

**Application Number:** DC/2017/00994

**Proposal:** Construction of essential rural enterprise worker's dwelling and retention of two kennel blocks, small pets building, use of part of barn for dog and cat kennelling, two permanent isolation kennels, dog grooming parlour and dog walking area.

**Address:** Allt Farm, Llantrisant, Monmouthshire, NP15 1LG

**Applicant:** Mr E James

**Plans:** Floor Plans - Proposed 2923-02b - Ground Floor Plan, Floor Plans - Proposed 2923-03c - First Floor Plan, Elevations - Proposed 2923-04c - Elevations, Site Sections 2923-05b - Site Sections, Block Plan 2923-06c - Block Plan, Location Plan 2923-07c - Location Plan, Site Plan 2923-09c - Site Plan, All Drawings/Plans 2923-10A - Walnut Tree Lodge Kennel, All Drawings/Plans 2923-11 - Cat Isolation Kennel, All Drawings/Plans 2923-12 - Dog Isolation Kennel, All Drawings/Plans 2923-13a - Lakeside Kennels, All Drawings/Plans 2923-14 - Small Animals,

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Jo Draper

Date Valid: 30.08.2017

### **1.0 APPLICATION DETAILS**

1.1 This planning application seeks permission for the following at Allt Farm:

- a) A second dwelling;
- b) The regularisation of additional buildings and the use of a farm building associated with the kennels and cattery business; and the change of use of land from agriculture to the exercise of boarding pets.

1.2 This planning application is being submitted under the advice given in TAN 6 as a succession dwelling, with a transfer of management proposed to the son of the farmers who reside in the existing farmhouse. The existing and proposed dwelling and rural enterprise is located between Llantrisant and Tredunnock and between the river Usk and the A449 dual carriageway.

1.2.1 The supporting information submitted with the application states the following:

- (i) There are two separate farm diversification businesses run from Allt Farm. There is Farm Feeds which grows and buys in grain which is either mixed and sold from the farm or delivered and mixed at customers' own farms. In addition to Mr James and his parents, this employs 2 full time and 1 part time worker.
- (ii) In 2006 the applicants diversified by setting up Usk Boarding Kennels and Cattery, gradually adding to the number of animals that can be accommodated. Although their only advertisements are via Yellow Pages, a card at the local veterinary surgery and their website [www.uskkennels.com](http://www.uskkennels.com), the business has built up through repeat bookings and word of mouth recommendations and at peak holiday times they are always fully booked. The kennels and cattery have two full time employees with another three part time workers being taken on during the peak summer months.

- (iii) Mr & Mrs James now wish to consider semi-retirement so that their son Edward can take over the full management of the kennels and cattery
- (iv) Currently Mr Edward James divides his time between Allt Farm and his partner's home. However the kennels and cattery require 24 hour availability, particularly as, supported by Business Wales, Allt Farm has recently been awarded a four year contract from Monmouthshire County Council for collecting stray dogs and providing temporary accommodation for them. Mr James has to guarantee 24 hour availability at all times. Therefore Mr James needs to have a home at Allt Farm. A separate feasibility study is attached to this application which confirms that the existing three-bedroom farmhouse is unsuitable for subdivision or extension to provide self-contained accommodation for Mr James.
- (v) It is proposed to construct a new house adjacent to the kennels to facilitate monitoring of the premises and also to be as far as possible from the A449 which runs immediately behind the existing farmhouse.
- (vi) The River Usk is located around 140m north west of Allt farm. The proposed site for the house within Allt Farm is to the north of and immediately adjacent to the kennels and cattery buildings. There are also kennels within the large sheds to the south.
- (vii) The kennels and cattery form a compact 'U' shape with customer parking at the centre. The reception building also contains a visitor toilet and a small kitchen for the preparation of pet food. There is no office and the administration of both businesses is currently carried out at the farmhouse. Mr James intends to run the kennels and cattery business from an office in the new house. Therefore the house will be sited to the north of the kennels and cattery complex to allow supervision, whilst maintaining a degree of privacy.
- (viii) The proposed dwelling has been designed predominantly as a dormer bungalow, with the first floor accommodated in the roof space. The proposed dwelling measures approximately 12.5m in length and 7-8m in depth. The proposed dwelling is to be sited at a higher level as it is proposed to change the land levels within the site to facilitate a gradual rise (this has already been partly done on site to enable the existing kennels to be sited at a higher level). External materials comprise a render finish with a slate roof, uPVC fenestration.
- (ix) The ground floor layout has been designed to provide a large open plan living space to suit modern family living. The sitting room will have double doors opening onto the gardens. A main entrance will be formed between the sitting room and the kitchen, with a side entrance to utility boot-room and farm office. First floor accommodation will provide three bedrooms. The dwelling has been designed with the first floor rooms set within the roofspace to minimise the height of the building. The floor plans provide 145 sq m of living space.
- (x) A Flood Consequences Assessment has been carried out. The current designs have therefore been formulated in accordance with guidance contained within Planning Policy Wales - TAN 15. Based on the assessment of flood risk carried out to inform this FCA, the finished floor level of the proposed development is recommended to be 13.5m AOD. This includes an additional 300mm freeboard on top of the predicted flood level for the 1000-year event, due to uncertainties associated with the method. This ensures a conservative approach to flood risk is taken. Work has already been undertaken to raise the site levels and facilitate this required floor level, as with the planning consent for the existing catteries and kennels the ground had to be raised by around 1m to 12m AOD for this planning permission. The topographical survey confirms this was carried out. The applicants achieved the required raising of the ground by excavating a pond which is now a feature of the site. There is still some banking proposed around the dwelling and this is a little sharper from the highway, and more gradual from the existing complex of associated buildings.

