

Application Number: DM/2020/00875

Proposal: Change of use of stable block to self-contained holiday accommodation

Address: Stables, Church Farm, Church Cottage Lane, Wolvesnewton Devauden

Applicant: Mrs G. Hancock

Plans: Location Plan Site Location Plan - , Floor Plans - Proposed 18/CFNP166NY/02 - , Elevations - Proposed 18/CFNP166NY/01 - , Bat Survey Bat Surveys - , Bat Survey Bat mitigation

RECOMMENDATION: APPROVE

Case Officer: Mrs Helen Hinton

Date Valid: 28.08.2020

This application is presented to Planning Committee following the receipt of public objections

1.0 APPLICATION DETAILS

1.1 Site Description

The application seeks full planning permission for the change of use and conversion of two existing buildings to create two self-contained holiday lets.

The buildings which are the subject of the application comprise of two modest modern structures - a concrete block building and a timber stable block, both of which are stated to have been erected during the 1980's. The applicant has submitted details specifying that the site has been used as a working family farm for the last 42 years.

The concrete block building measures 15.8m wide, 5.5m deep with a pitched roof with a maximum height of 4.10m falling to 2.50m. Externally the building is finished with partially painted blockwork elevations, a pitched slate roof with solar panels on both planes and a number of window and door openings in the northern and western elevations.

The adjacent timber stable building is L shaped in layout measuring 15.46m wide, 5.85m deep at its greatest, and has a pitched roof with a maximum height of 3.05m falling to 1.9m at eaves level. Externally the building is finished with stained timber ship-lap boarding with a corrugated sheet roof.

The buildings are positioned on the eastern side of an existing farmyard complex that also contains a large steel portal frame building and are immediately to the north of Church Cottage. Access to the site is currently gained via a set of double gates in the eastern boundary that leads onto an unmade track that also provides access to a number of residential properties to the north of the site. During 2019 consent was granted for the erection for 3ft high wall to the east of the stable building and the formation of a new access track within the western part of the site (applications DM/2019/01054 and DM/2019/01037 refer respectively)

The application site and wider area are positioned on a slope falling from north to south. As a result the buildings are below the dwellings and land to the north is roughly level with the land to the east and is raised relative to Church Cottage and Red House to the south. The site as a whole is located in an area of open countryside within the community of Devauden as identified by the Proposals Map of the Monmouthshire Local Development Plan.

1.2 Value Added

Following review by the Council's Ecologist and Natural Resources Wales, additional information with regards to bat mitigation has been submitted in support of the proposal.

1.3 Proposal Description

The plans submitted in support of the application detail the conversion of the existing concrete block building subject to a number of alterations to the window and door openings in the western elevation and demolition of the timber stable block building to be replaced with an extension measuring 15.8m wide, 4.7m deep with a pitched roof with a maximum ridge height of 4m falling to 2.3m at eaves level. Externally the extension would be finished with timber ship lap boarding with four stable type window and door openings and a smaller pedestrian sized window and door opening in the eastern elevation. The roof would be clad with slate tiles with a solar panel array provided on the eastern roof plane.

Internally the buildings would be subdivided to create two holiday lets, one two bedroom and the other three bedroom. Each unit would benefit from a kitchen, open plan living-diner space and a bathroom. Access to the units would be primarily gained from the western elevation which would face into the farmyard. A secondary means of escape would be provided in the eastern and northern elevations of the building.

Vehicular access would be gained via a recently approved access track in the western part of the site, leading from an unmade lane between Red House and Church Cottage. On-site parking would be provided on the existing yard to the west of the building.

Bat mitigation is proposed to be provided in the form of two bat boxes to be installed in the ash tree in the hedgerow to the north of the site; a replacement roof void roost for lesser horseshoe and long eared bats; a 'hot box' made from untreated wood, rough sawn wood within the southern gable of the concrete block building and the retention of a roost in the northern gable elevation of the concrete block building.

