

DC/2016/00287

AN EXTENSION TO BEAULIEU BARN TO PROVIDE A SUITABLE INTERNAL VOLUME TO PROVIDE FOR A MODERN STANDARD OF RESIDENTIAL LIVING ACCOMMODATION

BEAULIEU BARN, 25 KYMIN ROAD, THE KYMIN, MONMOUTH, NP25 3SD

RECOMMENDATION: APPROVE

Case Officer: Jo Draper

Date Registered: 18.07.2016

At the last meeting of Committee held on 6th December 2016 this application was deferred in accordance with adopted protocol because Members were minded to approve the proposal, contrary to the officer recommendation. Therefore the application is now re-presented with a list of conditions, should Members formally approve the application.

Conditions:

1. This development shall be begun within 5 years from the date of this permission.
2. The development shall be carried out in accordance with the list of approved plans set out in the table below.
3. 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.
4. Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) lighting on the new extension shall be low level (<2.4m) PIR lighting only which allows dark corridors for bats and does not illuminate the bat mitigation provided in planning permission ref: DC/2007/01144.

Reason: To safeguard foraging commuting and bat roost provision in the adjacent building in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2010.

Informatives:

1. Bat Mitigation incorporated into the previous permission was incorrectly installed. This must be amended in accordance with the advice in the Pure Ecology report. Failure to rectify the mitigation may result in enforcement action under the previous consent DC/2007/01144.
2. 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.

As the proposal was minded to be approved by Members the application was forwarded to the AONB Office who has made the following comments:

'Thank-you for the opportunity to comment on this application. I note that this is a substantial extension to the existing structure in open countryside in the AONB, albeit with a considerable amount of rural clutter in the adjacent fields. I support and endorse the comments of the Council's Landscape Officer and would suggest that the relevant supporting information

requested by the Landscape Officer is required from the applicant before considering the application further.'

Yours sincerely

Andrew Blake
Wye Valley AONB Manager

THE PREVIOUS REPORT AND RECOMMENDATION ARE BELOW

1.0 APPLICATION DETAILS

- 1.1 This application relates to a small dwelling, converted originally, and constructed with external stonework and a slate roof. The building has a complex planning history and was approved for conversion to residential use in 2008. This application is situated within an open countryside location outside of any development boundary and was approved previously under Policy H7 of the UDP, but is now considered under Policy H4 of the Local Development Plan.
- 1.2 The proposal is for a substantial two-storey extension to this converted building. This extension is linear in form and extends on the existing gable. This extension is two-storey in form with a single-storey gable extension that projects to the rear. The building has been designed with a dwarf wall and horizontal boarding, the finishing materials for the roof is identified as a slate roof or a contrasting tile clay roof. There are no windows proposed with the two-storey gable and single-storey gable being fully glazed.
- 1.3 The existing building was designed so that it appeared as a small, traditional hay building. This application proposes an extension that sits tight under the existing ridge height and appears as a one and half storey extension with first floor accommodation within the roof space. The proposed extension measures 6.25m in width, depth is 4.3m, height to eaves and ridge is set marginally below that of the existing build which is 5.75m and 3.13m respectively. The single-storey element projects out by 2.8m and measures 4.1m in width.
- 1.4 The calculations scaled from plans for both existing and proposed are the following:
Existing Ground Floor Footprint = 44.71 square metres
Proposed Ground Floor Footprint (with proposed extension) = 83.06 square metres
Increase of 38.35 square metres
86% increase in floor area

Total Existing Floor Area = 82.7 square metres
Proposed Floor Area (with proposed extension) = 152.02
Increase of 69.32 square metres
84% increase in floor space
- 1.5 The existing frontage measures 7.1m; the extension adds a further 6.25m creating a total frontage length of 13.35m representing an 88% increase.
- 1.6 The supporting information submitted with this application focuses upon the planning events before the existing site was finally allowed for conversion back in 2008.
- 1.7 The Offa's Dyke long distance footpath crosses the eastern edge of the meadow and a local public footpath passes within a few metres of the building which is a dominant feature in views from extensive sections of both paths.
- 1.8 The application site is situated within the Wye Valley AONB.

