

**Application Number:** DM/2018/01064

**Proposal:** Conversion of existing steel framed workshop to a multi-purpose venue for filming kitchen and small residential cookery school with additional use as a holiday accommodation

**Address:** Workshop, Weir House, Llantilio Crossenny

**Applicant:** Mr & Mrs M. Tebbutt

**Plans:** Location Plan Location Plan - , All Proposed Plans PL 02 - , Site Plan PL 02 - , All Proposed Plans Vision Splay Site Plan\_13Feb19 - ,

**RECOMMENDATION: Approve**

Case Officer: Ms Kate Bingham  
Date Valid: 02.11.2018

**The application is presented to Planning Committee as a result of an objection from a statutory consultee, Highways.**

**1.0 APPLICATION DETAILS**

1.0 This application relates to an existing workshop/storage building located within the curtilage of the Grade II listed Weir House within the settlement of Llantilio Crossenny. The site is also within the conservation area and partially within a Zone C2 flood plain.

1.1 It is proposed to convert the building to a cookery school, filming location on the ground floor with holiday accommodation above. Two extensions are also proposed, a small single storey lean-to lobby on the south west side and a two storey extension on the north east elevation.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2018/01093	Section fell 1 x mature Western Red Cedar tree.	Approved	30.07.2018
DC/2008/01330	Demolition of garage/office and erection of one dwelling (Renewal of application M/8647)	Withdrawn	
DC/2006/01627	Variation Of Condition 9 Of Planning Permission M/8647 (To Remove Need To Comply With Visibility Splay Requirements).	Withdrawn	

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

## Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design  
S16 LDP Transport  
S12 LDP Efficient Resource Use and Flood Risk  
S8 LDP Enterprise and Economy  
S10 LDP Rural Enterprise  
S11 LDP Visitor Economy

## Development Management Policies

HE1 LDP Development in Conservation Areas  
NE1 LDP Nature Conservation and Development  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
E3 LDP Working From Home  
RE6 LDP Provision of Recreation, Tourism and Leisure Facilities in Open Countryside  
SD3 LDP Flood Risk

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

**Llantilio Pertholey Community Council** - The Llantilio Crossenny Community Council would like the following points considered:-

1. What short term business lets would be permitted and would they have any effect on neighbouring properties
2. The Old Fuel tanks are in the ground from when it was a fuel station on part of the land may be contaminated.
3. Foul sewerage - it is believed that the septic tank is in a building by the stream with no soak-away. This may need checking by Environmental Health.
4. Does the land have any flooding issues?

**Glamorgan Gwent Archaeological Trust** - No objections. It is our opinion that the proposal is unlikely to encounter significant buried archaeological remains, and given the current information, therefore, it is our opinion that there will not be a requirement for archaeological mitigation works

**NRW** - We have no objection to the application as submitted.

**MCC Highways** -The amended plan submitted, Drawing No. PL02/Rev A Site Plan as proposed does not address the highway authority's previous concerns regarding improvements to the existing substandard means of access, the details submitted are scant and do not address the required improvements in any detail.

Insufficient information has been submitted indicating proposed levels of occupancy for either of the intended uses. The highway authority are unable to determine the suitability of this application due to the lack of specific information to support the application, the applicant has indicated that the proposal is to provide a multi-purpose venue for filming kitchen and small residential cookery school with additional use as a holiday let. No details of the proposed levels of occupancy for either of the intended uses have been provided to support the proposal, the highway authority require this basic information to determine whether:

The indicated levels of on-site parking provision is adequate

The location of the existing means of access location is suitable

Whether the increased vehicle movements have a negative and detrimental impact on the immediate highway network.