- 1.3 Usk Boarding Kennels and Cattery Limited is licenced to offer boarding places for 50 dogs and 30 cats. Smaller pets are also catered for (guinea pigs, gerbils etc.), for which a licence is not required. Shortly after moving to the farm, the applicants applied for planning permission for a 20 unit dog boarding kennels and a 10 unit cattery, with associated reception building (reference DC/2004/01526 (M/11055)). The decision notice was issued in January 2006.
- 1.4 Dogs and cats are boarded in purpose-built kennels with runs. Dogs are boarded in three exterior buildings and one former farm building which has been converted internally. Cats are boarded in one exterior building and part of the same converted farm building. A small building is fitted with hutches and cages for smaller pets. A reception building, permitted in 2006, is provided to welcome customers and their pets.
- 1.5 With regard to facilities without planning permission there were twenty dog kennels, 10 cat kennels and a feed preparation / reception building were permitted in January 2006. All dog and cat kennels are double-occupancy. The business was immediately successful and further facilities were erected or installed in 2007. This included:
- 8 x dog kennels in an external building
  - 1 x small pets building
  - 9 x large dog / multiple occupancy 'family' kennels installed in an agricultural building
  - 5 x cat kennels also installed in the agricultural building
- 1.6 The additional external dog kennelling and small pets buildings described above were erected more than four years ago and are now immune from enforcement. However, for completeness and without prejudice to their lawfulness, planning permission is sought retrospectively. The internal kennels were first occupied by dogs and cats in late 2007. The requisite 10 year period for immunity from enforcement for its change of use has been reached. However, retrospective planning permission is sought for the use of the former farm building. More recently, during 2016, further additional work has taken place. A former agricultural lean-to has been demolished and new stand-alone kennel buildings erected in its place. Formal isolation kennels have been installed and a grooming parlour erected. Planning permission is sought for these structures as part of this application.
- 1.7 The use of agricultural land for dog exercising is also formally sought, to the north of the kennelling facilities.
- 1.8 To confirm, planning permission is sought to regularise the following buildings:
- (i) external block of 8 x dog kennels (completed 2007)
  - (ii) external small pets building (completed 2007)
  - (iii) building change of use from agriculture to internal dog and cat kennelling (use commenced late 2007)
  - (iv) block of 8 x dog kennels (completed 2016)
  - (v) 2 x permanent isolation kennels (completed 2016)
  - (vi) dog grooming facility (completed erected 2016)

The retrospective planning application relates to the building shaded in yellow in the diagram below:



1.9 A change of use of land is also sought within the red line. The business has exercised dogs over agricultural land to the north of the kennels for around 10 years, for as long as the kennels have been operational. As with the internal kennels installed inside a farm building almost 10 years ago, planning permission is sought retrospectively. External materials will be painted render and slate to all roof areas

1.10 This application is being presented to Planning Committee as it has been advertised as a departure due it being a new dwelling within a C2 flood plain. There have been no objections received to date to the application.

