

DC/2015/01322

CONVERSION OF STONE STABLE/ BARN TO A SPECIALIST SCHOOL (USE CLASS D1) AND ASSOCIATED EXTERNAL ALTERATIONS

MONAHAWK BARN, HAZELDENE, COMMON ROAD, MITCHEL TROY COMMON, NP25 4JB

RECOMMENDATION: APPROVE

Case Officer: Craig O'Connor

Date Registered: 02/12/2015

1.0 APPLICATION DETAILS

- 1.1 The application seeks consent to convert the existing stone stable/ storage barn into a small school together with works to create an access, driveway and parking and turning area. The existing stone stable measures 15.6m in length and 9.6m in width and measures 6m high. The application does not propose any extensions or alterations to the form of the barn and relates primarily to the use of the building. The alterations to the main barn would be relatively minor with the glazing of existing openings and the insertion of a new opening on the western elevation. The application does not seek to alter the existing materials and the minor alterations would be of traditional construction. The proposed site plan 002 outlines the proposed access arrangement, the proposed school utilising the existing field access which would be widened to 4.5m with 70m visibility splays in both directions. The submitted plans also outline the proposed car parking arrangement.
- 1.2 The proposed change of use of the barn for educational purposes would provide a specialist education facility for pupils with learning difficulties and who would mainly reside in care homes in the local area. Pupils would travel to the school in a minibus operated by the applicant. The proposal, if approved, would be registered with ESTYN.

2.0 RELEVANT PLANNING HISTORY

DC/2010/00325 Erection of stable block and implement storage shed with ancillary works Refused January 2011 Appeal dismissed July 2011

DC/2004/01314 or M/10866 Construction of a stable/barn for horses on site of previously demolished barn Approved April 2005

Adjoining site

DC/2015/01303 Change of use from dwellinghouse to residential care home for up to six young persons; Hazeldene, Common Road, Mitchel Troy – also on this agenda

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S10 Rural Enterprise
- S13 Landscape, Green infrastructure and the Natural environment
- S16 Transport
- S17 Place making and design

Development Management Policies

- EP1 Amenity and environmental protection
- DES1 General Design considerations
- RE2 Conversion or Rehabilitation of Buildings in the Open Countryside for Employment Use
- LC4 Wye Valley Area of outstanding Natural Beauty
- NE1 Nature Conservation and development
- MV1 Proposed Developments and highway considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

Mitchel Troy Community Council – recommends refusal for the following reasons:

- In the LDP Mitchel Troy Common is designated as Open Countryside, with a presumption against development.
- Traffic. The LDP does allow for the conversion of rural buildings for residential or business use where appropriate, but developments should be sustainable with a presumption against using cars. The proposed conversion would generate an unacceptable level of extra traffic on a narrow lane that already causes concern.
 - MCC Highways have asked for the splay at the drive entrance to be widened. But the entrance remains on a blind bend, with parking spaces opposite, some of which are occupied throughout the day. Local people are not aware of the gated entrance being used for a number of years.
 - The LDP also states that: *"any additional traffic created by the development must be incorporated into the existing road network without detriment to the area or highway safety"*, and *"for road safety reasons, the intensive use of narrow single carriageway country lanes with few passing places is normally undesirable site access"*.
 - Local residents carried out an informal spot survey of traffic on Common Road, which showed 202 vehicles passing between 0700 and 0930. A further traffic peak occurs when children return from school in the afternoon; at that time there are also more pedestrians, as many walk back to their homes - but there is no pedestrian footway. At an informal public meeting held in Mitchel Troy (and

attended by 60-80 local residents) a Priory Group representative said that the planned school would close at 3pm, causing additional traffic at a time when many children are already walking home on the narrow lane.

