

**Application Number:** DM/2019/02081

**Proposal:** Change of use of barn to B1 use including replacement cladding

**Address:** Barn to north of Forest View, Penterry Farm, Chapel Hill Road, Penterry, St Arvans

**Applicant:** Mr. & Mrs. Parry

**Plans:** Location Plan Location Plan - , All Existing Plans 01 - , All Proposed Plans PP 02F - F, Block Plan PP 03A - A,

**RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Young  
Date Valid: 09.01.2020

**This application is presented to Planning Committee as the applicant is related to a member of committee**

**1.0 APPLICATION DETAILS**

1.1 Site Description

The application relates to a modern agricultural barn constructed of blockwork and corrugated sheeting on a steel portal frame. It has been used for agricultural storage. The building measures 18m by 19.5m and is 6.7m high to the ridge. It is located between an agricultural bungalow and a converted barn in the grounds of Penterry Farm. The site is located within the Wye Valley Area of Outstanding Natural Beauty and a designated Minerals Safeguarding Area. There is a public footpath running along the track adjacent to the building.

1.2 Value Added

Initially this application sought a change of use to B1, B2 and B8 industrial uses. Officers considered that general industry would not be appropriate in this location and subsequently requested that the description of the proposal be changed to a B1 use (light industry and office) only. Details of the parking have also been considered. All interested parties have been re-consulted on the amendments.

1.3 Proposal Description

The proposal is for the change of use and conversion the building to be use for business use (B1) providing a diversified income stream for the farming business at the holding. The building has an internal floor area of 358 sq. metres. The converted building would contain office and industrial space to be let to local businesses, welfare facilities and additional office space to be used by the farming enterprise if required in future. The profiled sheeting on the roof would be replaced with an insulated composite metal covering and the blockwork walls would be over clad with marine ply and new softwood boards. It is proposed to install a dry lining system internally to the blockwork areas to improve the thermal performance and comply with the minimum Building Regulation requirements. The building would utilise the shared access to the farm complex and the existing hardstanding area would be used for car parking.

The application is accompanied by the following documents:

Agricultural Planning Appraisal  
Ecology Potential Report  
Design and Access Statement  
Structural Appraisal.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>
DM/2019/02081	Change of use of barn to B1 use including replacement cladding.	Pending Determination

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

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

### **Development Management Policies**

RE2 LDP The Conversion or Rehabilitation of Buildings in the Open Countryside for Employment Use  
RE3 LDP Agricultural Diversification  
SD4 LDP Sustainable Drainage  
LC1 LDP New Built Development in the Open Countryside  
LC4 LDP Wye Valley AONB  
LC5 LDP Protection and Enhancement of Landscape Character  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations

### **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-April-2015.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-Jan-2013.pdf>

## 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.

#### Technical Advice Notes

TAN 6 Planning for Sustainable Rural Communities.

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

#### Tintern Community Council

The application was discussed at Tintern Community Council's meeting on 27th January 2020 and it was felt that we could not recommend either approval or refusal and request that the application is considered at a full Planning Committee for the following reasons:

It is unclear whether or not the proposed non-agricultural development will be run in conjunction with and be complementary to the current agricultural activities of the farm as required by Local Development Plan Policy RE3.

(b) The applicant is a relative of a member of the Planning Committee.

#### MCC Highways - No objection

The proposal is accessed via a private drive serving both Penterry Farm and a number of residential properties, access to the private drive is via Chapel Hill Road and Penterry Lane, publically maintained rural unclassified lanes.

The local highway network experiences relatively low levels of traffic and the proposal has no access to sustainable means of transport, so access is solely reliant on the motor vehicle. The highway authority considers that the increase in vehicular movements associated with the proposal is minimal and would not be detrimental to the capacity and safety of the existing highway network and the highway authority offer no objection to the proposal as submitted.

#### MCC Ecology

The Bat assessment provided is acceptable and is still valid; it is noted that there was negligible potential for bats to use the building.

The ecological submission is acceptable. This is a high quality habitat for bats, with current dark conditions we would expect the lighting at the development to be sensitively designed so as not to illuminate the surrounding habitats.

