

Application Number: DM/2019/01017

Proposal: Change of use from garage to holiday let

Address: Existing Double Garage At The Chateau, A466 Catchmays Court To Bigsweir Bridge, Llandogo, Monmouthshire

Applicant: Mr Leigh Branfield

Plans: Location Plan 89/PL01 - , Elevations - Existing 89/PL04 - A, Elevations - Proposed 89/PL03 - , All Drawings/Plans 89/PL02 - A,

RECOMMENDATION: APPROVE

Case Officer: Mr David Wong

Date Valid: 25.06.2019

This application is presented to Planning Committee as we have received objections from five or more individuals

1.0 APPLICATION DETAILS

1.1 This application seeks full planning permission for the conversion and extension of an existing domestic garage to a holiday let. The building in question is located on land adjacent to The Chateau, off the A466 in Llandogo. The site falls within the settlement boundary of Llandogo as defined by Policy S1 of the Monmouthshire Local Development Plan (LDP). It is also within a designated Conservation Area and the Wye Valley Area of Outstanding Natural Beauty (AONB).

1.2 This garage building is single storey and is constructed in red brick with a slate roof. The front elevation is wood clad with garage doors below and the overall dimensions are some 5.2m wide, 5.2m deep and 3.8m to the ridge. As part of the proposal, it is proposed to erect a single storey lean-to extension to the side of the building, producing some 31 square metres in internal floor space. When the building is viewed from the A466, it will be approximately 1m wider than the existing building. The roof line of this lean-to extension will continue from the edge of the main roof.

1.3 Currently, the distance between the front elevation of this building and the A466 is 7m. Part of the forecourt of the site will become an outdoor seating area and a bin store. This outdoor seating area will project some 3m towards the A466, which will leave a 4m gap from the A466. New external louvres and wooden fencing are proposed at the forecourt, ranging from 1.6m to 2.2m in height. In terms of parking, there will be an on-site parking space on the remaining half of the forecourt to serve this proposed holiday let.

2.0 RELEVANT PLANNING HISTORY (if any)

None.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S8 LDP Enterprise and Economy

S11 LDP Visitor Economy

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
LC4 LDP Wye Valley AONB
MV1 LDP Proposed Developments and Highway Considerations

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10

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 as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Trellech United Community Council - Commented: No councillor could imagine it as a desirable holiday let.

MCC Highways - There are no highways grounds for objection. There is sufficient parking provision to serve the proposal.

MCC Heritage Management - The proposal is within the AONB and Llandogo Conservation Area. It is considered the proposal would not harm the character of the Conservation Area. The building in its current format is an outbuilding, a change of use would retain the building which under 115m³ could easily be demolished without permission.

NRW - We note that the garage building provides only low overall potential for bats due to visible gaps in fascia boards, barge boards and ridge tiles. No evidence of bats was discovered but due to further surveys being carried out and due to the identification of bats emerging from the building it was concluded the development will require a bat mitigation licence. Therefore, we have no objection to the application.

MCC Biodiversity and Ecology - No objection to this application subject to planning conditions and informative. However, please note that the proposal is likely to impact on bats and their use of the building, therefore an application to Natural Resources Wales for a European Protected Species Licence will be required.

AONB Officer – No objection; I agree with the officer recommendation.

5.2 Neighbour Notification

There are a total of seven individual objections received and their grounds of objections are highlighted below:

There is nowhere for the workers to park.

People use the drive way all the time and people park their cars close to the back of the garage. The use of towers or scaffolding would not work and permission would not be given. The construction period i.e. having workmen, machinery and vans will cause chaos to us all and to the A446.

The garage would be okay as a garage with brick work improved and roof sorted plus better doors but not as a holiday let.

The views from my property will be significantly altered by the result of this development. We do not want to see the garage then change to a 2-storey building.

Demolition of the garage could destabilise and compromise the adjacent raised concrete parking spaces i.e. immediately behind (to the west of) the garage.

The nearby residents will be disturbed by the users of the proposed holiday let during the arrival and departure of the building. Also, sitting outside talking and partying in the parking/seating area during the evening is a concern.

