

Proposal: Modification and/or removal of conditions 4,6,7,8 and 9 of planning permission M08655, including minor material amendments to barn design.

Address: Property Known As Oxpool Barn Argoed Road Earlswood Shirenewton
Monmouthshire

Applicant: Mr Rod Hansen

Plans: Floor Plans - Proposed 2437 202 D - , Elevations - Proposed 2437 203 D - , Block Plan 2437_1 C - , Ecology Report PEA - Abbey Sanders, Green Infrastructure Appraisal/Statement - ,

RECOMMENDATION: Approve

Case Officer: Ms Kate Young

Date Valid: 23.12.2025

This application was presented to members of the Delegation Panel on the 13th August 2026 where it was resolved that the application should be presented to members of the planning committee for determination.

1.0 APPLICATION DETAILS

1.1 Site Description

In May 2002, full planning permission was granted, subject to conditions for the conversion of as barn to a residential property, M 6862. In 2005 full planning permission was granted for amendments to that scheme, M8655. That application was subject to 9 conditions. There is evidence that work on site commenced with a genuine intention of continuing the work. On a site visit in 2025 planning officers could see that materials had been brought onto the site, that trenches for utilities were dug and that in 2010 an application for Building Regulations was submitted. Furthermore, we know the genuine reason why the previous applicant was unable to continue with the work. With all this evidence we can conclude that work on the development began in about 2010. There is therefore an extant permission for the conversion and work on that original conversion can continue without further permission. The approved scheme allowed for a significant amount of demolition. The work must be carried out in accordance with the approved plans.

The application site is located in open countryside, outside of any development boundary.

1.2 Proposal Description

This current S73 application seeks to modify and remove conditions from the M8655 full application.

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2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2025/01111	Modification and/or removal of conditions 4,6,7,8 and 9 of planning permission M08655, including minor extension .	Pending Determination	
M08655	Conversion Of Barn And Outbuildings Into Dwelling With Ground Floor Extension	Approved	18.02.2005

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
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

H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use
SD2 LDP Sustainable Construction and Energy Efficiency
SD4 LDP Sustainable Drainage
LC5 LDP Protection and Enhancement of Landscape Character
GI1 LDP Green Infrastructure
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

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 November 2017:
[Rural-Conversions-SPG-November-2017.pdf](http://www.monmouthshire.gov.uk/app/uploads/2015/07/Rural-Conversions-SPG-November-2017.pdf)

Monmouthshire Parking Standards (January 2013)
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

Technical Advice Notes

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):
<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

5.0 REPRESENTATIONS

Consultation Replies

Shirenewton Community Council would like to make the following comments:
SCC welcomes the explanations received from MCC's planning officer and the Applicants. SCC's comments on conditions 4, 6, 7, 8, and 9 still hold, and a full bat and bird nesting survey should be conditioned, as should a comprehensive landscaping and planting scheme.
SCC would be grateful to receive a copy of MCC's biodiversity and ecological comments and would be grateful if the recent installation of a large concrete and breeze block foundation could be investigated as this is not referred in the application.
SCC reserves the right to submit additional comments when details regarding the above are received.

Highway Authority - No objection.

MCC Biodiversity - No objection, noting the following:

It has been clarified that vegetation clearance works at the site have now been completed. On this basis, the need for a dormouse mitigation license is no longer applicable to the current proposals. The submitted information include sufficient biodiversity enhancement features to provide an overall net benefit for biodiversity. These measures are considered appropriate to the scale and nature of the development and are capable of contributing positively to ecological resilience. The building is located in a dark sky area. the biodiversity officer recommends that a condition is required if you are minded to grant this permission.

NRW - No comment, noting the following:

The applicant has confirmed that all hedgerow work has been completed, and there is no more licensable work to be done.

SAB - No objection, noting the following:

The submitted infiltration testing provides a suitable rate for the discharge of surface water.

5.1 Neighbour Notification

A letter of objection was received from one address, setting out the following concerns:

- Work on site started 20 years ago and was minimal, since then the site has become overgrown Impact on Ecology
- The planning history has been removed online
- The work which has been undertaken bears no resemblance to the original plans The site is visible from the road
- Ecology survey inappropriate
- Double standards are being applied to both planning and wildlife legislation.

5.2 Other Representations

None Received.

5.3 Local Member Representations

A letter was received from Councilor Brown, the Local Member:

I support the concerns raised by the Shirenewton community council and the request for further information and comments from the MCC biodiversity/ ecology officer.

Concerns regarding dormice.

Concerned about the removal of an internal wall and roof.

Whilst the application proposes to only modify some of the conditions it is important to note that original conditions 1 and 2 with regards to Highway Comments still apply.