The house sparrows the report does not identify any historic or current nests, however there is potential for nesting in the intermediate period, as such works will need to be conducted at an appropriate time of year to safeguard breeding birds. Impose a condition.

The biodiversity enhancement that are illustrated on the submitted plan are acceptable.

## 5.2 Neighbour Notification

None received

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**

PPW10 supports economic growth but also recognises the need to protect the character of local areas. It also promotes the use of previously developed land. This development would conform to those objectives by providing employment opportunities in a rural area on a brown field site. PPW 10 supports activities that generate sustainable long term prosperity, jobs and income. The proposal complies with the objectives of paragraph 5.6.1 of PPW which states.

"A strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas." PPW makes it clear that, "Many commercial and light manufacturing activities can be located in rural areas without causing unacceptable disturbance or other adverse effects. Small-scale enterprises have a vital role to play in the rural economy, and contribute to both local and national competitiveness and prosperity. While some employment can be created in rural locations by the re-use of existing buildings, new development will be required in many areas."

The site is located outside of any development boundary, within open countryside in an Area of Outstanding Natural Beauty. PPW and Technical Advice Note 6 'Planning for Sustainable Rural Communities' (TAN 6) support the diversification of the rural economy, to meet the needs of both traditional and new industries, whilst minimising the impacts on local communities and the environment. Paragraphs 5.74 and 5.76 of the LDP recognise the need to balance rural enterprise with the principles of sustainable development and priority is given to the re-use or adaptation of existing buildings, with conversion to employment uses being promoted.

The building in question is of modern construction but was used for its intended purpose as a cattle shed and storage unit in association with the farm for a lengthy period until it became redundant. The site is located in open countryside outside of any defined development boundary. Given its location and extant use the application falls to be considered in relation to policies S and S10 which seek to support the development of small units/ workshops and rural enterprise subject to detailed consideration under policies E2, RE2 and RE3 of the LDP.

Policy E2 of the LDP refers Non-Allocated Employment sites and states that:

Proposals for industrial and business development (classes B1, B2 B8 of the Town and Country Planning Use Classes Order 1987) by new, non-speculative single-site users that cannot be accommodated on existing or proposed industrial or business sites within the County will be permitted provided that all the following conditions are met:

- a) the proposed site is within or adjoining development boundaries of towns and other main settlements or existing and proposed industrial / business sites;
- b) the proposal is compatible with adjacent land uses;

- c) there is a demonstrable need for the type and scale of development in that location; and
- d) the proposal would cause no unacceptable harm to the surrounding landscape, historic / cultural heritage, biodiversity or local amenity value.

The applicants state in their Agricultural Appraisal that they "have" been approached by local businesses looking for office space but have not been in a position to cater for local demand. Due to the space afforded by the proposed building there is an opportunity to provide let office space to meet local demand. The proposed non-agricultural development would be run in conjunction with and would be complementary to the agricultural enterprise. The business case is directly linked to the existing farming business and will provide additional office space in a rural community, therefore promoting rural enterprise."

Policy E2 does not apply in this case as the site is not adjacent to a settlement boundary and the proposed use is speculative, in addition the proposal is not for a new building but rather the conversion of an existing building. The applicants have not indicated that the buildings would be used in association with any working farm holding as a way of diversifying that agricultural enterprise, therefore Policy RE3 of the LDP which supports Agricultural diversification is also not relevant in this case.

The site is in the open countryside outside of any development boundary. The conversion of this building would therefore be evaluated against Policy RE2 of the Local Development Plan. This policy states:

Proposals for the conversion or rehabilitation of existing buildings in the open countryside, to employment use will be permitted provided that all the following criteria are met:

- a) the form, bulk and general design of the proposal, including any extensions, respect the rural character and design of the building;
- b) in respect of farm diversification proposals, any necessary re-building work should respect or be in sympathy with the location and traditional characteristics of the building; in all other cases the buildings should be capable of conversion without major or complete reconstruction;
- c) the more isolated and prominent the building the more stringent will be the design requirements with regard to new door and window openings, extensions and means of access, service provision and curtilage, especially if located within the Wye Valley AONB;
- d) the conversion of modern farm and forestry buildings will only be permitted if the building has been used for its intended purpose for a significant period of time. Particularly close scrutiny will be given to proposals relating to buildings that are less than 5 years old, or which are known to have been used for their intended purpose for less than 5 years, and where there has been no change in farming or forestry activities on the unit since the building was erected permission may be refused;
- e) the proposal including curtilage and access, is in scale and sympathy with the surrounding landscape and does not require the provision of unsightly infrastructure and ancillary buildings; and
- f) the building is capable of accommodating the proposed use without substantial extension. The above criteria will also be applied to proposals to extend buildings that have already been converted.

In this case the form bulk and general design of the building would be respected with no major external alterations or extensions to the buildings. The building would be subdivided into three separate units internally. The roof would be replaced with insulated metal sheeting, the existing blockwork would be over-clad with timber sheeting and existing timber cladding replaced. The whole building would be dry-lined internally and eight windows would be installed. The building has been used for its intended purpose as a cattle shed and agricultural storage for a significant period of time. The building is located within the Wye Valley AONB but the external

appearance of the building is not being significantly altered so that the provisions of part a), b), c), d) and f) of Policy RE2 are complied with and the proposal would have little impact on the wider landscape. The building is seen within a group of existing farm buildings. There is sufficient land available on the farm to accommodate car parking for the proposed employees. The proposed site is a long way from any main roads. Access would be from St Arvans along Penterry Lane which is narrow in places and serves a number of residential properties and then along a private track, which serves Penterry Farm and five other residential properties. Whilst additional infrastructure would not be required, access into the site is relatively arduous. The proposed change of use therefore largely accords with the objectives of Policy RE2 of the LDP. The proposal would be an acceptable form of employment development in the countryside and would comply with policies S10 and RE2 of the LDP, which seek to support the County's rural economy by enabling the provision of rural enterprise and permit the conversion of buildings in the countryside to employment use where appropriate.

## **6.2 Sustainability**

### **6.2.1 Good Design**

The application seeks the change of use of an existing building and there would be very few external alterations to the appearance of the building. The new timber cladding would respect the appearance of the original farm building, and would be similar to it in terms of colour and profile. The eastern elevation of the building would be the most significantly altered; here, the blockwork would be rendered with a painted finish and four new windows would be added to this elevation. This eastern elevation is visible from the adjacent public footpath. There would also be four new window openings on the western elevation which would alter the appearance of the building and make it appear less agricultural, although the building would retain a suitable rural appearance. The roof would be re-clad in metal sheeting or grey Eternite fibre cement sheeting. The car parking area would remain as an informal hardstanding. No additional boundary treatments are proposed.

The proposed change of use does respect the form, scale and materials of existing farm buildings on the site and its intensity is compatible with existing uses. The conversion will not affect natural views and panoramas within the wider landscape in general and the views from neighbouring properties. The reuse of the building for employment purposes is a compatible land use. Therefore the proposal does conform to criteria a), b), c), e), and i) of Policy DES1 of the LDP.

### **6.2.2 Place Making**

Good Design is fundamental to creating sustainable places where people want to live, work and socialise. In this case the setting of the building in the open countryside will provide a very pleasant environment for people to work. It will provide extensive views and fresh air to enjoy during lunch time and breaks. The appearance of the building will not alter significantly but once converted it will provide a very pleasant environment for its occupiers.

### **6.2.3 Green Infrastructure**

The building and the hard standing for the car park are existing so there is little scope or need for additional green infrastructure.

### **6.2.4 Energy**

The use of an existing building to form the basis for new business results in an efficient use of an existing resource which requires less materials than would be required if a totally new building was to be constructed. All new building materials will be

responsibly sourced. The use of the barn provides an energy efficient building and the proposed layout affords the most of natural light and passive solar gain.