The property would not in reality be as attractive as suggested by the application.

The site is not well served by public transport.

The proposed outdoor seating area and its fencing will adversely affect the visibility of the driveway of the neighbouring property.

The proposed development is too close to the boundary and it is not possible to maintain the boundary fence.

Why has the planning application notice has been taken down? The neighbours have no consultation letters with regard to this application.

Where will the delivery vehicles or extra cars park?

The height of the building will go higher, making it unsightly.

It is a health risk to sit on the proposed outside seating area next to a busy A Road breathing in car fumes.

6.0 EVALUATION

6.1 Principle of Development

6.1.1 Planning Policy Wales Edition 10 (PPW) sets out that tourism is to be encouraged where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. It also states that tourism-related development is an essential element in providing for a healthy and diverse economy but it should be sympathetic in nature and scale to the local environment.

6.1.2 With regard to the currently adopted Monmouthshire Local Development Plan (LDP), the relevant policies applicable to the consideration as to whether the proposal is acceptable in principle are Strategic Policies S8 - Enterprise and Economy and Policy S11 - Visitor Economy. The LDP recognises tourism plays a vital part in Monmouthshire's economy. It is useful to note that the site is within the village development boundary for Llandogo (which is designated as a Main Village) and therefore Policy T2 does not apply.

6.1.3 Give that there are positive planning policies at the national and the local level, there is no objection to the principle of this type of development, subject to detailed considerations.

6.2 Visual Implications

6.2.1 The site is within the Llandogo Conservation Area (Policy HE1 of the LDP) and the Wye Valley Area of Outstanding Natural Beauty (Policy LC4 of the LDP). Policy HE1 of the LDP seeks to preserve or enhance the special character or appearance of Conservation Areas. Policy LC4 seeks to protect the Wye Valley AONB from inappropriate development in order to maintain its unique character, special landscape qualities and local distinctiveness. Another design policy of note is Policy DES1 of the LDP. It relates to General Design Considerations and requires all development to be of a high quality sustainable design that respects the local character and distinctiveness of Monmouthshire's built, historic and natural environment.

6.2.2 The building in question is within the settlement boundary of Llandogo. The Council's Heritage Management Team acknowledges that the proposal is within the AONB and the

Llandogo Conservation Area. It considers that the proposal would not harm the character of the Conservation Area as the building in its current format is an outbuilding and a change of use would retain the building, finding it a fresh use. Furthermore, it acknowledged that this building could easily be demolished without permission. It is considered that the proposal is small scale and the character and appearance of this part of the Llandogo Conservation Area will be preserved. Therefore, there is no objection to this application in relation to impact on heritage assets.

6.2.3 The proposal involves the conversion of and an extension to the building. It is considered that the bulk of the proposed lean-to extension is modest. It is noted that the resulting building will have a different appearance to the existing building. However, the proposed extension is small scale so the visual impact of this proposal would be localised. In addition, the building is surrounded by existing properties of various building lines, heights, design, age and bulk. Therefore, it is considered that the natural beauty of this part of the AONB will be conserved.

6.2.4 The proposed outdoor seating area will project towards the A466. It is noted that some properties are set back from the highway but there are others that are located extremely close to the highway. Therefore, the front building line along this part of Llandogo is not uniform. Also, the parking provision for the holiday let will be at the front of the building; this arrangement is considered to be similar to the neighbouring properties'.

6.2.5 In terms of the proposed external finishing materials, it is proposed to re-use the bricks from an existing wall (the north building wall) and the roofing material will be slate to match with the existing. In addition, aluminium windows will be used on the building. Given these factors, it is considered that this application would be in accordance with the terms of Policy DES1, HE1 and LC4 of the LDP. As is normal practice for development in conservation areas, a condition will be imposed to request samples of materials prior to commencement of the development.