The application is supported by a Design and Access statement; a structural survey and bat survey.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2019/01054	Erection of an agricultural concrete block work farm yard wall (agricultural notification)	Acceptable	01/08/2019
DM/2019/01037	Construction of new access track for use in association with land and buildings at Church Farm	Acceptable	07/08/2019

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S10 LDP Rural Enterprise
S11 LDP Visitor Economy
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

RE3 LDP Agricultural Diversification
T2 LDP Visitor Accommodation outside settlements
SD2 LDP Sustainable Construction and Energy Efficiency
SD4 LDP Sustainable Drainage
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design 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

Devauden Community Council - Recommend Refusal:

- a. The permitted development recently granted was explicitly for the use of farm traffic. Holiday makers travelling to and from the holiday cottages will be forced to share the extremely narrow access to the farmyard with those heavy farm vehicles.
- b. The use of the access for the additional traffic to the cottages will be a significant nuisance to neighbours, and there are formal objections on record to the previous applications from the resident at Red House.

MCC Highways - No objection.

Natural Resources Wales - We recommend you should only grant planning permission if you attach a number of specified conditions to the permission.

5.2 Neighbour Notification

The application has been advertised by direct neighbour notification and the erection of site notices. Objections have been received from five properties and are summarised as follows; the full responses are available on the website:

- Close to adjoining properties
- General dislike of proposal
- Inadequate public transport provisions
- Increase in traffic
- Information missing from plans
- Strain on existing community facilities

- Inadequate access
- Not enough information given on application
- Civil issues in relation to the ownership of the access track

Principle of development

That the building is of modern construction and the proposed rebuilding is certainly not a re-use or adaptation, inconsistent with the Design and Access Statement submitted. It is suggested that the buildings are structurally sound and do not need substantial reconstruction, however the rebuilt extension is in conflict with policies T2 and H4. Concerns are raised over the extent of rebuilding suggesting that the whole structure will need to be demolished to achieve modern insulation/building regulations approval, again contrary to policies T2 and H4.

The submitted statement fails to demonstrate compliance with criteria a) to g) in Policy RE3. The building is a satellite away from the parent farm and not within an inhabited farm complex. They will be stand alone without services.

It is not considered that the offer represents a realistic business concern especially in the face of high quality offers nearby.

The buildings are of substandard quality and incongruous appearance so are not worthy of retention and the proposed replacement buildings could be of a more aesthetically pleasing design. The building is located close to a Scheduled Ancient Monument occupying an elevated position visible from many vantage points including the grade II* Church. The building is of no aesthetic value and the proposed design is more akin to a suburban bungalow, suggesting permanent occupation, in conflict with policy LC5.

Access and Highway Safety

Concerns are raised over the capacity of the access track stating that it becomes congested when the church is in use. There are no passing places and no scope for widening or improvements contrary to policy H4 and is in conflict with the use of the public right of way. There is a danger between the exiting users of the track and the increased traffic generated from the proposed two units.

There is no access shown to the public highway as the red line falls some way short. The red line needs to be extended to include this land in the application site and notice served on the owner(s). There are private legal proceedings in relation to changes made to the track including ownership disputes. It is unlikely that visitors will use public transport to access the site, the majority of trips will be car-based contrary to the sustainability criteria of the LDP. The traffic will cause significant nuisance to neighbours during and in between lets and having conflict with large farm vehicles during the summer months. The lane is subject to significant water run-off in the winter months directed at Red House. The poor surface prevents accessibility for delivery vehicles which may be required to service the lets.

The approach lane back to the church is similarly sub-standard in width and forward visibility so is unsuitable to serve further development. Due to the isolated rural location, visitors can be expected to be entirely dependent on private cars, hence the added congestion and inconvenience to residents. Given the 5 bedrooms in total the accommodation could attract large groups causing increased nuisance.

Privacy and Amenity

Concerns are raised over the proximity of the adjacent property to the proposed access to the neighbour's house wall for 20m which is 0.8m below the lane level which will cause increased disturbance and intrusion.

There is no plan showing how parking, amenity space and refuse/recycling would function for two units and also the limited size of the assumed outside area for two units is questioned and there would be potential for friction where the proposed access is shared with the farm.

Facilities

The water supply for the proposed development would be via a long section of private water pipe which is shared by a number of properties and has low pressure problems. Concerns are raised over the impact on water pressure because of the additional demand.

There is no sustainable drainage plan. There is already considerable run-off from the site onto the track belonging to a third party on the eastern boundary. This is washing away the track surface and compromising the access to the neighbouring properties.