### **6.3 Landscape**

PPW 10 underlines the importance of protecting and enhancing a rich and varied landscape but at the same time understanding the social and economic benefits they can provide. This site is located within the AONB where Policy LC4 of the LDP applies. It is a requirement of that policy that all development must be subservient to the primary purpose to conserve and enhance the natural beauty of the area. The proposal relates to an existing building within a working farm yard. The proposed business use is comparable with the character, purpose and overall management of the AONB. This is a working landscape where farming is a business and the proposed use is similar to that. There will be very little alteration to the appearance of the building itself, the timber cladding and roof materials will be replaced with similar matters, new window openings will be provided and the eastern elevation, facing towards the access track, will be treated in painted render. While these changes will alter the appearance of the building, they will still respect the original appearance and will continue a business use in this rural landscape. The proposed change of material will still harmonise with its surroundings and built heritage. The proposed change of use will accord with the objectives of Policy LC4 to conserve the natural rural beauty of the area. In this case the building already exists and is within a complex of buildings. The proposed change of use from an agricultural building into business accommodation will have little visual impact on the wider landscape. Policy LC5 of the LDP does allow for development provided that it does not have an adverse effect on the special character or quality of Monmouthshire's Landscape in terms of its visual, historic, geological, ecological or cultural aspects. The proposal does not cause visual intrusion and it does not change the landscape character of the area. The use is compatible with its location and harmonises with the landscape. The proposal therefore accords with the objectives of policies LC4 and LC5 of the LDP.

### **6.4 Biodiversity**

A Bat assessment was provided as part of the application. It is noted that there was negligible potential for bats to use the building. In accordance with the Environment (Wales) Act and PPW10 and in light of the recent "Dear CPO letter", (23rd October 2019) for development to deliver net benefit for biodiversity, enhancements have been provided in the form of two bat boxes, one each on the northern and the southern elevations, just below the apex of the roof. External lighting will be restrained to minimise light spill and will probably comprise 50w LED lights with hoods and timers on sensors. MCC Biodiversity officers are satisfied that the enhancements shown meet their requirements.

### **6.5 Impact on Amenity**

PPW10 in paragraph 3.21 says that the planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity. Health impacts should be minimised in all instances. In such circumstances where health or amenity impacts cannot be overcome, development should be refused. Policy EP1 of the LDP says that development should have regard to the privacy, amenity and health of occupiers of neighbouring properties and developments that would cause or result in unacceptable harm will not be permitted unless it can be demonstrated that measures can be taken to overcome any significant risk. There are six existing properties at Penterry Farm. The applicants occupy Penterry Farm Bungalow while the other properties are owned by the applicants and tenanted as residential properties; of these a converted barn and Forest View are immediately adjacent to the proposal site. The site was previously a

working farm yard that would have generated a significant amount of noise, dust and traffic. The proposed site is not suitable for general industry or for storage /distribution as this may result in high levels of traffic generation and potential noise and dust depending on the type of activity undertaken inside the premises. As a result the amended application is seeking only B1 use that involves offices and light industry. A B1 use is more suitable in this location. The use of these three units for office would not generate noise or dust, plus operating hours could be controlled. The premises could be occupied by small numbers of staff but the B1 use would preclude businesses where the service is provided principally to visiting members of the public. Restricting the use to B1 would protect the amenity of adjoining occupiers and would be compatible with the objectives of Policy EP1 of the LDP which seeks to protect the amenity and health of occupiers of neighbouring properties.

## **6.6 Highways**

### **6.6.1 Sustainable Transport Hierarchy**

PPW10 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. The location of the proposed business units is not in a sustainable location. Thus, all users of the building would have to travel to the site by car.

The existing barn is in open countryside where TAN18: Transport recognises that, "The distinctive characteristics of rural areas including low population densities, the dispersion of job opportunities and the concentration of services in larger settlements restrict travel options. The car is important for accessibility in rural areas and is likely to remain so for the foreseeable future... Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas."

The Design & Access Statement submitted by the applicant maintains that the barn is not an unreasonable walking distance from the 69 bus service on Wyndcliffe Road (A466) and that there is also potential to walk or cycle in the locality to reduce reliance on the car. However given this distances involved planning officers do not consider this to be very realistic. The site can only realistically be accessed by private motor vehicle and subsequently does not offer a sustainable location.

Penterry Farm cannot be described as a sustainable location as advised in PPW10, although weight needs to be given to the fact that the proposal would generate employment opportunities for the rural economy.