- Please could MCC undertake a formal traffic count, highlighting the daily peaks
 - If MCC is minded to give planning consent, a condition should be placed on the developers to improve the road with widening, a foot way, traffic calming and speed restriction.
- Business use. This conversion should be classed as for business use, as The Priory Group is a private company. Under planning policy H4 *"The conversion of buildings that are suited to business will not be permitted unless the applicant has made every reasonable attempt to secure other business property"*, and must be supported by a statement to that effect. Is there documentary evidence of a need for the proposed school in Monmouthshire? At the public meeting the Priory Group representative said that children from throughout South Wales, Herefordshire and Gloucestershire would attend the school.

MCC Highways Officer – no adverse comments to the proposals. The proposal offers an improved point of access with a visibility of 2.5m x 70 in each direction and positive drainage collected at a point 5m from the highway. The annotation suggests soakaways as a form of discharge. This soakaway must be conditioned to be at least 5 m away from the highway. The width of the driveway of 4.5m is an acceptable width for two vehicles to pass with care.

MCC Planning Policy Team - the site is located in the open countryside where there is a general presumption against new built development, as set out in Policy LC1. In this case, the change of use would not have any adverse visual impact in the landscape and there are no new build elements, only minor amendments such as glazing to existing openings and an additional window etc. Policy LC1 is not therefore applicable. Policy RE2 relates to the conversion or rehabilitation of buildings in the open countryside for employment use; while the proposal does not specifically relate to an employment use the criteria of this policy are considered to be of relevance and must therefore be considered. It would need to be determined why the barn is no longer required for its original purpose and in particular, whether it has been used for its intended purpose since construction. Strategic Policy S16 and Policy MV2 relate to sustainable transport access and must be considered. While it is noted there will be no more than 20 pupils at the school and that they will travel to the site by minibus/car collectively, no information is provided on the levels of staff or visitors travelling to and from the site. The site is not located in a particularly sustainable location in terms of facilities and would likely be accessible in the main by car only. Policy MV1 should also be considered relating to proposed developments and highway considerations. There is no specific policy in the LDP relating to provision of car parking; it is noted 17 car parking spaces will be provided as part of the scheme. Colleagues in the Highways Section will no doubt comment further on these matters. The site is located in the Wye Valley Area of Outstanding Natural Beauty; Policy LC4 must therefore be taken into

consideration. Policy LC5 relating to the protection and enhancement of landscape character must also be considered, along with, Policies EP1 and DES1 in relation to Amenity and Environmental Protection and General Design Considerations respectively.

MCC Biodiversity Officer - the site has been subject to a hedgerow assessment including consideration of protected species. Monahawk Barn, Hazeldene, Monmouth- Hedgerow assessment (Ref – A092818) dated 10th March 2016 produced by WYG environment. The assessment is considered sufficient to make a planning decision. The hedgerows surveyed were not found to be ecologically important as specified in the Hedgerow Regulations 1997 but do provide habitat for protected species. There are no adverse comments to the proposals subject to the proposed conditions being imposed on any consent outlining that the work needs to be conducted in accordance with the submitted method statement and that a landscaping scheme is submitted.

Dwr Cymru-Welsh Water – no objections subject to the outlined conditions and informatives.

Gwent Police – No objections to the proposals. The development should be developed in accordance with the Secured by Design ‘New Schools 2014’ guide.

4.2 Neighbour Notification

There have been 17 letters of objection to the proposals which have outlined the following comments: -

- The public access road is single track with a 60mph speed limit and inadequate for the proposed use with no pedestrian access path along the road
- The access point and additional traffic would increase the risk for accidents with the access already being sited on a blind bend
- The road is already used by pedestrians who have to negotiate hazards with care hazards; this additional traffic would increase the risk to highway safety.
- The increase in volume of traffic on Common Road would be unacceptable; additional traffic would cause significant problems
- Common Road is not wide enough and has few parts along its length where a large vehicle may safely pass another
- The increased vehicle activity would increase noise and light pollution in the area
- Concerns over the future use of the building as the owner’s priorities change over time
- Concerns over vandalism, verbal abuse and anti-social behaviour from the users of the educational facility
- The facility is not required for local purposes as the students would come from neighbouring counties; the need for local provision is misleading
- The siting of the school in Mitchel Troy Common is inappropriate