A septic tank is proposed but no plan or details are evident

No information is provided on waste/recycling storage or collection.

5.3 Local Member Representations

The Ward Member was notified of the application on the 28th August 2020.

6.0 EVALUATION

6.1 Strategic & Spatial Choices

6.1.1 Principle of Development

The site as a whole is located in an area of open countryside within the community of Devauden.

Planning Policy Wales (PPW, Edition 10 2018) acknowledges in paragraph 5.5.2 that "the planning system encourages tourism 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 notes that in rural areas, "tourism-related development is an essential element in providing for a healthy and diverse economy. Here development should be sympathetic in nature and scale to the local environment".

In open countryside locations policies S1, which refers to the spatial distribution of New Housing Provision, and LC1 which refers to new build development in the open countryside, presume against new development unless justified under national planning policy and/or LDP development specific policies; of particular relevance these include;

S10, Rural Enterprise

RE1, Employment within villages

RE3, Agricultural diversification

RE6, Provision of recreation, tourism and leisure facilities in the open countryside

T2 Visitor accommodation outside settlements

Strategic policy S8 supports the development of existing and emerging key economic sectors and the diversification of Monmouthshire's business base. The policy outlines that proposals seeking to deliver the Council's vision for sustainable growth will be permitted where they enhance or enable the continued development of existing key economic sectors including tourism.

Policy S10 seeks to enable the diversification of the rural economy where it is of a scale and type compatible with the surrounding area and will cause no unacceptable harm to the surrounding landscape, historic and cultural heritage, biodiversity or local amenity value. Whilst emphasis is placed on the re-use or adapt existing buildings where possible, the policy does allow for the development of new buildings outside settlement boundaries to assist in the diversification of the rural economy as set out in subject specific policies RE1, RE3, RE6 and T2 referenced above.

As specified above the application proposes conversion, extension and change of use of two agricultural buildings to create two holiday lets. As the application proposes a tourism use and forms part of a wider agricultural enterprise, the requirements of policy RE3 and RE6 are applicable.

In accordance with national policy, Policy RE3 supports the diversification of agriculture provided that proposals meet the criteria set out. The policy identifies that the proposed non-agricultural development must be:

- a) run in conjunction with, and is complementary to, the agricultural activities of the enterprise;
- b) be supported by an appropriate business case which demonstrates the link to existing business activity and the benefits of the scheme in terms of sustaining employment / the rural economy;
- c) in relation to new build, demonstrate that there are no existing buildings suitable for conversion / re-use in preference to new build;
- d) with regard to diversification proposals for visitor accommodation, new build will only be permitted where it consists of the substantial rebuild of a building within the curtilage of an existing and occupied farm property;
- e) any rebuilding work should respect or be in sympathy with the local and traditional characteristics of the building; and
- f) new built development must satisfy the detailed criteria set out in Policy LC.

The following information has been submitted in support of the proposal:

The site has been used for agricultural purposes since 1982 and was operated in association with Church Cottage which was subsequently sold in 2001. The enterprise as a whole extends to 60 hectares (150 acres), of which 34 hectares (86 acres) is owned and 25 hectares (64 acres) is rented on short term (5 year) farm business tenancy. The land holding surrounding the application site extends to 14.75 hectares (36 acres) and is currently laid to grass used for grazing or the cropping of hay and/ or grass silage. Although the applicants operate other businesses to provide additional income, they are still farming and are seeking to diversify the farm in the interests of viability. The buildings the subject of the current application has previously been used for accommodation/ sorting of sheep and general storage. They are however, now largely redundant. A larger steel portal frame type building on site has been previously used for the accommodation of cattle and will be retained. Although it is proposed to partition off accommodation for safety purposes the remainder of the land and yard would remain in active agricultural use. There are no other buildings on the site suitable for conversion.

In conjunction with Policy S10, Policy RE6 supports rural enterprise and diversification of the rural economy by allowing for the provision of suitable recreational, tourism and leisure facilities in the countryside. The policy identifies that proposals should be of a small-scale, informal nature and be subject to detailed planning considerations, including there being adequate safeguards for the character and appearance of the countryside (particularly its landscape, biodiversity and local amenity value), with emphasis places on the re-use or adapt existing buildings where possible with an exception granted for new buildings of an appropriate scale compliant with the requirements of Policy LC1.