### **6.6.2 Access / Highway Safety**

The proposal is accessed via a private drive serving both Penterry Farm and a number of residential properties, access to the private drive is via Chapel Hill Road and Penterry Lane, publicly-maintained rural unclassified lanes. The local highway network experiences relatively low levels of traffic and the proposal has no access to sustainable means of transport, so access is solely reliant on the motor vehicle. The highway authority considers that the increase in vehicular movements associated with the proposal would be minimal and would not be detrimental to the capacity and safety of the existing highway network. The highway authority offer no objection to the proposal as submitted. Although the roads leading to the site are narrow and single track in some places, the increase in traffic resulting from this proposal will not be significant and will not compromise highway safety.

### **6.6.3 Parking**

The site plan shows five dedicated parking spaces on the southern side of the



building, although more could be provided if required. .As this is a speculative development we do not at this stage have any details of the operating requirements of the occupiers of the building with regards to deliveries, servicing or staff. There is plenty of hardstanding around this building which could be utilised if more car parking provision was required.

## **6.7 Drainage**

### **6.7.1 Foul Drainage**

The applicant has indicated that the foul water will be disposed of by means of a packaged treatment plant which will be located in a field to the east of the building, on land which is at a lower level than the building its self. The treatment plant will be set well away from existing residential properties. This is considered suitable at this stage and details can be conditioned.

### **6.7.2 Surface Water Drainage**

The applicant has indicated that surface water will be disposed of via a soakaway system, A Sustainable Drainage System this will have to accord with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body

## **6.8 Contaminated Land**

The site was previously used as a cattle yard but there are not known to be any abnormal contamination issues.

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

Tintern community council wanted to know if the proposed non-agricultural development will be run in conjunction with and be complementary to the current agricultural activities of the farm.

The applicants have not indicated that the buildings would be used in association with any working farm holding as a way of diversifying that agricultural enterprise, and therefore Policy RE3 of the LDP which supports Agricultural Diversification is not relevant in this case.

## **6.10 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.

## **6.11 Conclusion**

6.11.1 This is speculative development but the conversion of this building into a B1 use may have the potential to generate highly skilled jobs in this rural location where job opportunities are limited. The proposal accords with the objectives of PPW10 and the LDP by promoting economic development. Although this is a speculative development, the provision of these small business units would allow small businesses to establish in the area without entrepreneurs having to move out of the

County to find suitable premises. The Council is generally supportive of facilities that would aid economic growth and Policy S8 of the LDP says that "Development proposals that seek to deliver the Council's vision for sustainable economic growth will be permitted subject to detailed planning considerations". As discussed above, Policy RE2 of the LDP does allow for the conversion of buildings in the open countryside for employment use. The use of this building for business purposes therefore does accord with the Council's vision for economic growth. It is hoped that by approving these units it will result in some new enterprises either starting up in this area or relocating from areas outside of the County.

PPW10 states that a strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas. The advice in PPW10 therefore is that the establishment of new enterprises in rural areas is to be encouraged as it would increase local prosperity.

## **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 building shall be occupied by businesses operating within the B1 Use of the Use Classes Order (1987) only and for no other purposes without the express permission of the LPA.

REASON: Alternative uses may be detrimental to residential amenity and therefore contrary to the objectives of policy EP1 of the LDP

4 Biodiversity enhancement in accordance with that illustrated on the submitted plan "Proposed Floor Plans & Elevations Rev F dated April 2020 drawing ref. (PP) 02F produced by Griffiths Design" shall be installed prior to the completion of the development.

Reason: To provide maintain and enhance biodiversity and therefore comply with the Biodiversity Duty in the Environment (Wales) Act 2016, PPW10 and LDP Policy NE1.

5 No demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended).

6 The premises shall not be used for the approved purposes outside the following times 08:00 to 18:00 on any day

Reason: In the interests of amenity and to ensure compliance with LDP Policy EP1.

7. No development shall commence until details of a scheme for the disposal of foul water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the use of the development commencing and shall be retained in perpetuity.

Reason: to protect the amenity of the area and to prevent pollution.