Additionally, the applicant is required to submit details of the necessary improvements to the existing sub-standard means of access, namely:

- The access shall be a minimum of 3metres wide and have 45 degree ease of access splays.
- Turning provision within the curtilage is provided to enable vehicles to access and egress the plots in a forward gear.
- No details of the available visibility splays.
- No details of how surface water from the development will be prevented from discharging onto the public highway.
- It is recommended that the drives shall be constructed in bound permeable material to accord with sustainable surface water management requirements and to avoid loose material being transported onto the public highway
- The existing means of access currently traverses the highway verge and the applicants attention is drawn to the note at the foot of this response and is required to provide the following detail in support of the application;  
Drop kerbs shall be provided at the edge of the carriageway.  
The ease of access splays shall be kerbed to prevent vehicle over run of the highway verge  
The access drives shall be constructed in hard bituminous material where they traverse the public highway verge

The highway authority therefore re-affirm previous concerns to the application on the grounds previously outlined and the applicant should be encouraged to submit the required supporting information as requested, however in the absence of such and if the planning authority are minded to determine the application, then the highway authority would recommend refusal.

**MCC Biodiversity** - Requested a Preliminary Ecological Assessment for the land around the building.

**MCC Tree Officer** - I would agree with the arborist's comments in his report that the trees are, on the whole, of low quality. That said, they still collectively make a valuable contribution to the conservation area. The tree report is satisfactory and will enable us to use appropriate tree protection conditions which should be appended to the permission if the scheme is successful.

**MCC Heritage** - No objections. The proposal is within Llantilio Crossenny Conservation Area, and within the setting of Llantilio Court registered park and garden (Grade II), and the setting of Weir House (Grade II). It is considered the proposal will not harm the above heritage designations. The access route is shared with Weir House and mature vegetation screens the plot site well as well as the highway. The current workshop does not make a positive contribution to the character of the conservation area nor enhances the setting of the Listed Building, the proposed alternative design will not impact upon the Listed Building, and would add interest as a 21st century addition to the conservation area. It is recommended external surface materials be conditioned, in order not to harm the character of the CA and to protect the character of the Listed Building.

**MCC Environmental Health** - There was a former smithy (later called Blacksmith) south of the site, and there is also an indication of potential tanks on the site (but no indication of what the tanks held, or if they are still there. I would recommend that the following conditions are attached, so the developer can look into this, especially as there appears to be local knowledge that the site was a petrol station and the tanks are still in situ. Recommend conditions regarding contaminated land and details of foul water treatment.

## 5.2 Neighbour Notification

One general observation received:

Would like more clarity on the section of the said proposal which reads "or short term business let". I feel that this needs to be more specific and would like to know what it could or could not permit and how we would be involved in the consultative process if any proposal that could cause a nuisance was planned. No disagreement relating to the use of the shed as a cookery school/filming venue.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### 6.1.1 Strategic Planning/ Development Plan context/ Principle of Development

Llantilio Crossenny is designated as a Minor Village (Policy H3) within the Local Development Plan (LDP). The proposal is for a mixed business, tourism use as well as allowing the application to work from home. Owing to the H3 status of the village Policy RE1 Employment within Villages would not be applicable. Some Policy support is offered in Policy E3 Working from Home which sets out that, "Proposals for a development to allow a small business to operate from home will be permitted provided it can be demonstrated that there will be no adverse impact on the local amenity and/or character of the area".

In this instance it is considered that the proposed use accords with this policy, subject to detailed considerations including impact on Heritage assets (listed building and Conservation Area) as well as flooding, nature conservation and highways.

#### 6.1.2 Good Design/ Place making

The proposal is within Llantilio Crossenny Conservation Area, and within the setting of Llantilio Court registered park and garden Grade II, and the setting of Weir House Grade II. The access route is existing and mature vegetation screens the site well. The current workshop building is utilitarian and does not make a positive contribution to the character of the conservation area nor enhances the setting of the Listed Building. The existing concrete block walls will be clad with a combination of timber cladding and standing seam metal cladding with new dark grey/black metal windows and doors. The cement based profiled sheet roof will also be replaced with light grey steel sheets. There are also relatively modest extensions proposed on each side of the main structure which will add interest to the building. Overall it is considered that the proposed alternative design will not impact upon the Listed Building, and would add interest as a modern addition to the conservation area.