- The application is not clear as to the type of person that would utilise this facility; concerns over anti-social behaviour
- Concerns over the crime rate increasing in the area given this and adjoining application for a care home
- Why is there a need for another school and residential unit given the Talocher site is so close?
- Amenity impact of the development on neighbouring properties
- The development would be incongruous with the area and would have a profound impact on the character and appearance of the Wye Valley Area of Outstanding Natural Beauty contrary to Policy LC4 of the Local Development Plan (LDP).
- A previous application at the site for a stable block was refused and dismissed at appeal due to poor access, landscape impact, neighbour impact and visual impact on the Wye Valley AONB
- The visual amenity of the neighbouring properties would be harmed
- The loss of the mature hedgerow for the creation of the visibility splay would be unacceptable and harm the character of the rural area
- The car park area is visually detrimental to the appearance of the Wye Valley AONB.

Other objections raised are not material planning considerations, such as the concern regarding property prices.

There was one letter of support received for the application from a co-owner of Hazeldene that outlined the following: -

- Bring employment to the area which is greatly needed.
- Rural environment will greatly benefit the residents and be a wonderful location for an educational centre. My four children have definitely benefitted from living in these surroundings with its close proximity to town and all its amenities.
- The holiday let accommodated six guests and was regularly full to capacity, there were also six family members living in the main house and we often had relatives staying over, we never had any complaints regarding noise or disturbances, the property is sufficiently tucked away not to be a problem to neighbours.
I can remember there being objections against a family opposite with four noisy, boisterous children moving in to the area years ago, I was asked to sign a petition to have them evicted, I refused to sign the petition as they were just children wanting to play, these children have since grown up and remain in the area, they have now been fully accepted and integrated into the community and I feel the new residents via The Priory Group will also be accepted and form an important part of the community with time.
- I lived at Hazeldene from 2001 with my ex-wife for many years and she still resides at the property with our four children. Neither we nor our guests have ever had any accidents involving vehicles or access issues during all that time

4.3 Other Representations

No response to date

4.4 Local Member Representations

No response to date

5.0 **EVALUATION**

5.1 Principle of development

5.1.1 The existing stone barn which is utilised for a stable was given consent in 2005 and was constructed in accordance with the approved plans as outlined in M/10866. The application seeks to change the use of the stable block for an educational use (Use Class D1) for a small school for pupils with learning difficulties and who may reside in care homes in the local area. Policy RE2 of the Local Development Plan (LDP) outlines that proposals for the conversion of existing buildings into an employment use would be permitted subject to certain criteria. The proposed educational use would provide a level of employment for teachers and associated workers at the site and provide a community educational facility that would benefit pupils with specialist requirements. The existing building would not be altered significantly and could accommodate the proposed use with only minor alterations to the fenestration. The impact of the proposed change of use on the building itself would be minimal and its impact on the rural landscape would not be significantly different from the existing impact. Accordingly, the proposed change of use would be in accordance with criteria a), b), c) and f) of Policy RE2 of the LDP. The existing stone barn has been utilised for its intended purposes for more than five years and the proposed change of use would provide employment and educational uses within the open countryside to the benefit of local communities and vulnerable people who need support. The proposed change of use is considered to be in accordance with criterion d) of Policy RE2 of the LDP.

5.1.2 The proposal would utilise an existing field access and the application also seeks to make alterations to create a gravel hardstanding parking and turning area to serve the proposed small specialist school. The hardstanding area would have an impact on the visual amenity of the rural landscape as it would be relatively large and introduce a level of urbanisation to the area, but on balance it is considered that this impact could be mitigated sufficiently with an appropriate landscaping scheme to screen and soften the appearance of the proposed parking area. If consent was granted it would be on the condition that the car parking area is of gravel construction only involving no markings to identify car parking spaces, with an informal approach being considered appropriate. A firmer surface may be required for the disabled spaces and this can be discussed through a further discharge of condition application. The car parking area would be enclosed with timber post and rail fence which is appropriate for this rural location and in addition to this an extensive landscaping scheme would be required to screen and soften the car parking area. It is considered that if the area was sensitively softened with landscaping it would have an acceptable visual impact on the area and as a result the proposal including curtilage and access, would be in scale and sympathy with the surrounding landscape in accordance with criteria e) of Policy RE2 of the

