and hazel with smaller amounts of blackthorn, holly, field maple and dogwood. The proposed wildflower meadow mixture is EM1 which is a basic, robust meadow mixture containing species such as yellow rattle and oxeye daisy. Such wildflowers will benefit a range of invertebrate species including pollinators. The Schwegler 1FF Bat Box and bird box specifications are deemed appropriate to be installed on the side of the building. It is noted that the text states that the boxes will be installed within the surrounding trees which does not conform with the drawing. It should be noted that sparrow terraces should not be installed onto trees. It is agreed that the proposals will provide an overall enhancement of the site for biodiversity, subject to updated information regarding roosting bats.

MCC Surface Water Drainage Officer : Holding objection.

On that basis we request that a Drainage Statement is provided for this scheme which would demonstrate the compliance with the points above and will maintain objection on surface water discharge basis till this is submitted. The infiltration testing results will need to be submitted to demonstrate the BRE365 compliant testing and results.

The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). Without a suitable surface water destination the site may not be lawfully developable.

MCC Public Right of Way Officer: No objection subject to conditions.

The applicant's attention should be brought to Public Bridleway 433 in the community of Trellech United which runs adjacent to the site of the proposed development (see map provided). The application fails to acknowledge or detail public rights of way crossing and adjoining the site. Welsh Office Circular 32/92 sets out the information to be supplied and validated with a planning application. It states, "All public rights of way crossing or adjoining the proposed development site should be marked on the plan to be submitted with the full planning application".

The site/location plan should be resubmitted including detail of the public rights of way crossing and adjoining the site and identifying how any adverse impacts affecting them and relating to the development will be mitigated.

Wye Valley AONB Office : Objects.

The application site lies within the Wye Valley Area of Outstanding Natural Beauty (AONB), an area designated for its outstanding national landscape. As per section 6.3.5 of Planning Policy Wales (PPW), planning authorities have a statutory duty to have regard to AONB purposes. Sections 6.3.7 and 6.3.8 of PPW confirms that within AONBs, planning authorities should give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the area. AONBs are of equal status in terms of landscape and scenic beauty, and must be afforded the highest status of protection from inappropriate developments. The Wye Valley AONB Management Plan 2021-2026 sets out the vision for the Wye Valley Area of Outstanding Natural Beauty (AONB) and the priorities for its management over a 5-year period. It is a statutory document of the relevant local authority under Section 89 of the Countryside and Rights of Way (CRoW) Act 2000. The Plan is a material consideration in the respective Local Plan of the constituent local planning authority. Whilst the general design of the proposed development seeks to replicate the pre-existing scale and footprint, in terms of the effect the development will have on the AONB, harm will be caused to both the character and appearance of this area, manifested through the contribution this building makes to the special qualities of the surrounding landscape.

The scheme will result in the encroachment of unacceptable residential development into a rural setting. The development will be set within an expansive curtilage that will be far larger than that serving nearby existing dwellings. The domestic paraphernalia and associated domestic landscaping that will be inevitable on this expansive area will contrast with the character of the surrounding rural landscape. The character of the proposed scheme will contrast with the existing rural setting, which is partly typified by the distinctive sense of place from the relationship of the woodland, pasture and settlement, which comprises Special Quality SQ12, a particular feature of the Trellech Sandstone Plateau, which is Landscape Management Zone LMZ14, as defined within the Wye Valley AONB Management Plan 2021-2026.

The development is also located on the side of a hill and will be visually prominent in the wider landscape, especially when viewed from the west. There are several public footpaths to the west of this site meaning the new dwelling will visually appear as an incongruous new dwelling in the open countryside, noting the re-building undertaken, which will be harmful to the distinctive sense of place. The alterations to the character of the land will have long term effects and its residential use would not be compatible with the overall management of the AONB. The proposal would not harmonise with the surrounding rural landscape noting that much of the soft landscaping proposed would take many decades to assimilate. It would be viewed that the magnitude may well be medium to high, the significance of effects after 15 years will likely be between a moderate to major adverse effect.

While there may be arguments for the 'quality' of the build, this does not necessarily equate to it complementing, conserving or enhancing local distinctiveness and landscape character, including scale and setting, nor that it benefits or enhances the natural environment. It is unclear what the level of light pollution will also be from the building.

We consider the application to conflict with Strategic Objectives WV-D2 and WV-D3 of the Wye Valley AONB Management Plan 2021-2026. Whilst we encourage and support high standards of design, materials, energy efficiency, drainage, landscaping and Green Infrastructure in all developments, to ensure greater sustainability and decarbonisation, development should complement, conserve and enhance the local landscape character and distinctiveness, including scale and setting, and benefit or enhance the natural environment. We consider that the proposal will not do so. One should resist inappropriate development which will create a persistent and dominant feature out of keeping with the landscape of the AONB, including all associated light pollution, that will unfortunately be inevitable given the high hills and ridges with inward looking basin [SQ1], that typifies LMZ14.