I would also like the opportunity to comment further when further information is obtained to consider whether it needs to be referred to the delegated panel or planning committee.

The case officer sent all the updated information to Councilor Brown who has now confirmed that she is happy for the application to be presented to the delegation panel.

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

Planning permission was granted in 2005 for the conversion of this building into a residential unit, that permission allowed for extensive demolition and rebuild as well as extensions to the building. Very little of the original structure was to be retained. There is evidence that work on site commence with a genuine intention of continuing the work. On a site visit in 2025 planning officers could see that materials had been brought onto the site, that trenches for utilities were dug. In 2010 an application for Building Regulations was submitted. Furthermore, we know the genuine

reason why the previous applicant was unable to continue with the work. With all this evidence we can conclude that work on the development began in about 2010. There is therefore an extant permission for the conversion and work on that original conversion can continue without further permission. The principle of converting this building is established. This current application seeks to make some design changes to the approved scheme. The curtilage of the resultant dwelling and the access will not alter although a lot of vegetation has been cleared from the site. There is a significant amount of rebuilding work but a lot of this was approved under the previous scheme.

6.2 Sustainability

6.2.1 Good Design

The proposal needs to be evaluated against Policy H4 of the adopted Local Plan. This policy requires that the form, bulk and general design of the proposal, including any extensions, respects the rural character and design of the building. In this case the previous approval did allow for a considerable amount of demolition and rebuild. This current proposal retains the form of the original main stone barn but does increase the size of the extensions both in terms of floor area and height, however these changes are only minor compared to what has already been approved on the site. The lean too roofs have been replaced by pitched roofs and there will be a two story gable on the south elevation. There would be very few new openings on the north elevation that faces the road. That prominent elevation would be faced in natural stone, reclaimed from the original building. There would be a significant amount of glazing on the south elevation but this will not be visually prominent in the wider landscape. The site is not located within the Wye Vally Area of National Landscape and it is not totally isolated, as there are several other residential properties nearby. Given the level of vegetation surrounding the site, the building is not visually prominent in the wider landscape. The original building was not of modern or utilitarian construction. It was originally a small barn constructed of natural stone, with a brick built extension to the south elevation. The level of extension over and above that approved by the 2005 approval is modest. This building is not well suited for business purposes due to poor access and unsustainable location.

On balance, appropriate weight must be given to the consideration of the extant planning permission on this site. Consideration is also afforded to the purpose of Policy H4 of the LDP, of particular relance is set out in para. 6.1.10 that the policy seeks to "ensure that the conversion /rehabilitation of buildings does not detract from the special qualities of Monmouthshire's open countryside". Whilst the proposed design solution submitted as part of this application is different to that of the extant permission, for the reasons cited there is not considered to be sufficient planning harm or policy conflict to withhold planning permission.

6.2.2 Place Making

The retention of this stone building which does make a contribution to the rural character of the area does help to contribute to a sense of place.

6.2.3 Green Infrastructure

Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) Mitigate / Restore.

A Green Infrastructure Statement was prepared by Liddell Associated and concluded that "The proposed development will seek to follow a step wise approach in terms of avoiding, minimising and mitigating for impacts on Green Infrastructure and Biodiversity within the application site. Throughout the site, works will be undertaken that protects, maintains, enhances and delivers net benefit to green infrastructure and biodiversity". The GI Statement is proportionate to the scale of the development and references biodiversity features that will be provided to maintain and enhance biodiversity.

6.2.4 Energy

It is proposed to install solar panels on the roof and an Air Source Heat Pump.

6.3 Landscape

The proposal seeks conversion of an existing traditional stone barn into a residential unit. The proposal does include external alterations to the building, including changes to the roof, while these changes will be seen when viewed in close proximity they are not visually prominent in the wider landscape. There are no public footpaths in the vicinity near which the converted barn will be visible. The alteration to this building would not impact on the wider landscape of the area. The changes are relatively small especially when compared to what already has permission and would not have an unacceptable adverse effect on the special character of the landscape. The proposal will harmonise with the landscape and not cause significant visual intrusion. The proposal accords with the objectives of policy LC5 of the LDP as it protects the landscape character of the area.

6.4 Historic Environment

The site is not located within a Conservation Area or in the grounds of a Listed Building.

6.5 Biodiversity

PPW 12 sets out that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. It is clear that planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced wellbeing.

A Preliminary Ecological Appraisal was submitted as part of the application.

The following net biodiversity benefit features will be installed, with locations and further details to be included within a final Biodiversity Enhancement Scheme;

The large Oak tree will be retained and protected during works and in the longer term.