With regards to the current application, it is considered that the application proposes a small scale tourism development that would seek to diversify the operations of an existing agricultural enterprise. Although the applicant does not currently live on site, it does form part of a wider active agricultural enterprise with the applicants visiting the site on a regular if not daily basis. Whilst the retention, conversion and extension of such modern type buildings would commonly be resisted, an exemption for such purposes is granted where the proposal would support the diversification of an agricultural enterprise. In this case the applicants are therefore farming the land and the proposals are small scale and complementary to this use. They seek to convert part of the building and rebuild a section as there are no other suitable buildings on the site. The principle of the proposal is therefore considered compliant with national planning policies and policies S8, S10, RE3 and RE6 of the LDP.

6.1.2 Good Design/ Place making

As specified above, as part of the application it is proposed that the existing block built building be altered and converted whilst the existing timber stables buildings be demolished and replaced with a connected new block building with external timber cladding. As a whole, the resulting buildings would be used to provide two holiday lets, one with two bedrooms and one with three bedrooms.

As part of their consultation responses a number of objectors have specified that the building is not capable of conversion without significant extension or alteration and is of a utilitarian structure that does not warrant retention in the open countryside. Whilst it is acknowledged that the existing timber stables will be removed and replaced, a structural survey submitted in support of the block building indicates that it is capable of conversion without significant rebuilding.

Policy RE3 and RE6 do allow for the development of new buildings for tourist accommodation within the open countryside, subject to compliance with the requirements of Policy LC1.

Policy LC1 specifies that in order to be acceptable developments should be satisfactorily assimilated into the landscape; wherever possible be located within or close to existing groups of buildings; have a design that is of a form, bulk, size, layout and scale that respects the character of the surrounding countryside; and have no unacceptable adverse impact on landscape, historic / cultural or geological heritage, biodiversity or local amenity value.

The buildings the subject of the application are positioned on the eastern side of the existing and established farm yard in close proximity to Church Cottage and Red House to the south. Although objectors have identified that the buildings are visible from St Thomas A Beckett Church 170m to the north-east and from the Cwrt Y Gaer Ringwork Scheduled Ancient Monument 320m to the north-west, the structure as a result of its age, is a well-established feature within the landscape. Although the extension, as proposed, would create a rectangular shaped footprint as opposed to the L shaped as existing, it is considered that the overall size, scale and form of development would be in keeping with the existing building. This will be read in conjunction with its siting in close proximity to existing buildings which would prevent the development from having a significantly detrimental impact on the overall character and appearance of the landscape or cultural and heritage features.

Although public objections have been raised with regards to the fenestration arrangement in the new development and alterations to the existing windows and doors in the existing concrete block building it is considered that the design, finish and scale of the new extension would appear as a converted stable. Whilst it is appreciated that the openings in the western elevation would appear domestic in terms of their scale and overall arrangement, these alterations would replace a number of existing domestic style door and window openings, would only be visible from within the site and would not be readily apparent from any wider public vantage point. As such it is considered that the design alterations would not be so detrimental or out of keeping with the original character and appearance of the building to warrant refusal of the application. Whilst the existing building is functional and utilitarian in its overall external appearance, the application does provide an opportunity to improve the aesthetics and create a building more harmonious and in keeping with its setting.

Subject to conditions to clarify and secure appropriate external materials, the application is considered compliant with the relevant requirements of LDP policies LC1 and DES1.

6.1.3 Impact on Amenity/ Promoting Healthier Places

The buildings the subject of the application are positioned on raised ground immediately to the north of Church Cottage and its residential curtilage. Although the proposed extension would be taller than the existing stables, given the existing built form on the boundary, the single storey height of the development, its orientation relative to Church Cottage and the presence of existing boundary features it is considered that the development proposed would not generate any increased overshadowing, loss of light, increased overlooking or infringement of privacy.

An objector has raised concerns that the increased traffic movements along the access lane would create increased noise and disruption for immediate neighbours, detrimental to amenity, specifically for Red House which is set slightly below the level of the lane. It is acknowledged that relative to the

existing arrangement the development proposed could generate an increased number of movements which would be heard from the closest dwellings. However, these would be domestic in scale and given the single track width of the lane it is likely that vehicles would be travelling at a slow pace. Given the scale of development it is considered that number of movements generated would not be so disruptive or significantly detrimental to amenity to warrant refusal of the application on such grounds.