5.2 Neighbour Notification

There have been no comments received to date

5.3 Other Representations

There have been no comments received to date

5.4 Local Member Representations

Councillor Richard John: Requests application to be presented to Planning Committee, in favour of application.

Councillor Jayne McKenna: No comment to make on application at this time

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

There is relevant planning history relating to this site, all of which are for a residential unit on this site. These applications have been refused.

A planning application was submitted in 2016 (Application Ref: DC/2016/01098) for "Barn conversion to residential use" which was refused on the grounds it would require a substantial amount of re-construction and in the absence of the appropriate level of ecological survey and mitigation proposals.

An application Ref: DC/2017/00524 to utilise the barn for an agricultural workers dwelling was refused and subsequently dismissed at appeal on the grounds of lack of an agricultural justification under Technical Advice Note 6 Planning for Sustainable Rural Communities (TAN6) criteria. **That appeal decision is appended to this report.**

A further planning application DM/2021/01342 for the proposed Conversion of barn to dwelling and installation of sewage treatment plan was refused on the grounds it would require a substantial amount of re-construction and would significantly adversely affect the open rural character of the area and would not conserve or enhance the natural beauty of the Wye Valley AONB.

This application relates to a new dwelling in the open countryside, outside of any development boundary. Policy S1 of the LDP states that in the open countryside the only new dwellings that may be allowed would involve the conversion of rural buildings under Policy H4 of the Plan, subdivisions and dwellings associated with rural enterprise. This application therefore falls to be considered under Policy H4 of the LDP, the conversion/rehabilitation of buildings in the open countryside for residential use.

Policy H4 states that:

The conversion / rehabilitation of a building in the open countryside for residential use will be permitted where all the given criteria are met, one of which is criterion c); this states the following:

c) rebuilding works, necessitated by poor structural conditions and/ or the need for new openings in walls, should not involve substantial reconstruction, with structural surveys being required for marginal cases;

The criterion is to be applied strictly; proposals that are deemed not to comply with them will be judged against national policies relating to the erection of new dwellings in the countryside or against Policy T2 relating to the re-use and adaptation of existing buildings to provide permanent serviced or self-catering visitor accommodation. The above criterion will also be applied to proposals to extend buildings that have already been converted.

In this case the existing structure at the site has been partially rebuilt unlawfully without gaining planning consent. The applicant has submitted a plan that says approximately 30 percent of the structure has been rebuilt, including one gable end and two returning walls. A structural survey by Vale Consultancy was also submitted as part of the application. That survey divided the structure into two parts, the front gable with returns on either side; these walls have recently been repaired and are structurally sound. The second part is the rear gable that acts as a retaining element supporting approximately 1.5m of ground with a bank behind it. The vegetation in this area was overgrown and a close visual inspection of the rear wall could not be undertaken. The survey found that the rear retaining gable wall has small vertical cracks running between the internal ground level up to eaves height. There are also small cracks where the side walls meet the rear gable wall. There are areas of the wall which show signs of mortar loss and loose stonework. The timber lintel at the top of the gable wall has cracked and is not in a satisfactory condition. The return side wall on the left hand side of the rear gable wall is in need of some remedial work. There are obvious signs of rotation with the top of the panel having rotated outwards around 3 to 5 degrees, The mortar in the panel is eroding causing large areas of the stonework to be loose. Due to overgrown vegetation the base of the wall could not be inspected to assess its condition. The report concluded that the rear gable and one returning wall will have to be repaired and the cracks stitched and that the wall that is the subject of rotation will have to be supported by a stone buttress on the outside.

This application proposal is (with the exception of additional ecological enhancement that has been included) essentially the same information that was submitted with the previous application

that was refused. There is no variation in design, form or scale from the previous scheme. There has been no change in policy or material consideration that alters the assessment, conclusion and decision given in the previous refusal.

The agent has submitted the following information in support of the application, breaking down the criteria of Policy H4 and assessing each in turn.

The relevant section is Policy H4 criterion c).

c) rebuilding works, necessitated by poor structural conditions and/ or the need for new openings in walls, should not involve substantial reconstruction, with structural surveys being required for marginal cases;

The agent has stated that while there was some rebuilding in 2012, this was no more than was absolutely necessary to secure the structure. The need for this repair work has its origins in WW2 bomb damage and the subsequent decline thereafter at one end of the building. The rebuilding amounted to about a third of the building and was completely faithful to the historic integrity of the building. The repair works did not change the form or size of the barn such that its simplicity and proportions have been maintained. The remainder and majority of the structure was not subject to any rebuilding or repairs other than steam cleaning and repointing. The use of natural stone and quality of the repointing have been carried out to a high quality such that with weathering there is no appreciable sign of the rebuilt sections. The barn is now in sound structural condition and does not require any further rebuilding or reconstruction, only some buttressing of one wall which is an entirely normal response in traditional buildings. Existing openings are to be utilised and some limited new openings are to be formed.