## 2.0 RELEVANT PLANNING HISTORY

Reference Number	Description	Decision	Decision Date
DC/2004/01526 (M11025)	20 Unit Dog Boarding Kennels & 10 Unit Cattery.	Approved	01.01.96

## 3.0 NATIONAL GUIDANCE

### Technical Advice Note 6: Planning for Sustainable Rural Communities

#### *Rural enterprise dwellings* include:

- A new dwelling on an established rural enterprise (including farms) where there is a functional need for a full time worker and the business case demonstrates that the employment is likely to remain financially sustainable. (See paragraph 4.4.1).
- A second dwelling on an established farm which is financially sustainable, to facilitate the handover of the management of the farm business to a younger farmer. (See paragraphs 4.5.1 - 4.5.3).

#### 4.5 Second dwellings on established farms

4.5.1 The Assembly Government wishes to encourage younger people to manage farm businesses and promote the diversification of established farms. To support this policy objective it may be appropriate to allow a second dwelling on established farms that are financially sustainable where the criteria set out in paragraph 4.4.1 cannot be fully satisfied.

The two exceptions to the policy are:

- (i) Where there are secure and legally binding arrangements in place to demonstrate that management of the farm business has been transferred to a person younger than the person currently responsible for management, or, that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should demonstrate majority control over the farm business and be the decision maker for the farm business; or,
- (ii) There is an existing functional need for an additional 0.5 or more of a full time worker and that person obtains at least 50% of a Grade 2 Standard Worker salary, (as defined by the latest version of the Agricultural Wages Order), from the farm business.

4.5.2 In these circumstances a rural enterprise dwelling may be considered favourably provided the criteria set out above and in paragraph 4.4.1 c - e are met.(set out below) These special policy exceptions will only apply to the first additional dwelling to be attached to an established farm after this TAN comes into force and not to subsequent dwellings.

- c. the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so; (See paragraphs 4.10.1 - 4.10.3).
- d. the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned; (See paragraphs 4.11.1 - 4.11.2),and
- e. other normal planning requirements, for example siting and access, are satisfied. (See paragraphs 4.12.1 - 4.12.2).

4.5.3 It must also be demonstrated that the management successor or part time worker is critical to the continued success of the farm business, and that the need cannot be met in any other reasonable way, e.g. through the re-organisation of labour responsibilities. In addition, where all the criteria specified above are met the planning authority should ensure that the new dwelling is tied to the holding by way of a legal agreement.

#### Technical Advice Note 15: Development and Flood Risk

3.4 The planning authority will need to be satisfied that a proposal is justified and that the consequences of flooding are acceptable. Where the risks of, and consequences of, flooding cannot be managed to an acceptable level then developing in these areas shall be avoided irrespective of justification under section 6. Developers will need to provide information to demonstrate that their proposal satisfies the tests contained in the TAN.

3.5 The Environment Agency should assist the planning authority in coming to their decision by providing expert advice on the flooding consequences assessment and the acceptability of the flooding consequences in terms of the risks to people and property. The Environment Agency should make available data and expertise to assist developers in undertaking flood consequences assessment and, where appropriate, advise on any necessary mitigation measures.

Areas of the floodplain without significant flood defence infrastructure. C2 Used to indicate that only less vulnerable development should be considered subject to application of justification test, including acceptability of consequences.

Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement **or**,

ii Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; **and**, iii It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and, iv The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

7.2 Whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development. It would certainly not be sensible for people to live in areas subject to flooding (even in two storey buildings) where timely flood warnings cannot be provided and where safe access/egress cannot be achieved.

7.3 Where development is justified the assessment can be used to establish whether suitable mitigation measures can be incorporated within the design to ensure that development is as safe as possible

7.4 Therefore, before deciding whether a development can take place an assessment, which examines the likely mechanisms that cause the flooding, and the consequences on the development of those floods, must be undertaken, which is appropriate to the size and scale of the proposed development.