Whilst further concerns have been raised with regards to the lack of information relating to the storage of rubbish and waste, it is likely that each unit of accommodation would be provided within an external refuse bin with waste removed at the end of each stay as part of the turnover of accommodation.

On the basis of the above, although the use of the site for tourism purposes has a potential to have an increased impact, it is considered that the disturbance generated would not be so significant or detrimental to the overall amenity of the area or those living closest to the site to warrant refusal of the application. The proposal is therefore considered compliant with policies S13 and EP1 of the LDP.

6.2 Active and Social Places

6.2.1 Transport including sustainable transport issues

As part of their responses a number of objectors have identified that there is no public transport connection within the wider locality. Given the rural location of the site, it is acknowledged that visitors are highly likely to arrive by private vehicle. However, being mindful that the development would make use of an existing building and would assist in the diversification of rural enterprise on a yard that is already visited, it is considered that the impact with regards to sustainability would be on a very small scale and would not be so detrimental to warrant refusal of the application on such grounds.

6.2.2 Access / Highway Safety

Access to the proposed development is a key concern for the objectors. As part of the current application it is proposed that the development would be accessed from the lane positioned between Red House and Church Cottage and follow the new track approved as part of prior notification application DM/2019/01037. Whilst a number of objections have been raised with regard to works undertaken to the track to the east of the complex, following the construction of a wall approved as part of DM/2019/01054, the development would not be served from this access. All Issues with regards to the repositioning of the track and trespass on third party land, are a private legal matter and are not properly a matter for this evaluation of this application.

It is understood that rights of access over the lane between Red House and Church Cottage have been the subject of a long-standing dispute and have involved various legal proceedings. It is considered that this matter is separate to the determination of the current planning application.

Significant correspondence has been provided in relation to the ownership dispute over the access track to the site which is outside the redline boundary. The land within the application site is within the applicant's ownership and certificate A has been provided. The dispute relates to the track providing access to the application site. Following receipt of correspondence, the Council's legal advice is that there are public access rights across this track. Therefore, the dispute over ownership is entirely a civil matter for both parties to conclude outside of the planning application. All relevant correspondence can be viewed on the website.

Whilst a request has been made for the redline of the application site to be extended to the highway network to the east of Red House, following a site visit it was noted that the lane is used for vehicular access by the owners of Red House and Church Cottage. Given this established use, it is demonstrated that the lane is capable of accommodating vehicles and providing access. In conjunction with the information provided by the Council's Legal representatives, it is considered

that the redline does not need to be extended further and the application can be considered in its current form. Whether the applicant has a legal right of access over the lane is a private legal matter.

As part of their comments the Community Council have identified that the access leading from the western boundary of Church Cottage into the wider application site was approved as part of an agricultural notification (prior notification application DM/2019/01037 refers). Whilst this statement is factually correct, it does not prevent the access being included or considered for use as part of the current application. The redline of the current application has been extended to include the land that previously formed part of the residential curtilage of Church Farm but is within the ownership of the applicant. Following discussions the Agent has confirmed that the applicant still intends to use the approved access for agricultural purposes.

Following consultation the Highways Department has provided the following comments:

"The application is for the change of use of stable block to self-contained holiday accommodation. It is proposed to create 2 no. holiday units...The holiday lets are proposed to be accessed via the existing site access which leads to an existing farmyard. The roads serving the property are the county highways C60-12 and C60-13 which are very narrow rural lanes. The lanes connect to the main route, R80, approximately 150 metres south of the application site.

The Highway Authority considers that the existing access to the site is suitable to accommodate the additional traffic generated by the proposed development. The Highway Authority is also satisfied that there is sufficient space within the existing farmyard to provide sufficient parking for the holiday lets.

Whilst there will be a slight increase in vehicle movements to and from the application site it is accepted that holiday lets tend to be seasonal and are not overly used on an all year round basis, therefore vehicle trips to and from the site will be fairly infrequent. In addition, due to the nature of the development the traffic generated is very likely to fall outside peak time AM and PM traffic flows and therefore is not considered to have any detrimental impact on the existing situation and highway safety.