1 x bat box and 1 x bird box will be installed within the large Oak tree in sheltered locations, not in full sun, at a height of 3m or above.

Native mixed hedgerow planting will be installed along the west boundary, together with 'gapping up' planting of the south and east boundaries. Planting will be in accordance with Monmouthshire County Council's hedgerow planting guidance as indicated at Appendix C.

The north roadside boundary hedgerow will be retained and managed for wildlife, if possible to lay this 1 tree approx. every 20m will be retained as a specimen mature tree within the hedgerow.

The pond will be reinstated within the east part of the site

Any fencing will be open in design or have hedgehog access gaps installed in each garden boundary, measuring 15cm x 15cm flush to the ground (across full site ownership).

Boundary hedgerows will be retained and enhanced, to include rotational coppicing to achieve thinning of 1 in 3 trees where crowded at the south-east corner of the site.

The wooded copse and scrub areas will be retained and protected through a long term management plan, to include enhancement native tree planting, allowing ground flora to develop and rotational coppicing to achieve thinning of trees at an approximate ratio of 25% every 3-5 years.

MCC Ecologists confirm that the submitted information and proposed scheme include sufficient biodiversity enhancement features to provide an overall net benefit for biodiversity. These measures are considered appropriate to the scale and nature of the development and are capable of contributing

positively to ecological resilience. The enhancements are all shown on the submitted block plan. The building is located in a dark sky area with radiance less than 0.5 (darkest radiance band). Dear CPO letter dated 20th February 2025 recommends that we follow good practice guidelines for avoiding artificial light at night. The biodiversity officer recommends that a condition is required.

It has been clarified that vegetation clearance works at the site have now been completed. On this basis, the need for a dormouse mitigation license is no longer applicable to the current proposals. The submitted information and proposed scheme include sufficient biodiversity enhancement features to provide an overall net benefit for biodiversity. These measures are considered appropriate to the scale and nature of the development and are capable of contributing positively to ecological resilience. MCC Ecology Officer offers no objection.

This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

6.6 Impact on Amenity

The nearest residential property to this site is Oxpool Cottage, approximately 100 meters to the north west. New ground floor windows are proposed to the west elevation. The two properties can view each other over an open field, but given the distance between them, the proposed alterations to converted barn do not result in any significant additional overlooking or loss of privacy. There are several other residential properties within 200 and 300 meters of the site, they will not be adversely affected by the proposal either.

6.7 Transport

6.7.1 Sustainable Transport Hierarchy

PPW12 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 site is not in a sustainable location and not accessible by public transport, however residential permission has been granted for this barn to be converted to residential use and the proposal alterations will not affect the number of people living on the site. The occupiers of this property will be dependent on the car to access all facilities and services.

6.7.2 Active Travel

There are no public transport or cycle routes available at this location.

6.7.3 Access / Highway Safety

The proposed modifications to planning decision M06855 do not affect or alter conditions 1 and 2 of the original decision which required visibility space and hard surfacing for the access. The highway authority offers no comment or objection to the proposed modifications.

6.7.4 Parking

The adopted Monmouthshire Parking Standards require one off street parking space per bedroom up to a maximum of three for each dwelling. In this case there is adequate land available to provide three off-street parking spaces. The proposal therefore accords with the objectives of policy MV1 of the LDP.

6.8 Affordable Housing

There is no requirement for a contribution towards affordable housing in this case.

6.9 Flooding

Flood risk maps provided by Natural Resources Wales do not indicate the site to be at particular risk of flooding.

The MCC database of historic flood events does not contain records of surface water flooding in close proximity to the site which could be exacerbated by development in this location.

The MCC database of drainage and flood assets does not contain records of drainage or flood assets in close proximity to the site which may be impacted by the development.

The Lead Local Flood Authority do not have an objection based on flood risk to the site.

6.10 Drainage

6.10.1 Foul Drainage

Under the previously approved scheme M8655. A 3600 litre capacity self-contained cesspit was approved. This is to be sited 15 meters from the approved dwelling. It is to be fitted with a lockable airtight access cover in accordance with the building regulations of the time.

6.10.2 Surface Water Drainage

The scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage and approval by the SuDS Approving Body (SAB) prior to any construction work commencing. The application has now demonstrated a means of surface water discharge to infiltration. The infiltration testing provides a suitable rate for the discharge of surface water. The SAB approval body offers no objection.

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

The local member has concerns regarding dormice, the level of demolition and the implementation of the original conditions. With regards to the dormice both NRW and MCC Ecologists satisfied that a dormouse mitigation licence is no longer applicable to the current proposals as the vegetation clearance works at the site have now been completed. The removal of the internal walls and the roof we permitted under the previous approval M 8622 in 2005 and the demolition complies with that consent. The conditions on the original approval refer mainly to details such as roof lights and down water pipes however Permitted Development for extensions was removed and a similar condition could be imposed on this application.