## **4.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S12 LDP Efficient Resource Use and Flood Risk

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

S10 LDP Rural Enterprise

### **Development Management Policies**

DES1 LDP General Design Considerations

EP1 LDP Amenity and Environmental Protection

LC1 LDP New Built Development in the Open Countryside

RE2 LDP The Conversion or Rehabilitation of Buildings in the Open Countryside for Employment Use

SD3 LDP Flood Risk

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

Llantrisant Fawr Community Council: No objection.

Natural Resources Wales:

We recommend that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified and we would not object provided you attach them to any planning permission you are minded to grant.

Condition - Finished floor levels are set no lower than 13.5 metres above Ordnance Datum (AOD) (Newlyn).

Reason - To reduce the risk of flooding to the proposed development and future occupants. We note that the application is for the erection of a rural enterprise worker's dwelling and the retention of a series of kennel blocks / buildings which lies within Zone C2, as defined by the

Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Usk, which is a designated main river.

Notwithstanding this, the decision as to whether a development is justified is entirely a matter for your authority. For this reason, we have reviewed the submitted Flood Consequences Assessment (FCA) prepared by Heron Associates dated March 2017. The FCA has been informed by the latest NRW information and is therefore fit for purpose.

We note that no climate change data is available for this location however, the proposed finished floor levels of the rural enterprise worker's dwelling have been designed to the 0.1% (1 in 1000 year) extreme event predicted flood level, plus 300mm. Based on a finished floor level of 13.5m AOD, we note that the building is designed to meet A1.14 criteria. We therefore advise the above condition to set the finished floor levels is included on any permission your Authority is minded to grant.

#### 4.2 Neighbour Notification

There have been no neighbour representations submitted to date.

### **6.0 EVALUATION**

#### 6.1 Principle of the proposed development

6.1.1 The principle of this dwelling has been assessed by the Council's independent rural development assessor. The application is supported by a succession agreement that has been accepted and the exception criteria in paragraph 4.4.1 c - e can therefore be applied in this case and are assessed below accordingly.

6.1.2 The supporting information confirms that the holding is 13ha, split by the A449, with the enterprise offering accommodation for 50 dogs and 30 cats (and smaller pets). The holding extends to 13 hectares, with arable and pasture land, agricultural buildings now used for a feed growing and trading enterprise, the buildings and structures associated with the kennels and the existing detached house, occupied by the applicant's parents. The applicant lives at his partner's home.

The agricultural feed business has operated from the farm since 2004, but it is not entirely clear what proportion of the activity can be wholly defined as agriculture. It is stated that at least some of the feed is farmed from the arable land on the holding, but much is imported from other holdings and it is then mixed and bagged and retailed from the site. It is fair to say that at least a significant element of this business is not agriculture. This is not considered as part of this assessment.

6.1.3 The other enterprise is a pet kennelling service, offering places for up to 50 dogs, 30 cats and some small pets, together with a reception building and associated parking. None of this is an agricultural enterprise. Both enterprises are rural in location. The non-permitted element of the kennels is not taken into account in this assessment. Only the kennelling enterprise is presented in support of the application. Insufficient detail on the other enterprise is provided in order to carry out any meaningful assessment. A kennelling enterprise has existed for more than three years and has become established, so the test is at 4.4.1 of TAN6. Par.4.4.1a of TAN6 states: "...there is a clearly established existing functional need..." It is clear that the proof of need cannot therefore rely on any *proposed* expansion or alterations to the enterprises under scrutiny. The need must be such that it is (4.8.1) "essential, for the proper functioning of the enterprise, for one or more workers to be readily available at most

times.” There is sufficient evidence that the enterprise has sufficient work for one full time worker.

Par. 4.4.1c Established for three years (yes), profitable for at least one (yes), and “both the enterprise and the business need for the job is currently financially sound and has a clear prospect of remaining so” (- a summary of the last three years is provided at 8.9 of the supporting report, which shows sufficient income to support two farm workers). The income generated appears to have been generated at least in part by non-permitted buildings and structures and these would need to be deducted from the financial picture to obtain an accurate picture of the ability of the permitted built form to provide the required income. Given the immunity that can be demonstrated on the majority of the buildings (despite a retrospective application being sought in this instance) this point has been clarified. Further audited evidence has been presented as required to satisfy 4.4.1c. This has since been presented with up to date accounts and this test is satisfied.