However, despite the circumstances behind the rebuilding work undertaken and the quality of the work, and the history relating to the barn's damage, this does not overcome the issue that given the extent of the existing rebuild and the amount of reconstruction work required on the remainder, there is an insufficient amount of the original structure to be considered as a conversion under LDP Policy H4. Only a small part of the original walls of the building are being retained. The proposed scheme utilises a significant amount of existing rebuild and substantial reconstruction of the remainder necessitated by the poor structural condition of the original. The vast majority of the walls would be rebuilt, repaired or infilled and a new roof structure would be required. The proposal is not a conversion but rather a new dwelling. The proposal is contrary to criterion c) of Policy H4.

Paragraph 3.6 of PPW11 says 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. This is to protect the rural character of the area.

Policy S1 of the LDP says that new dwellings will only be permitted in the open countryside if they are for rural enterprise, subdivision or conversion under Policy H4. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise. Technical Advice Note 6: Planning for Sustainable Rural Communities Paragraph 4.3.1 outlines that, "One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence."

The applicant has supplied no evidence to support an application for a rural enterprise dwelling

It has been established above that the proposal does not comply with LDP Policy H4. There is no justification for a new dwelling in this location and the proposal is contrary to Policy S1 of the LDP. The proposal is also contrary to the National Guidance set out in PPW 11.

The principle of residential conversion of this building is thus not acceptable in this case.

6.2 Sustainability

The LDP and PPW encourage sustainable development and promote making the most efficient use of brownfield land. The location of the site is not sustainable given that the residents of the new dwelling would be reliant on a car to access all facilities. On a more positive note, the scheme would maximise the use of renewable energy with solar panels, ground source heat and rainwater harvesting.

6.2.1 Good Design

Policy DES1 of the LDP requires that the development contribute to a sense of place while its intensity is compatible with existing uses. In this case the design of the new dwelling per se is considered acceptable - it is, however, the principle of a new dwelling in this open countryside location that is contrary to policy.

6.2.3 Landscape

Policy LC1 says there is a presumption against new built development in the open countryside unless it can be justified under national planning policies and/or policies S10, RE3, RE4, RE5 RE6, T2 or T3. There is no such justification in this case. Policy LC5 of the LDP seeks the protection and enhancement of the landscape character. In this case the proposed dwelling would be located on the side of a hill and would be visually prominent in the wider landscape, especially when viewed from the west. There are several public footpaths to the west of this site.

Policy LC4 of the LDP says that within the Wye Valley AONB development must be subservient to the primary purpose of conserving and enhancing the natural beauty of the area. This proposal would result in a new dwelling being located within the open countryside. The proposed residential dwelling with the associated residential curtilage, domestic paraphernalia, driveway and parking area would significantly alter the character of the area; it would establish a residential use in the open countryside which would adversely affect the open rural character of the area. The alterations to the character of the land would have long term effects and its residential use would not be compatible with the overall management of the AONB. The proposal would not harmonise with the surrounding rural landscape. The proposal is therefore contrary to the objectives of policies LC1, LC4 and LC5 of the LDP as it would cause significant harm to this protected landscape.

6.3 Historic Environment

The application does not relate to a Listed Building and is not located within a Conservation Area.

6.4 Biodiversity

With regard to ecological enhancement this differs to the previously refused scheme as this has been bolstered with the inclusion of ecological enhancement features including native species hedgerow, a wildflower meadow and native species trees. This, along with the provision of bat and bird boxes on the building, provides an overall enhancement of the site for biodiversity.

The proposal delivers ecological enhancement as required by PPW11 that sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions." However, insufficient information has been provided to the planning authority to consider the 'Three Tests' under the Conservation of Habitats and Species Regulations 2017 and appropriately fulfil our wider duties under that same legislation and the Wildlife and Countryside Act 1981 & Environment (Wales) Act 2016. The bat survey work requires updating.

Officers have advised on the need for further information in the form of an updated bat survey (which would lead to additional cost and delay for the applicant). This however addresses just one reason for refusal, it does not overcome the fundamental principle of the proposal which is contrary to policy and unacceptable in this case. In view of this, it is considered appropriate to present the application to Planning Committee in its current form with an ecological holding objection in place.

6.5 Impact on Amenity

There are no other residential properties in the vicinity that could be affected by this proposal. The proposal does accord with the objectives of Policy EP1 of the LDP as it does have regard to the privacy, amenity and health of the occupiers of neighbouring properties.

