

DC/2016/00301

**PROPOSED CONVERSION OF REDUNDANT AGRICULTURAL BUILDING (BARN 4)
INTO RESIDENTIAL USE**

FIVE LANES FARM, CAERWENT

RECOMMENDATION: APPROVE

Case Officer: Nia Morrison
Registered: 30th March 2016

1.0 APPLICATION DETAILS

- 1.1 This application site is located to the west of the road leading from Carrow Hill north to the A48. The site is concerned with one redundant single storey stone barn located to the south of Five Lanes Farmhouse complex. Planning permission has already been granted for the conversions of barn 1 (DC/2013/00670) which has been implemented and barns 2 and 3 (DC/2014/01519) under two previous applications. It is now proposed to convert barn 4. The site is located within the open countryside, a Special Landscape Area (SLA) and also within a Source Protection Zone 1 (SPZ1).
- 1.2 It is proposed to convert barn 4 to a two bedroom property. In order to achieve this a projecting gable end extension is proposed to the north elevation of the barn measuring 5m by 4.7m by 4m high with stone walls and a tile to match the existing barn and glazing on the south west elevation. It is also proposed to create a garden curtilage to the north west of the barn and a curtilage area will also be formed south east of the barn with the boundary on the south west being the existing stone wall. Hedgerow enclosures are proposed to be grown to separate the curtilage from the agricultural field, which is also to contain the private treatment plant and to provide a privacy screen with barn 3. The parking is proposed to be shared with barn 3 to the north east of the site.
- 1.3 It was requested the proposed extension was reduced in size from 6.7m in length to 4.7m long so that the extension would be visually subordinate and appeared modest in relation to the existing barn.
- 1.4 The proposal is presented to Committee because the applicant is a close relative of a County Councillor.

2.0 PLANNING HISTORY

DC/2014/01519 – Conversions of barns 2 & 3
Approved 08.10.2015

DC/2013/00670 – Conversion barn 1
Approved 06.11.2014

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S4 Affordable housing
S12 Efficient Resource Use and Flood Risk

S13 Landscape, Green Infrastructure and the Natural Environment
S17 Place Making and Design

Development Management Policies

EP1 Amenity and Environmental Protection

EP5 Foul sewage disposal

DES1 General Design Considerations

H4 Conversion / Rehabilitation of Buildings in the Open Countryside

NE1 Nature conservation and design

LC5 Protection and enhancement of Landscape Character

SD3 Flood risk

M2 Mineral safe guarding

Supplementary Planning Guidance

Monmouthshire Local Development Plan Conversion of Agricultural Buildings Design Guide – April 2015

4.0 REPRESENTATIONS

4.1 Consultations responses

Caerwent Community Council – Recommends approval. Notes there are some local concerns regarding access safety and further increase in traffic. Some concerns over the use of the digester system for waste as this planned system will eventually service three properties. Concern it could affect the local aquifers.

Glamorgan Gwent Archaeological Trust - requests a condition that no development shall take place until the implementation of a programme of archaeological work.

Natural Resources Wales – we advise that the proposed development is likely to give rise to the need for a European Protected Species licence application. However, we do not consider that the development of Barn 4 is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, provided that the mitigation measures outlined in the above report titled '*Barn 4, Five Lanes Farm, Caerwent, Monmouthshire – Updated Bat Roost Inspection Survey (Visual)*' by Avalon Ecology dated March 2016 are implemented. Therefore, we recommend planning permission should only be granted if the following points can be secured through planning conditions (or legal agreement, if necessary) to any permission your Authority is minded to grant:

- The scheme shall be implemented in accordance with the mitigation measures described in the *Barn 4, Five Lanes Farm, Caerwent, Monmouthshire – Updated Bat Roost Inspection Survey (Visual)* by Avalon Ecology dated March 2016 secured through planning conditions and/ or a Section 106 agreement; and
- No works on site shall take place until your authority has been provided with a licence that has been issued to the applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/ development to ahead.

The proposed development is located within the groundwater Source Protection Zone 1 of the Great Spring Source Protection Zone (SPZ). Source Protection Zones are designated by Natural Resources Wales to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. Source Protection Zone 1 (SPZ1) areas are designated closest to the source

of potable water supplies and indicate the area of highest risk for abstracted water quality.

We note that it is proposed to discharge foul drainage to a new package sewage treatment plant. However, we understand that the site already benefits from an Environmental Permit for the package treatment plant that includes Barn 4. As part of the permit application a groundwater risk assessment was provided to NRW which demonstrated that the use of non-mains drainage at this location would not cause pollution of groundwater within the Source Protection Zone. For this reason, we have no adverse comments to make in relation to foul drainage.

The discharge of clean roof water to ground is acceptable provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground.