4.4.1d Other dwelling – There is an existing dwelling on the site. It is recognised that other buildings on site may not be appropriate to convert to a dwelling. The evidence (Feasibility Study) is compelling in attempting to show why the existing dwelling could not be subdivided and/or extended to satisfy any proven need for a second worker (or indeed a succession worker). Thus, the requirement within par.4.4.1d is satisfied.

4.4.1e Other normal planning requirements, for example siting and access, are satisfied. Detailed planning considerations are considered below.

6.1.4 The principle of a rural enterprise succession dwelling has passed the relevant tests set out in TAN6 subject to detailed planning considerations as addressed below.

6.1.5 With regard to the principle of the associated buildings that have become established without the benefit of planning permission, as retrospective planning consent is sought, the principle of whether they are acceptable in this location must be assessed as if this was a new proposal. With regard to the new buildings this is association with an established rural enterprise and subject to it being visually acceptable and not representing an unacceptable intensification of the site, this incremental expansion of an authorised established rural enterprise is acceptable in this case. With regard to the conversion of the existing agricultural building Policy RE2 is the relevant policy for the conversion or rehabilitation of existing buildings in the open countryside to employment use, this will be permitted provided that all the given criteria are met. In this case this is a conversion of a modern agricultural building, it has been used for its intended purpose for a significant period of time whilst the form, bulk and general design of the proposal respect the rural character and design of the building with little external change. The principle of the new additional buildings and conversion of an existing agricultural building in association with this rural enterprise is acceptable in principle.

## 6.2 Visual Impact

6.2.1 The proposal has partly changed in design during the course of this application, as the dwelling has been re-oriented with the ancillary lower parts of the dwelling facing the main vantage point of this site from the highway. The proposed dwelling does sit on a raised platform, this is mitigated somewhat by the internal change in land levels over a wider part of the site (a significant part of which has already been undertaken to raise the level for the existing kennels). This, coupled with effective landscaping, will serve to ensure the proposed development assimilates into this landscape. However, the landscaping proposed is minimal and a more comprehensive landscaping scheme is required which will distract viewpoints from a change in levels. It is recommended that a planning condition is imposed to cover this. The proposal has been lowered in height with the first floor accommodated in the proposed roof space, the resultant development appearing from the roadside as a dormer bungalow. The design is



simple, the scale is modest and whilst open to view from the roadside, with a strong landscaping scheme this proposal in this context (immediately adjacent to the associated buildings) will be visually acceptable. There would be no wider adverse visual or landscape impact.

6.2.2 The visual impact of the unauthorised buildings can be assessed as this is retrospective and they are in situ. It is relevant that most of the buildings could claim immunity due to the time period the development has been in existence, but it is also noteworthy that despite these buildings being open to view from the main highway, it has never come into consideration by the Council's Planning Enforcement team as unauthorised development. This is because the buildings work visually within this established use and are visually acceptable as a group of buildings. They are all typically characteristic of buildings that would be regularly seen as part of kennel and cattery proposals, being essentially low profile buildings with associated cages and runs; some of the development has no wider visual impact as it is accommodated within an existing agricultural building. In the case that planning consent has been sought for these individual buildings (either incrementally or as a group), and it is concluded that given the position, the scale and the design of the buildings for which permission is sought, a positive recommendation would have been given.

### 6.3 Flooding

6.3.1 The site is located in Zone C2 that refers to an area of the floodplain without significant defence infrastructure. The supporting information states that the locality is prone to flooding and the lane to the south west often floods when the river Usk breaks its banks. However, despite NRW's records confirming the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Usk, a designated main river, due to the topography and the flow pattern of the River Usk, the site of the kennels and the proposed house has never flooded according to any records. This has not been disputed by NRW as they have confirmed that no climate change data is available for this site.

6.3.2 A Flood Consequences Assessment (FCA) has been completed in compliance with TAN15, which sets out conditions for the permission of development in terms of flood risk. (Detailed review of the NRW flood maps indicated that the site lies within Flood Zone 3, which is categorized as having a greater than 1 percent annual probability of flooding). Therefore, in accordance with TAN15, the FCA is required to demonstrate that the development will be safe for its lifetime, and that the proposed development does not increase flood risk elsewhere.