6.3 Impact on Amenity

6.3.1 In terms of window opening, the proposal will replace the existing rear door with a window and that window will not look towards any existing window openings of any neighbouring property. There would be a new roof light on the south-facing roof. Due to the distance and angle of this roof light and the level of the building, the privacy of the neighbours is unlikely to be affected.

6.3.2 No new opening is being proposed on the side (north and south) elevations of this building. The front (east) elevation of the building will be glazed/glass panels. As part of the proposal, a new enclosure i.e. a louvre and wooden fencing, is proposed at the front of the building/site to protect privacy, which would be in accordance with Policy EP1 of the LDP.

6.3.3 A concern from local residents is that they will be disturbed by noise from the users of the proposed holiday let during their arrival to and departure from the building and also when holiday makers are sitting outside socialising in the parking/seating area. From a planning perspective, it is unreasonable to assume who might be occupying this holiday let. The nature of the proposed use (a small holiday let) is not normally associated with excessive noise generation. In addition, based on the size of the building, it would not cater for larger groups. Therefore, it would be difficult to substantiate the refusal of this application based on these concerns. These issues can in any case be resolved through responsible management of the premises which is outside the control of the local planning authority. In terms of dealing with a statutory noise nuisance, there is also non-planning legislation that governs this.

6.3.4 Another neighbour has mentioned that it would be a health risk to sit in the proposed external seating area next to a busy A Road owing to pollution and health issues. The village of Llandogo is not identified as an Air Quality Management Area within the County and it is considered that the proposed outdoor seating area would give the users of this holiday let the choice of an extra usable space. Ultimately, it is the choice of the users to decide whether or not they wish to use this outdoor space.

6.4 Access / Highway Safety

6.4.1 There is no objection to this proposal from the Council's Highways Department. The Highways Department acknowledged that this is a change of use of the double garage into a holiday let i.e. a 1 bedroom self-contained unit with parking for 1 No. vehicle within the existing hardstanding area. It also noted that the vehicular access to/from the development proposal onto the existing public highway would remain as per the current arrangement. In addition, it is considered that the scale of the proposed development is unlikely to generate significant level of traffic movements.

6.4.2 There are neighbour concerns that if this application was to be approved, the associated workmen, machinery, deliveries and working vans will have nowhere to park during the construction phase and no scaffolding will be allowed on the neighbouring land. As a result of this, it will cause difficulties to nearby residents and to the A466. Whether any scaffolding will be allowed on neighbouring land is a private matter between the developer and any neighbours. In addition, the planning authority cannot take into account matters which are sometimes raised but are not normally planning considerations such as the impact of construction work on neighbouring land, land encroachment/trespassing, land ownership disputes and restrictive covenants. The Highways Department did not request for a construction and traffic management plan. It is considered that the scale of the development is very modest and owing to the fact that no construction and traffic management plan was requested by the Council's Highways Department, no such information is recommended to be requested.

6.4.3 The neighbour at Kimberley is particularly concerned that the proposed outdoor seating area and its fencing will adversely affect the visibility of their driveway. The Council's Highways Department was consulted and it has raised no highways concern with regard to this matter. It is noted that submitted plans show that new fencing will be erected in front of the building, providing a semi-enclosed outdoor seating area. However, it is noted that the distance between that new fencing and the A466 is approximately 4m. Therefore, the access visibility for Kimberley should not be adversely affected by this proposal.

6.5 Tourism

6.5.1 Comments have been received about the proposal being undesirable as holiday accommodation. Policy S11 of the LDP relates to the visitor economy. It advises that development proposals that provide, support and enhance the County's visitor economy, and which safeguard the environment, will generally be supported and encouraged. It is considered that this holiday let is of an acceptable scale and design and will provide additional tourism accommodation in this part of Monmouthshire, thereby supporting the County's visitor economy.

6.5.2 The County of Monmouthshire is predominantly rural. Planning Policy Wales Edition 10 (para 4.1.16) states that 'Different approaches to sustainable transport will be required in different parts of Wales, particularly in rural areas, and new development will need to reflect local circumstances'. Like Tintern, Llandogo is not well served by the public transport. The village of Tintern is one of the most visited tourist attractions in the County. Given the geography of Monmouthshire, the fact that the application site is not well served by public transport cannot be a reason to refuse this application.