MCC Planning Policy Officer – LDP Strategic Policy S1 applies, the site is located in the open countryside where planning permission will only be allowed for: acceptable conversions of rural buildings, in the circumstances set out in Policy H4, sub-divisions of existing dwellings (subject to detailed planning criteria) or dwellings necessary for agriculture, forestry or other appropriate rural enterprises, in accordance with TAN6. Policy H4 should be considered as the proposal relates to a barn conversion. Policy H4 contains detailed criteria relating to the conversion/rehabilitation of buildings in the open countryside for a residential use which must be considered in full. It must be considered whether Policy H4 criterion (a) relating to the form, bulk and general design, and criterion (f) that notes only very modest extensions will be allowed, are met in particular. The roofline of the proposed extension does not appear to be subordinate to the existing building, while this is a detailed matter it should be considered against criterion (a) of this policy. The Conversion of Agricultural Buildings Design Guide (April 2015) should also be referred to. Criterion (g) relates specifically to the re-use of buildings well suited for business use, it is noted a business re-use statement has been provided and concludes the barn is not suitable for such a use. It is understood that the application was registered before 1 April 2016 so there is no need for an affordable housing contribution, as would otherwise be required by Policy S4 and the associated Affordable Housing Supplementary Planning Guidance. The barn is located close to the edge of Zone C2 floodplain, it is difficult to see for certain whether the proposed extension to this barn is outside or within this designation, although it would only relate to a minor encroachment. Strategic Policy S12 and Policy SD3 relating to Flood Risk would need to be considered if part of this barn conversion is located in the floodplain. Policies EP1 and DES1 should also be taken into consideration in relation to Amenity and Environmental Protection and General Design Considerations respectively. Finally, it should be noted that the site is located in a minerals safeguarding area as designated in Policy M2. As the barn is located within a group of existing buildings criterion iv) would be applicable and there is not considered to be any conflict with Policy M2.

MCC Biodiversity Officer - Barn 4 was subject to activity survey in 2013 and found to be a roost of low conservation significance for common and soprano pipistrelle bats. The updated inspection found the building's ecological value to be unchanged. In addition to the 2016 inspection survey report, the author, Craig Stenson, provided further justification for the lack of an updated activity survey for the above and clarified that the barn did not exhibit any potential for species other than pipistrelle species despite the records for brown long eared and myotis bat species in adjacent barns.

The Barn was also found to support nesting barn swallows, and as such we would welcome the recommendations of the report to provide alternative nesting opportunities.

Due to the presence of European Protected Species (bats), the development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. As a licence is required, the Local Planning Authority will need to consider the 'Three Tests' for EPS.NRW have confirmed in their letter dated 16th May 2016 that there will not be a detriment to Favourable Conservation Status subject to conditions which require the applicant to secure an EPS licence prior to development commencing, also to require that the mitigation provided is in accordance with that specified within Barn 4, Five Lanes Farm, Caerwent, Monmouthshire – Updated Bat Roost Inspection Survey (Visual) produced by Avalon Ecology dated March 2016. Notwithstanding the above information it is important that this application be considered in a holistic way considering the other records for this site and the previous consent for Barns 2 and 3 (14/01519)

MCC Highway Officer – No adverse comments .

4.2 Neighbour Notification:

No representations have been received.

5.0 ISSUES AND EVALUATION

Principle of Development
Affordable housing
Visual amenity
Neighbour amenity
Biodiversity
Access
Foul drainage

5.1 Principle of Development

- 5.1.1 The application site is located within a countryside setting and as such LDP Policy H4 (the conversion/rehabilitation of buildings in the open countryside to residential use) is of relevance. Policy H4 permits such development subject to various criteria.
- 5.1.2 The proposed barn is constructed from natural stone walls that are structurally sound. It is considered that the form and appearance of the building is suitable for a residential conversion and the replacement of roof timbers or posts is not considered to constitute substantial reconstruction in accordance with criteria (e) and (c) of Policy H4.
- 5.1.3 The proposal utilises the existing form, bulk and design of the building, and respects the rural character and design of the building. An extension is proposed to the barn, which has been reduced in size based on officer advice. Although the roofline of the extension is the same height of the barn, it is appreciated the existing building is single storey and low level and it would be difficult to achieve the form and pitch and liveable area if the height was to be dropped; as the extension has been reduced in length it is considered to be subservient in floor area and on balance it would be a modest extension in accordance with criteria (a) and (f). The proposed curtilage and access are within the existing access/yard area, are in scale and sympathy with the surrounding landscape and do not require the provision of unsightly infrastructure and ancillary buildings in accordance with criteria (b).

5.1.4 A 'business re-use' statement has been provided and is agreed that there would be a limited demand for a business use in this area and moreover, the barn sits alongside others granted recently for residential use. As the barn is suitable in form for a residential conversion the proposal meets the requirements of criterion (g) of policy H4.

5.1.5 Given the above the proposal is considered to be in accordance with Policy H4 of the LDP.

5.2 Affordable housing

5.2.1 As the application was received and valid before the 1st April 2016, before the supplementary planning guidance was adopted no affordable housing contribution is required.

5.3 Impact on visual amenity

5.3.1 Policy DES1 of the adopted LDP refers to General Design Considerations whilst Policy LC5 is concerned with the Protection and Enhancement of Landscape Character.