In light of the aforementioned comments there are no highway grounds to sustain an objection to the application."

In conjunction with the above comments it is acknowledged that the highway network leading into the site is narrow. However, it is capable of accommodating vehicular traffic. Although a number of existing properties use the lane, being mindful of the use and scale of the proposal, it is considered that the development would not generate such an increased number of vehicle movements to cause unacceptable conflict and to warrant refusal of the application.

Whilst an objector has raised concerns that the increased use of the access would have a safety implication on their grandchildren using the lane, it must be acknowledged that the lane has historically been used for access purposes and falls outside of the objector's residential curtilage. The proposals will not have an unacceptable increased impact on public safety over and above the existing situation.

On the basis of the information received from the Council's Legal and Highway teams, it is considered that public vehicular rights exist over the top section of the lane and that the wider network is capable of accommodating the number of vehicle movements generated by the proposal. It is therefore considered that the application would not have a significantly detrimental impact on the highway safety and free flow of traffic and is compliant with policies S16 and MV1 of the LDP.

6.2.3 Recreational Spaces

There is sufficient space within the yard area to provide a modest area of amenity space to the west (front) of each unit. This is considered sufficient relative to the use proposed. Details of the exact layout and positioning could be sought be condition.

6.3 Productive and Enterprising Places

6.3.1 Economic Development

It is considered that the provision of two units of holiday accommodation and their associated investment would have a small but beneficial impact in relation to economic investment and development of the area.

6.3.2 Tourism

Paragraph 5.5.2 of Planning Policy Wales Identifies that the planning system should encourage tourism 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.

This is further reinforced by LDP strategic policies S8 and S10 which encourage the continued development of existing key economic sectors, including tourism and the diversification of the business base and rural economy within Monmouthshire.

Within the consultation responses a number of objectors have questioned the commercial viability of the development in direct comparison to other holiday let properties and premises within the immediate area. Issues with regards to commercial viability and competition are not a material planning consideration in this regard. In contrast it must be recognised that the development may offer accommodation at a different commercial scale relative to those already in the area.

6.3.3 The Rural Economy

In conjunction with policies RE3 and RE6, the application is considered to represent a form of rural diversification that would be operated in conjunction with, and complementary to, the agricultural activities of the enterprise. It is considered that the proposal would offer a form of rural enterprise in keeping within the area to the benefit of the economic viability of the existing enterprise.

6.3.4 Energy

The proposed units are likely to be served by mains electricity and off grid gas or oil heating supplemented by solar panels on the roof of the building, as indicated on the proposed plans. Further micro-generation equipment could be installed under Part 43 (Installation of domestic microgeneration equipment) permitted development rights. At this time, it is considered unreasonable to propose the removal of such allowances.

6.4 Distinctive & Natural Places

6.4.1 Landscape/ Visual Impact

Although the application seeks to change the use, convert and extend a building of utilitarian structure and form, it is considered that the resulting building would be of an appropriate design, scale, siting and external finish. As identified above, this is considered to be respectful of other developments in the wider area and provides an opportunity to improve the aesthetics of the building and the site to the benefit of the character and appearance of the wider area, in compliance with the requirements of policies LC1, LC5 and DES1 of the LDP.

6.4.2 Historic Environment

The site does not contain any designated historical features or designations. Although objectors have identified the site is visible from the grade II* listed St Thomas A Beckett Church and the Cwrt y Gaer Ringwork Scheduled Ancient Monument, it is noted that existing green infrastructure, other buildings and distances of approximately 170m and 330m would be maintained between the

development and the respective features. As such it is considered that the proposal would not have a detrimental impact on any designated or historic asset.

6.4.3 Green Infrastructure

No green infrastructure would be lost as a result of the current proposal.

6.4.4 Biodiversity

A bat survey submitted in support of the application identified that common pipistrelle, lesser horseshoe bats and brown long-eared bats currently use the building. Amended plans have been submitted detailing mitigation in the form of a loft space above part of the building and additional features and boxes on the building and within the wider area. Following consultation Natural Resources Wales, have advised that the amended mitigation proposals alleviate significant concerns regarding bat roosting provision. The modified proposals can, in this instance, be considered to provide a space of sufficient size to accommodate the bat colonies present.