6.6 Biodiversity

6.6.1 NRW and the Council's Biodiversity & Ecology Officer have reviewed the submitted documents and they have no objection to the proposal provided that the relevant conditions and informative are imposed.

6.7 Other Matters

6.7.1 There is no planning restriction as to how close/far an extension is allowed to build towards any site boundary. The siting of the proposal is within the application site that is under the applicant's ownership. This is a valid application. In the event of a dispute over landownership/ boundary maintenance, the interested parties will have to settle this issue as a civil matter.

6.7.2 A comment was made that local residents do not want to see the garage then change to a 2 storey building. This application is a change of use from a garage to a holiday let by converting and extending (via a single storey lean-to extension) the building only. However, the relevant permitted development rights will be removed to ensure that any further extension to the building will be re-assessed accordingly.

6.7.3 A neighbour enquired as to why the planning application notice was taken down and that the neighbours had no consultation letters with regard to this application. As part of the publicity of this application, a site notice was posted on site and the consultation letters were issued to the adjoining neighbours. The site notice only needs to be in place for three weeks from its posting. This form of publicity has satisfied the relevant publicity regulations.

6.8 Response to the Representations of Third Parties and/or Community Council

6.8.1 To avoid duplication, the comment made by Trellech United Community Council and the neighbour objections have been addressed under the relevant headings in section 6 of this report, above.

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 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.

6.7 Conclusion

6.7.1 It is considered that the proposals are in accordance with the relevant policies in Monmouthshire's Local Development Plan (namely, policies S8, S11, S13, S17, DES1, EP1, HE1, LC4 and MV1).

7.0 RECOMMENDATION: APPROVE

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 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1 and HE1.

4 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than any expressly authorised by this permission) shall be erected or constructed within the curtilage of the site without the express permission of the local planning authority.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1 and HE1 and to avoid obstruction of the visibility splays of the neighbouring properties.

5 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 building or any outbuildings shall be erected or constructed without the express permission of the local planning authority.

REASON: In the interests of visual amenity and to ensure compliance with LDP Policy DES1 and HE1.

6 Before the approved development is first occupied the proposed louvres and fencing/enclosures shall be constructed in accordance with the approved plan and they shall remain in place in perpetuity.

REASON: To protect the privacy of the occupiers and the nearby neighbours, in accordance with LDP Policy EP1.

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7 No occupation of the proposed holiday let shall take place until car parking provision has been provided in accordance with the approved plan and that area shall not thereafter be used for any purpose other than for the parking of vehicles.

REASON: To ensure provision is made for the parking of vehicles and to ensure compliance with LDP Policy MV1.

8 Before development commences details of the method by which the existing walls of the building are to be retained during conversion works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved method.

REASON: In the interests of visual amenity, in accordance with LDP Policy DES1 and HE1.

9 The development 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: To ensure the accommodation is used as holiday let accommodation only.

10 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.

11 The development shall be carried out in strict accordance with section 6 of the approved "Bat Survey Report- Garage off A466 at Llandogo (V2) produced by AVA Ecology dated 10/06/2019" as illustrated in Garage Llandogo, Proposed Elevations dated March 19, Drawing ref.89/PL03 produced by EMC Design.

REASON: To ensure adequate safeguarding of species of principle importance for conservation and to ensure compliance with LDP Policy NE1.

12 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building so as to illuminate the southern elevation of the building.

REASON: To safeguard roosting and / or foraging/commuting habitat of Species of Conservation Concern in accordance with LDP Policy NE1 and EP3.

INFORMATIVES

1 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.

2 Glamorgan Gwent Archaeological Trust's record is not definitive in the area of the proposal and features may be disturbed during the course of the work. In this event, please contact the Trust on 01792 655208.

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 BATS Warning: A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-specieslicensing/european-protected-species-licensing/information-on-european-protectedspecies-licensing/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead. Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application. We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to Natural Resources Wales.