Samples to the external surface materials should be conditioned in order not to harm the character of the Conservation Area and to protect the character of the Listed Building as requested by the Heritage Officer.

#### 6.1.3 Impact on Amenity

There are no neighbouring residential properties within close proximity of the proposed conversion that could be adversely affected by the development.

### **6.2 Active and Social Places**

#### 6.2.2 Access / Highway Safety

The proposal is to utilise the existing means of access to the barn / workshop.

The Highway Authority have maintained a holding objection to the application on the grounds of lack of details of the proposed levels of occupancy for both of the intended uses. Additionally, they would like to see improvements to the access in the form of widening and additional 45 degree ease of access splays, formal turning provision and details of how surface water will be prevented from discharging onto the public highway. Highways requested that a permeable hard surface material is used to avoid loose material being transported onto the public highway. Also that dropped kerbs are provided and the ease of access splays kerbed to prevent vehicle over run of the highway verge.

The cookery school will be run by the occupiers of the main dwelling and is modest in scale. The kitchen can only be used as a cookery school when filming is not taking place and vice versa.

Filming is also likely to be infrequent and is likely to involve the occupier of the host dwelling. In any event, filming in the building would not require planning consent on its own.

There are five bedrooms proposed on the first floor, each of which is a double/twin. On this basis five car parking spaces have been provided. The access is an existing double gate with visibility of 2.5m x 43m in both directions within a 30mph zone which is considered to be appropriate in the context of the location and proposed use. It should also be noted that the access is existing and can already be used in association with the workshop/storage building. Although currently this building is used only for storage by the family of the host dwelling, more frequent use could be made of it without the need for further consent.

The area around the barn is already partially concreted with trees along the boundaries. Given the rural location of the building and the relatively small scale of the proposal, it is considered that a more formal access and parking area would be detrimental to the character and appearance of the area that is a conservation area. It could also harm local biodiversity and on this basis, it is considered that the existing access and parking/turning area should be retained as existing as far as possible. However, details of the proposed surface materials can be controlled via condition.

### **6.3 Productive and Enterprising Places**

#### 6.3.2 Tourism and Rural Economy

The provision of the cookery school and year-round holiday accommodation will help the rural economy of the county and is supported by LDP Policy S11.

### **6.4 Distinctive & Natural Places**

#### 6.4.1 Landscape/ Visual Impact

The site is well screened by existing established vegetation and therefore the conversion and extension of the existing building will have a negligible impact on the wider landscape.

#### 6.4.3 Historic Environment

There are no recorded archaeological features or finds within the location of the proposed development itself, although it is located within the Llantilio Crossenny Historic Settlement area, defined as a 'polyfocal' settlement. However, Weir House is a listed building (Cadw reference 24285) dating from the late 17th century, described as a Renaissance house; the description does not include any outbuildings. The existing workshop building is a large concrete block and steel framed industrial shed of significant proportions. The building does not appear on the 1945 map and after the site visit it would appear that the building was built after 1948 and so would not be classed as a curtilage structure. It is set on the west bank of the White Castle Brook; the building for conversion is on the east side. The building itself is modern in date and the conversion and extensions are relatively small in scale.

#### 6.4.5 Biodiversity and Trees

Due to the construction of the existing building (metal sheet roof and concrete block), it is not considered likely to be used by bats for roosting, feeding or resting and no further survey work in relation to bats is therefore required.

In terms of the land around the building, the trees are understood to be of lower quality but make a valuable contribution toward the character and appearance of the conservation area and should therefore be retained and protected during and after development. A condition to this effect has been included below. The council's Biodiversity Officer has requested a Preliminary Ecological Assessment is undertaken. However, given that no formal works are proposed to this area, it would be unreasonable to request that this be undertaken in this case.