6.3.3 NRW has noted that the proposed finished floor levels of the rural enterprise worker's dwelling have been designed to the 0.1% (1 in 1000 year) extreme event predicted flood level, plus 300mm. Based on a finished floor level of 13.5m AOD, we note that the building is designed to meet A1.14 criteria. NRW has not objected to this proposal as the FCA has demonstrated that the dwelling meets the required floor levels to ensure that the dwelling will not be impacted by flooding subject to a relevant planning condition being imposed. NRW notes, however, that associated areas, namely parking areas and access drive are indicated to range in elevation between 11.51m AOD and 12.60m AOD. This would result in a predicted depth of flooding of over 1m during the 0.1% (1 in 1000 year) extreme event. However, this area is able to be used for this purpose in association with planning approvals on this site, so the use of this area for this purpose cannot be altered or controlled in this instance as stated by NRW: *the current use of the land is access and parking for the wider site associated with the existing commercial use, and no further charges are proposed. We therefore have no further comment to make. It is recommended that a condition controlling the finished*

*floor level of the dwelling is imposed and the applicant seeks to provide a plan for emergency evacuation.*

6.3.4 Policy SD3 clearly states that *'Proposals for highly vulnerable development or emergency services will not be permitted in areas which may be liable to flooding.* This proposal is therefore contrary to this policy. However, this is an established rural enterprise, the existing dwelling is situated within the C2 flood plain as are the associated building with this enterprise. The principle has been accepted for a succession rural enterprise dwelling to be located on this site which must functionally be linked to the existing enterprise to be justified. It is noteworthy that the entire site with the exception of a very small pocket at the rear of the site behind the existing agricultural barn and tight up against the A449 is situated within the C2 flood zone. To locate a dwelling outside this area would result in a development that failed to relate functionally to the kennels as would be out of sight of the kennels with traffic noise emanating into this zone making this option fail on other policies namely LDP Policy EP1 in respect of unacceptable amenity/living conditions. In practical terms there is viable location for this dwelling to be sited other than where it is proposed in the C2 flood zone. Finally, a robust FCA has been presented that has delivered a scheme that results in the dwelling not being at risk of flooding due to its proposed finished floor level. There is no flood risk to this dwelling or the surrounding area as a result of this development.

6.3.5 The risk of flooding has informed the LDP spatial strategy for Monmouthshire, which proposes to locate development predominantly away from areas of flood risk. However, the supporting text for policy SD3 states that the *'risk of flooding must also be taken into consideration on a development by development basis'*. Furthermore, TAN 15 states. *"The Environment Agency will advise the planning authority on the consequences of flooding for the type and nature of proposal and this should enable the planning authority to arrive at a judgement on the acceptability of the flooding consequences."* NRW have stated no objection subject to a condition restricting finished floor levels which this application proposes to deliver. It is therefore only reasonable and pragmatic in this case that the policy objection is overturned and the dwelling is allowed to be sited in this location.

#### 6.4 Highways

6.4.1 The access is as existing, it is established in association with the existing enterprise. The inclusion of an additional dwelling does not compromise highway safety.

#### 6.5 Residential Amenity

6.5.1 The only neighbouring property is the existing farmhouse; there are no other properties within close proximity that could potentially be impacted by this development.

#### 6.6 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 WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG 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 WCFG Act

## **7.0 RECOMMENDATION: APPROVE**

### 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.

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.

REASON: To safeguard the landscape amenities of the area.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area.

5. The occupancy of the dwelling shall be restricted to: a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such person, and to any resident dependants; or, if it can be demonstrated that there are no such eligible occupiers, b) a person or persons who would be eligible for consideration for affordable housing under the Local Authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

REASON: To meet the needs of other rural enterprises or persons seeking affordable housing in the locality if it is no longer needed by the original rural enterprise.

6. Finished floor levels of the dwelling, hereby approved, shall be set no lower than 13.5 metres above Ordnance Datum (AOD) (Newlyn).

REASON: To reduce the risk of flooding to the proposed development and future occupant

7. 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 dwelling house or any outbuildings shall be erected or constructed.

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