LDP. The alterations to the existing access would be relatively minor and the existing hedgerow would be conditioned to be translocated to ensure that the character and appearance of this rural area would be retained. The proposed development would harmonise with the largely rural landscape subject to these mitigation measures and would not have an unacceptable visual impact on the character and appearance of the area. The proposed development is considered to be in accordance with the objectives of Policy RE2 of the LDP in that the scheme involves the sympathetic conversion of a building for employment use without having an unacceptable impact on the characteristics of this semi-rural area.

5.1.3 Although Mitchel Troy Common is considered to be within the open countryside in relation to settlement planning purposes, the site is close to the main road network to Monmouth and the wider area and the site is not considered to be particularly isolated. The school would be a specialist facility that would care for vulnerable pupils to meet their education requirements and, on balance, it is considered that the proposed change of use would be in accordance with some of the wider objectives of the LDP “by providing, protecting and enhancing community facilities and open spaces to assist in promoting sustainable communities in Monmouthshire.” The principle of the proposed change of use of the existing stone barn into a small-scale specialist school to provide employment and education to pupils with specific needs is considered to be acceptable and would be in accordance with the requirements of Policy RE2 of the LDP.

5.2 Visual impact of development and impact on the Wye Valley Area of Outstanding Natural Beauty (AONB)

5.2.1 The existing stone barn is not particularly prominent within the wider area given the location of the woodland area to the east, the topography of the site and surrounding area and the mature hedgerows along the boundaries of the site. It is not considered that the proposal would have an unacceptable visual impact on the area to warrant refusing the application. The barn is set back from the adjacent road and surrounded by woodland to the east. It is of traditional form, scale and construction involving traditional materials. The proposed alterations to the stone barn would be minimal and the structure’s visual appearance would be relatively unchanged. The insertion of windows and glazing would not have an unacceptable impact on the building or the area and sympathetic timber openings would harmonise with the locality. The main alterations within this application relate to the creation of the car parking area and the alterations to the access both of which have been evaluated in 5.1, above. The proposed gravel hardstanding area would be enclosed with a simple post and rail timber fence and providing that an extensive landscaping scheme is submitted it is considered that its impact on the wider area would be acceptable. Subject to the submission and implementation of a landscaping scheme at the site it is not considered that the development would have a detrimental impact on the wider area. In this sense, the proposal development would respect the existing form, scale, siting, massing, materials and layout of its setting in accordance with the objectives of Policies EP1 and DES1 of the LDP.

5.2.2 The site lies within the village of Mitchel Troy Common which is semi-rural in character. Given that the site is located in close connection to the built environment of the village, together with the natural screening in the area and the topography of the area the proposed development would not have any unacceptable effects on the wider landscape which lies within the Wye Valley AONB. The proposed development would be viewed in connection with the village and given the scale of the development its impact on the natural beauty of the Wye Valley would be minor. The proposed development would result in the existing mature hedgerow being translocated to the east to provide acceptable visibility splays in both directions. The character of the semi-rural settlement would be retained with the translocation of the mature hedgerow and the insertion of the grass verge (not uncharacteristic of the area) which would also improve visibility in the area. The visual impact of the proposed access alterations are not considered to be detrimental to the character of the area and would improve highway safety in the area. The proposed development would not be detrimental to the character and appearance of the Wye Valley AONB and would be in accordance with Policy LC4 of the LDP.

5.2.3 An application for a stable block at the site was previously refused and dismissed at appeal under application DC/2010/00325 but this refusal was based on the landscape impact of additional buildings on the site and the cumulative impact of the additional buildings with the existing stable that is part of this application. This application is materially different and relates to the conversion of an existing building, and it has been assessed that the landscape impact is acceptable as outlined above in section 5.1 and 5.2.