5.3.2 The design of the barn, like barns 1, 2 and 3 shows a sensitive conversion that retains the original character and openings of the existing barn. Proposed materials are high quality and in-keeping with the traditional nature of the building and surrounding setting. Proposed enclosures of hedgerow and stone walls are respectful of the surrounding rural setting. Given the above, it is considered that the proposed conversion represents an acceptable form of development which would contribute positively to the existing redeveloped site and would have a limited impact upon the surrounding attractive countryside.

5.3 Neighbour Amenity

5.3.1 It is not considered that the application proposals would cause unacceptable harm to the amenities and privacy of surrounding residential properties. The nearest property that could be affected by the proposal is the yet to be converted barn 3, immediately north-west of barn 4. The barn now proposed to be converted is single storey and therefore as the proposed windows are at ground floor level it is not anticipated to cause unacceptable overlooking towards barn 3. It is noted a proposed screen hedgerow of approximately 1800mm high is to be planted between barns 3 and 4.

5.4 Biodiversity

5.4.1 Natural Resources Wales have confirmed in their letter dated 16/05/2016 that a licence will be needed and that subject to the methods and mitigation, there will not be a detriment to favourable conservation status of the species. Having regard for the advice of NRW and the Council's own Biodiversity Officers, it is recommended that the following actions be put in place:

- Compliance with the submitted mitigation/compensation
- Condition requiring any external lighting to be agreed
- No work within bird nesting season unless otherwise agreed
- Condition to see evidence of licence

5.5 Access

5.5.1 The properties are reached via an existing access that has been slightly repositioned for improvement as part of a previous application for the site. The Monmouthshire Parking Standards 2012 require two car parking space to be provided per bedroom per property. The proposal meets these requirements and therefore Highways comment that there are no highway grounds to sustain an objection to the application.

5.6 Foul Drainage

5.6.2 The site is location within Zone 1 of the Great Spring Source Protection Zone (SPZ1) and therefore the proposed development could have an impact on potable water supplies. It is also noted that the Community Council have raised a concern in relation to this.

5.6.2 In response to this concern the site as a whole (including barn 4) has an Environmental Permit, which NRW have confirmed has demonstrated that the use of non-mains drainage at this location would not cause pollution of groundwater within the Source Protection Zone.

5.6.3 In reference to the MCC Policy Officer's comments in relation to the C2 flood zone, the extension does not encroach into the flood zone and the application site is just outside that zone. NRW have been fully consulted on the application and have not raised concerns in this respect.

6.0 RECOMMENDATION: APPROVE

Conditions

1. Standard 5 year in which to commence development.
2. In accordance with the approved plans
3. Secure the implementation of a programme of archaeological work ARC02
4. No development shall take place including any demolition, ground works, site clearance until a protected species (bats) method statement for works has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include, as a minimum the:
 - a) purpose and objectives for the proposed works;
 - b) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - c) measures to avoid killing and injuring bats during works
 - d) use of materials (such as timber, roofing membranes),
 - e) persons responsible for implementing the works;
 - f) positioning, size, type & location of bat roosting provision
 - g) positioning and size of entrances of bat mitigation;
 - h) initial aftercare and long-term maintenance;The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: to safeguard species of conservation concern protected under The Conservation of Habitats and Species Regulations 2010 and in accordance with LDP policy NE1.

5. The hereby permitted works shall not in any circumstances commence unless the local planning authority has been provided with a copy of the licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity / development to go ahead.

Reason: To ensure that plant and animal species which come within the terms of The Conservation of Habitats and Species Regulations 2010 are effectively protected and that a copy of the NRW development licence is submitted to the LPA.

6. Barn 1 – permitted development restrictions on extensions, outbuildings, etc.
7. Barn 3 – Retention of existing walls
8. Barn 5 – No fences to be added other than those approved – permitted development restriction.
9. The scheme shall be implemented in strict accordance with the Mitigation measures described in the Recommendations section of Barn 4, Five Lanes Farm, Caerwent, Monmouthshire – Updated Bat Roost Inspection Survey (Visual) produced by Avalon Ecology dated March 2016.

Reason: to safeguard species of conservation concern protected under The Conservation of Habitats and Species Regulations 2010 and in accordance with LDP policy NE1.

10. 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 on the other buildings within the complex until an appropriate lighting plan which includes lighting type and specification, protecting roosting and foraging/commuting habitat for bats has been agreed in writing with the LPA.

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

11. The development shall incorporate bird nesting enhancements: to include three or more Artificial Schwegler No.10 Barn Swallow nest boxes to be installed on the building.

Reason: To provide net benefit for biodiversity conservation and comply with Section 40 of Natural Environment and Rural Communities Act 2006 and LDP Policy NE1.

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

Reason: To ensure that nesting birds are not disturbed by development works and to enable the Local Authority to fulfil its obligation under Section 25 (1) of the Wildlife & Countryside Act (1981) as amended.

13. All surface water shall be collected and disposed of within the site of the proposal.
14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons 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 similar size and species, unless the Local Planning Authority gives written consent to any variation.

Informative

Refer to NRW Planning Advice Note

No surface water from the site shall drain onto the County Highway or into the County Highway drainage system.