Shirenewton Community Council request that a bat and bird nesting survey should be conditioned and that a comprehensive landscape plan should be provided. An ecological Appraisal was submitted as part of the application and both NRW and MCC Ecologists are satisfied with its findings. A Landscaping scheme has been submitted as part of the application.

The neighbours are concerned that the works started on this conversion were only minimal. As explained in the main body of the report the work that was completed in about 2010 did constitute a commencement of development and there was a genuine reason why the work stopped. The impact on ecology has been discussed in detail and both MCC ecologists and NRW are satisfied that the impact can be satisfactorily mitigated. The plans are different from those approved that is why a S73 application was needed to evaluate if the changes were acceptable in planning terms. The planning history is available to view online.

6.12 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 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.

6.7 Conclusion

Planning permission was granted in 2005 for the conversion of the building, incorporating extensive demolition works, and that permission remains extant. The current application seeks a number of design amendments to the previously approved scheme rather than any fundamental change to the approved principle of development. Having regard to the extant consent, the proposed alterations are considered to accord with the objectives of Policy H4. A Preliminary Ecological Assessment, Green Infrastructure Statement and Biodiversity Enhancement measures have been submitted and are considered acceptable, satisfying the requirements of Policy NE1. Consultation responses from the Council's Ecologist and Natural Resources Wales confirm that dormouse mitigation is not required and no unacceptable ecological impacts have been identified. The proposal would not result in any adverse impact on neighbouring residential amenity and is therefore consistent with Policy EP1. Access and parking arrangements were approved under the previous permission and would remain unchanged as a consequence of the proposed amendments. The submitted foul and surface water drainage details are considered acceptable, and a detailed landscape scheme has been provided which will assist in integrating the development into its surroundings.

The proposal is policy compliant and recommended for approval subject to conditions set out in Section 7.0 below.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 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.

2 Before the proposed dwelling is first occupied, the proposed access shall have a hard surface of concrete or bituminous materials for a minimum distance of five meters from the highway boundary

REASON: In the interests of Highway Safety in accordance with policy MV1 of the LDP

3 Before the proposed dwelling is first occupied, visibility splays of 2.4 X 33 metres in both directions measured from the centre line of the proposed access, shall be provided.

REASON: In the interests of Highway Safety in accordance with policy MV1 of the LDP

4 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.

5 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy H4.

6 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage unless an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include lighting type, positioning and specification.

REASON: To ensure that the development does not result in unnecessary light pollution, in the interests of protecting local amenity, biodiversity, and the character of the area, in accordance with LDP policies LC1, LC5, GI1, EP3, LC4 and NE1.

7 Ecological enhancements shall be provided as shown on the approved Block Plan 2437/1C. Ecological enhancements shall be retained, managed and replaced as necessary to provide net benefit in perpetuity.

REASON: To maintain and enhance ecology on the site as required by the Environment (Wales) Act 2016, Planning Policy Wales and LDP Policy NE1

INFORMATIVES

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

DORMOUSE: Please note that the dormouse is protected under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual dormice from killing, injury, capture or disturbance. It is also an offence to damage or destroying breeding sites or resting places even if the animal is not present. If dormice are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately

NESTING BIRDS: Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September

SAB INFORMATIVE:

Following the implementation of The Sustainable Drainage (Approval and Adoption) (Wales) Order 2018, the proposed development may require a Sustainable Drainage System (SuDS) designed in accordance with The Welsh Ministers' Government Standards for SuDS. The SuDS scheme will require approval by the SuDS Approval Body (SAB) prior to any construction work commencing on site.

If the total construction area for this site is greater than 100m², an application to the SAB will be required. Total construction area includes any greenfield or brownfield development, any existing buildings that are being replaced or reroofed, as well as any areas of impermeable or permeable surfacing, and is applicable for both temporary and permanent usages. This excludes reroofing works where the replacement is like for like, and resurfacing works where the full construction depth is not replaced.

It is recommended that the applicant approaches the SAB for pre-application advice prior to formal submissions with the LPA as the SAB requirements can affect site layout. Details and application forms can be found at <https://www.monmouthshire.gov.uk/sab>.

The SAB is granted a period of at least seven weeks to determine applications, but in practice revisions to proposals are normally required which will lead to the extension of the determination period. If for any reason you believe your works are exempt from the requirement for SAB approval, please inform us at SAB@monmouthshire.gov.uk so we can update our records accordingly

The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.