5.3 Access and highway safety

5.3.1 The proposed school would utilise an existing field access point with improvements to its visibility splay with the moving of the existing hedgerow line as outlined on the submitted site plan 002. The proposed access point is considered to be acceptable and provides the required visibility in both directions along the road. The scheme has been amended since the original submission to improve the access to ensure that it was in accordance with the Council's Highways Officer's comments. The alterations to the existing access point would have an acceptable visual impact and the access is considered to be appropriate for this rural location and would not have a detrimental impact on highway safety. The proposed development would be for a small-scale specialist school and the applicants have outlined that pupils would be transported to the site predominantly using a minibus. The application is providing car parking facilities for staff and also for people to drop pupils at the site. The applicant has provided adequate parking provision in accordance with Monmouthshire's Supplementary Parking Standards allowing for four spaces for teaching staff, one space for two ancillary staff members, one space for a commercial vehicle, five spaces for visitors and four for potential pupils. Although it is not appreciated that the pupil's spaces would be utilised given that pupils would mainly travel to the site visa minibus. Given the limited scale of the specialist school it is not considered that it would result in a significant amount of additional traffic within the area to warrant refusing the application. The school would predominantly generate traffic during certain times of the day

and only in term time. As the majority of pupils would be transported by minibus traffic movements would not be excessive. The Council's Highways Officer has reviewed the application, including the traffic statement and has no objection to the traffic implications of the development. Given that the proposed school would mainly use a minibus to transport pupils to the site this would reduce the need for cars and would be a more sustainable method to transport children to the site. This mode of transport would have a reduced impact on the road network and would be in accordance with the objective of Policies S16 and MV2 to encourage sustainable forms of transport. The proposed development would not create significant and unacceptable additional traffic growth, provides sufficient parking in accordance with the County's Parking Guidelines and offers an adequate access point. As such, the development would be in accordance with Policies S16, MV1 and MV2 of the LDP.

5.4 Residential amenity

5.4.1 The proposed small-scale specialist school would not have an unacceptable impact on the residential amenity of the neighbouring properties. There are no immediate neighbours of the site and therefore the development would not result in any overlooking issues and nor would it adversely affect the privacy of any party. The proposed development would be in accordance with Policy EP1 of the LDP.

5.5 Response to Mitchel Troy Community Council

5.5.1 Mitchel Toy Common is designated as a minor village as outlined with Policy S1 of the LDP and there is a presumption against new build development within the open countryside as outlined in Policy LC1. However this application seeks to convert an existing building into a small-scale specialist school and relates to the change of use of an existing structure; there is no new built development. As outlined in section 5.1 above, the principle of the proposed development is considered to be acceptable and the development would be in accordance with the spirit of Policy S5 and Policy RE2 of the LDP. The amount of traffic generated by this specialist school is considered to be acceptable in relation to the existing road network. The proposed access is considered to be acceptable and the development is not considered to have an unacceptable impact on highway safety. The Highways Officer has reviewed the proposed development and has not objected to the development. There is no substantive highway reason to refuse the application on highway safety grounds. The proposed development would generate employment and such a facility can also provide benefits to society. Evidence has not been submitted to outline the need for the specialist school, although it is considered that the proposed use is acceptable in planning terms and the development would utilise an existing building to the benefit of society. It would be a private business decision to site the school in this location and the applicants consider that there is a need within the area to site a specialist school in this location. Utilising the existing building for this type of use is considered to be acceptable and would be in accordance with Policy RE2 of the LDP.