6.6.1 Sustainable Transport Hierarchy

PPW11 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the proposed dwelling will not be sited in a sustainable location, it is a long way from and defined settlements or facilities. The submitted DAS states that, "The site is not an unreasonable cycling distance from nearby villages and public transport links to more distant destinations. There is also potential to walk and cycle in the immediate locality to reduce reliance on the car". Planning officers do not agree with this statement. There are no public transport links in the area and in reality the vast majority of the journeys to and from the property will be made by car.

6.6.2 Access / Highway Safety

The site has the benefit of an existing access which is already used by the farm, the applicant maintains that this is capable of accommodating both the type and volume of cars likely to be generated by the proposed use. The traffic movements associated with the change of use will not lead to a deterioration in highway safety or capacity. There is sufficient capacity within the local road network to accommodate the traffic generated by one additional dwelling and the proposal accords with relevant planning policy in this case.

6.6.3 Parking

The adopted Monmouthshire Parking Standards require one off-street parking space per bedroom up to a maximum of three for residential properties. In this case sufficient car parking provision can be accommodated within the site and therefore the proposal accords with Policy MV1 of the LDP.

6.7 Affordable Housing

The application is being assessed as a conversion, and on this scale does not trigger the requirement for an affordable housing contribution,

6.8 Drainage

6.8.1 Foul Drainage

It is proposed that the foul drainage would discharge to a package treatment plant. No details of the treatment plant or its position have been included with the submission. Under the Conservation of Habitats and Species Regulations it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

6.8.2 Surface Water Drainage

A Drainage Statement is required for this scheme but has not been submitted. Infiltration testing results will need to be submitted to demonstrate BRE365 compliant testing and results. The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). Without a suitable surface water destination the site may not be lawfully developable.

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

6.6.1 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.

6.10 Conclusion

6.10.1 It is concluded that the amount of rebuild works required to create the new dwelling is substantial and unacceptable and the proposed development cannot be considered as a conversion. The application is in effect a new build dwelling in the open countryside. There is no 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 build dwelling is not justified for the purposes of rural enterprise and is therefore contrary to the guidance within Planning Policy Wales, Technical Advice Note 6 and Policy LC1 of the LDP.

Policy LC1 of the LDP says there is a presumption against new built development in the open countryside unless it is required for rural enterprise, agriculture or tourism and even then it is subject to strict criteria. This proposal would result in a new dwelling being located within the open countryside without justification. The proposed residential dwelling, with the associated curtilage, domestic paraphernalia, driveway and parking area would significantly adversely affect the open rural character of the area. The alterations to the character of the land would have long term effects. The proposal would not conserve or enhance the Natural Beauty of the Wye Valley Area of Outstanding Natural Beauty and its residential use would not be compatible with the overall management of the AONB, contrary to the objectives of policies LC1, LC4 and LC5 of the LDP, causing significant harm to this protected landscape.

In addition, there is a lack of information regarding surface water drainage and an updated ecology report and these form separate reasons for refusal.

7.0 RECOMMENDATION: REFUSE

Reasons for Refusal:

1 The proposed development requires a substantial amount of construction and rebuilding resulting in an unjustified new build dwelling within the open countryside, contrary to national planning policy and guidance within Planning Policy Wales, Technical Advice Note 6, Policy S1 and criterion c) of Policy H4 of the adopted Monmouthshire Local Development Plan (MLDP).

2 This proposal would result in a new dwelling being located within the open countryside without justification. The proposed residential dwelling with the associated curtilage, domestic paraphernalia, driveway and parking area would significantly adversely affect the open rural character of the area. The alterations to the character of the land would have long term effects, it would not conserve or enhance the Natural Beauty of the Wye Valley Area of Outstanding Natural Beauty and its residential use would not be compatible with the overall management of the Area of Outstanding Natural Beauty. The proposal would not harmonise with the surrounding rural landscape and therefore it is contrary to the objectives of policies LC1, LC4 and LC5 of the MLDP as it would cause significant harm to this protected landscape.

3 There is insufficient information provided to demonstrate that the site is lawfully developable. A Drainage Statement which includes a suitable surface water destination for surface water discharge to demonstrate compliance is required. In the absence of this information, the proposal fails to demonstrate that it complies with Policy SD4 of the MLDP.

4 The proposal is contrary to MLDP Policy NE1 as insufficient information has been provided for the Local Planning Authority to consider the 'Three Tests' under the Conservation of Habitats and Species Regulations 2017 and appropriately fulfil our wider duties under that same legislation and the Wildlife and Countryside Act 1981 & Environment (Wales) Act 2016. (Updated Bat Surveys are required as the bat surveys submitted were undertaken in May 2020 and are not within the valid timeframe as specified by both CIEEM and the Bat Conservation Trust guidance).