Conditions with regard to implementation of the mitigation and to manage lighting have been requested and could be imposed on any grant of consent.

Subject to above the application is considered compliant with policies S13 and NE1 of the LDP.

6.4.5 Water (including foul drainage / SuDS), Air, Soundscape & Light

As part of their response, a number of objectors have raised concerns with regards to existing surface water run-off and the additional implications arising as a result of this proposal.

As of 7th January 2020, all new developments within a constructional area in excess of 100 sq.m are required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water, designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The applicant has been made aware of this requirement and will be seeking consent from the SuDS Approving Body (SAB) independently of the planning application.

Following consultation the agent has provided the following response:

"This site has been my client's farmyard and buildings for well over forty years. This site and development on it is not new. I am informed by that the site does benefit from significant surface water drainage infrastructure underground, installed by her many years ago, which deals with surface water issues.

Foul drainage - My client has provided a range of paperwork which includes a copy of the confirmation of registration of the septic tank in February 2012. As you may be aware, the compulsory registration of septic tanks in Wales was a statutory requirement in 2012 hence why my client registered the septic tank at that time. The level of proposed discharge from the septic tank would be below the rate required for a permit and the activity would comply with the ten general binding rules, therefore, it was the registration of an exemption in respect of outfall from the treatment plant which would have been registered at that time."

Although objectors have raised concerns with regards to a lack of water pressure the applicant has contested this statement. In respect to the application, the site is served by mains water and has the potential to generate a lesser demand for water consumption than using the site for the overwintering or grazing of stock.

6.5 Response to the Representations of Third Parties and Community bCouncil

Following consultation Devauden Community Town Council and five households have raised objections to the proposal which have been addressed above and are not repeated.

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

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

Although the buildings which are subject to the current application are simple and utilitarian in their overall form and external design, the principle of converting such spaces and providing new tourism accommodation is supported by LDP policies RE3 and RE6. On balance, it is considered that the application proposes a scale and nature of development that would not have a significantly adverse impact on the character and appearance of the area, the residential amenity of those living closest to the site or the highway safety and free flow of traffic. Subject to the imposition of conditions to secure details with regards to ecological mitigation and external materials together with conditions to restrict the occupancy and further development of the buildings, the application is considered compliant with the policies of the LDP and is recommended for approval.

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 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: 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 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 dwellinghouse or any outbuildings shall be erected or constructed.

REASON: If substantial extensions or alterations were necessary this development would not normally be favourably considered and would be contrary to LDP Policy H4.

6 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.

7 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 attached to or be positioned in the curtilage so as to illuminate the elevations of the building.

REASON: To ensure retention of roosting/foraging opportunities for Species of Conservation Concern and to ensure compliance with LDP Policy NE1.

8 Notwithstanding the details of the approved plans, prior to installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The lighting plan should include:

- o Details of the siting and type of external lighting to be used
- o Drawings setting out light spillage in key sensitive areas, especially by bat roost access points and flightlines.

The development shall only proceed in accordance with the approved details and shall be retained as such thereafter.

REASON: In the interests of the ecological and biodiversity value of the site and to reduce the impacts of lighting in the interest of bats, their habitats, and commuting corridors, in compliance with LDP Policy NE1.

9 Prior to the first beneficial use of the site, a proposed site layout plan shall be submitted detailing the proposed parking area, amenity space, boundary treatments and the type of position of any refuse storage for each unit. The development shall only proceed in accordance with the approved plan and shall be maintained as such thereafter

REASON: In the interests of the amenity of the development and neighbouring properties and to ensure sufficient provision in compliance with LDP policies EP1 and MV1.

INFORMATIVES

1 We advise that the applicant seeks a European Protected Species licence from NRW under Regulation 53(2) e of The Conservation of Habitats and Species (Amendment) Regulations 2012 before any works on site commence that may impact upon bats [amend if another species is involved]. Please note that the granting of planning permission does not negate the need to obtain a licence.

2 The developer/applicant should ensure that the existing septic tank has sufficient capacity to accommodate any increase in flows from the proposed development. The Applicant should note, it is a legal requirement to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met.

Should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. If the Applicant already holds an

exemption / permit, they should check whether the proposed increase in flows would require a further application to be made for a new / varied permit. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.