#### 6.4.6 Flooding

The application site lies partially 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). The Flood Map, 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 fluvial flood outlines of the White Castle Brook/River Trothy.

The proposal involves the conversion of an existing redundant steel framed building into a cookery school and filming kitchen on the ground floor (Less Vulnerable Development) with visitor accommodation on the first floor (Residential - Highly Vulnerable Development). The highly vulnerable development that forms part of this application is on the upper floor and likely to be above any potential flood levels should a flood event occur at this location.

Furthermore, a Flood Consequences Assessment submitted in support of the application which states that:

- The conversion of the building will not increase the building footprint and therefore will not increase flood risk to third parties.
- The location of the barn is approximately 2.4m higher than the watercourse, and the topographical survey indicates that levels raise away from the watercourse to the north east.
- From the topographical information and the extent of the flood area, the depth of flooding for the 100-year event is identified as being 120mm below the existing floor level of the barn.
- In the event of a 100-year flood event the access/egress to the site will remain dry and access and egress from the site can be to a higher elevation immediately to the north east of the building.

On this basis, NRW have no objection to the application as the flood level identified at the building is below the ground floor level. Furthermore, access and egress is outside of the Zone C2 floodplain. It is therefore considered that it would be unreasonable to refuse the application on the grounds of conflict with TAN15.

## **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

6.5.1 Queries were raised in relation to the mention of 'small scale business use' in the original description of development. This referred to team building events at the cookery school for businesses and would not require separate consent and therefore has been removed from the description of development for clarity.

As the site was a former petrol station, the council's Environmental Health Officer has been consulted and has requested a condition be included on any consent in relation to contaminated land.

Highway objections and flooding have been addressed above.

## **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.

3 The accommodation shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year

REASON: The provision of permanent residential accommodation would not be acceptable in the open countryside.

4 An up to date register containing details of the names, main home address, dates of arrival and departure of occupants using the holiday accommodation shall be made available for inspection by the Local Planning Authority upon request.

REASON: To ensure the accommodation is used as holiday let accommodation only.

5 Prior to the commencement of the development full written details of the proposed foul water treatment system to be used to serve the development shall be submitted to and approved in writing by the local planning authority. Details required shall include the foul water treatment systems:

1. manufacturers information,
2. location,
3. capacity ,
4. location of any secondary treatment,
5. drainage field or outfall including details of percolation tests.

The approved scheme shall be implemented as approved prior to the use of the development.

REASON: To protect the amenity of the locality

6 No part of the development hereby permitted shall commence until:

a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.

b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011, containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.

c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

d) Following remediation a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

e) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

7 Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority. No other fill material shall be imported onto the site.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

8 (a) Prior to any construction plant, materials or vehicles being brought onto the site, a construction exclusion zone shall be established around each retained tree/hedge in accordance with the Arboricultural Method Statement (AMS) on page 17 of the Tree Report. This condition must be discharged prior to commencement.

(b) Protective fencing used for the above shall be in accordance with BS5837:2012 Trees in relation to Design, Demolition and Construction Recommendations and as shown in the AMS. Alternatively, the applicant may choose to use a different form of fencing provided that it is rigid, immovable, fit for purpose and with the written agreement of the Tree Officer of the LPA.

(c) Notwithstanding that the trees are subject to conservation area controls, any pruning required to facilitate the development may be carried out without normal notification to the local planning authority. All pruning works will be carried out in accordance with BS3998:2010 - Tree Work Recommendations.

(d) When work close to or within any construction exclusion zone is unavoidable, the developer is to engage the services of a competent arborist (as described in the AMS) to carry out a watching brief.

REASON: To ensure the protection from harm of valuable landscape assets in accordance with Council Policy S13 - Landscape, Green Infrastructure and the Natural Environment.

9 The finished floor level of the development should not be any lower than the existing level of 53.92mAOD.

REASON: To prevent flooding in accordance with TAN15 and LDP Policies S12 and SD3.

## **INFORMATIVES**

0 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

0 It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

0 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).