5.6 Response to objections

5.6.1 As outlined in section 5.3 the proposal would not have an unacceptable impact on highway safety and would be acceptable. There is no substantive reason to refuse the application on highway safety grounds. The Highways Officer has no adverse comments to the proposals. The change of use of the building would not result in an unacceptable level of noise or light pollution. There would be a condition on any consent to ensure that there are no lights on the existing building. The priorities of the private company may change over time but this would be the subject of further potential planning applications. Concerns over anti-social behaviour in the area are not considered to be fair or reasonable in this instance and are based on conjecture. The Town & Country Planning system manages the land-use of the site only while the applicants/ site operator would have to ensure that the site is managed in a way that means the users of the school do not cause anti-social behaviour in the locality. Gwent Police have been consulted on the proposals and have no objections to the proposed use. The applicants have outlined that pupils would be from the surrounding area. However if pupils were to be enrolled at the proposed school from neighbouring counties this would not be unacceptable. The proposed development would not have an unacceptable impact on the residential amenity of any of the neighbouring parties. The impact of the proposed development on property prices in the area would not be a material planning consideration when considering this application. As outlined in section 5.2 the proposed conversion of the existing barn into a small-scale school would not have a detrimental impact on the character and appearance of the rural landscape which lies within the Wye Valley AONB. An extensive landscaping scheme would be a condition of any consent to ensure that the visual appearance of the proposed car parking area is not detrimental to the area. The access proposals including the replacement of the hedgerow at the access point have been discussed above. An application for a stable block at the site was previously refused and dismissed at appeal under application DC/2010/00325 but as outlined in 5.2.3 this application materially different and relates to the conversion of an existing building, and it has been assessed that the landscape impact is acceptable as previously outlined in section 5.1 and 5.2.

6.0 **RECOMMENDATION: APPROVE**

Conditions

1. Standard 5 years in which to commence development.
2. The development shall be constructed in accordance with the approved plans.
3. Prior to the hereby approved school coming into beneficial use the hereby approved access shall be constructed in strict accordance with Drg No 002.
4. No structure or erection or planting exceeding 0.9 metre in height shall be placed, erected or grown in the visibility splay
5. All windows and door frames shall be of softwood painted a colour to be agreed in writing by the Local Planning Authority and remain as such in perpetuity.
6. All rainwater goods shall be of cast metal and matt painted and remain as such in perpetuity.

7. Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system
8. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
9. Foul water and surface water discharges shall be drained separately from the site
10. Notwithstanding the hereby approved plan Drg. 002 the existing mature hedgerow shall be translocated to the line of visibility outlined on Drg. 002. The translocation shall be conducted in strict accordance with Monmouthshire's Translocation Hedgerow guidelines. If the hedge is not successful the a native mixed hedge in accordance with Monmouthshire Hedge Planting guidance notes shall be planted within the visibility splay of the hereby approved access up to the proposed field gate.
11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping , which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development. The Landscaping details shall include:
 - Planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities.
 - Schedule of works for the translocation of the hedgerow, location thereof, protection measures, monitoring, aftercare and maintenance.The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter. Any deviation from the details shall be agreed with the Local Planning Authority prior to the commencement of that deviation.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
13. No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall be carried out prior to the beneficial use of the approved development.
14. Notwithstanding the Town and 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.
15. No clearance of areas suitable for breeding birds eg hedgerows, scrub and trees, shall take place between 1st March and 31st August to avoid unlawful disturbance. However, clearance may take place during these months when preceded by a search for nesting birds and if necessary, mitigation has been implemented in accordance with details to be approved in writing by the Local Planning Authority before works commence on site.

16. The works will be carried out in accordance with the recommendations and method statement for hedgerow translocation provided by the document titled 'Monahawk Barn, Hazeldene, Monmouth- Hedgerow assessment (Ref – A092818) dated 14th March 2016' produced by WYG Environment.
17. 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 at the site without the prior approval of the Local Planning Authority.
18. Notwithstanding the provisions of Article 3, Schedule 2, Part 32 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 extensions or other alterations shall take place at the site without the prior approval of the Local Planning Authority.
19. The premises shall be used for the approved purpose only, that is as a specialist school and for no other purpose including any other purpose in the same use class (Use Class D1) of the Town and Country Planning Order 1987(as amended) or any subsequent order that modifies or revokes that order.
20. Prior to the commencement of development full details of foul drainage and surface water drainage shall be submitted and agreed in writing with the Local Planning Authority.