1.9 This application is being presented to Planning Committee at the request of the Local Member.

2.0 RELEVANT PLANNING HISTORY

Planning history

DC/2015/01178 Amendment to roof height of the previously approved agricultural building (DC/2014/01291) Approved 17.11.2015

DC/2014/01291 Construction of all-weather horse riding manege. Construction of open fronted timber agricultural store for hay and machinery storage
Approved 18.12.2014

DC/2011/00024 Proposed storage building pigsty and polytunnels at Beaulieu Meadow smallholding Approved 16/03/11

DC/2009/00999 Proposed temporary compound to store building material for existing dwelling Approved 03/07/08

DC/2008/00587 Proposed agricultural store & workshop building for existing dwelling
Approved July 2008

DC/2007/01144 Proposed conversion of redundant barn to provide new dwelling
Approved February 2008

A36287 Change of Use of redundant barn to form an a holiday unit Refused and Appeal Dismissed
01.09.93 and 13.01.1994

A35156 Conversion of redundant agricultural building to dwelling Refused 07.10.1992

30882 Proposed restoration and extension to stone barn to provide stables, hay loft and tractor shed approval 1988

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – The Spatial distribution of new Housing Provision
S13 – Landscape, Green Infrastructure and the Natural Environment
S17 – Place Making and Design

Development Management Policies

H4 – Conversion of redundant buildings in the open countryside
DES1 – General Design Considerations
EP1 – Amenity and Environmental Protection
LC4 – Wye Valley Area of Outstanding Natural Beauty
NE1 – Nature Conservation and development

Supplementary Planning Guidance:

Conversion of Agricultural Buildings Design Guide:

Planning and listed building consent will only be granted for conversions where the agricultural character of the building is preserved and protected.....The Local Development Plan policy does not exclude extensions. Any proposed extension will however need to be carefully assessed against strict criteria controlling the effect on the character and setting of the existing building and/or their group value. This effect will clearly be more pronounced on smaller buildings, which is why they may not be favoured for conversion if substantial enlargement is needed to provide tolerable living or working conditions.

4.0 REPRESENTATIONS

4.1 Consultations Replies

Monmouth Town Council: Approve

MCC Landscape Officer: : Unable to support proposals for development within, or affecting the setting of the AONB that did not regard the strategic objectives and policy set out in the MCC LDP by which development has to protect, conserve or enhance the unique character and special qualities of the landscape. There is insufficient information to demonstrate that their proposal meets LDP policies LC4 (LC1/LC5) or DES1. An appraisal would have provided an evidence based rationale and pertinent information to develop their proposal properly; informing its scale, architectural design and material choice. The design process should have been clearly illustrated within the DAS and/or other supporting documents.

The development should be of a high quality sustainable design and where appropriate use decoration and styles to enhance its appearance. We note that the intention was to reflect the character of the existing building, but the palette of materials listed on drawing JT10/15 – 2450 offers an array of different materials and no defined specification. There are no landscape planting proposals included with their proposal.

MCC Ecology Officer: An assessment was undertaken by Pure Ecology (letter dated 12th July 2016) is sufficient to inform this scheme. It confirmed that there is no bat roost potential in the building but also identified that the mitigation agreed under the previous consent has not been installed correctly (boxes upside down and no gaps at eaves). In relation to this consent, there is no necessary further consideration in relation to bats although it would be appropriate to consider controlling external lighting via planning condition.

Please use the following information notes on any approval:

Information Note

Bat Mitigation incorporated into the previous permission was incorrectly installed. This must be amended in accordance with the advice in the Pure Ecology report. Failure to rectify the mitigation may result in enforcement action under the previous consent DC/2007/01144.

4.2 Neighbour Notification

Six representations have been received raising the following points:

1. The existing house is too small and this sensibly sized extension would increase the living space to a habitable level.
2. Also given the size of the plot and its location, a sympathetically designed extension would have any significant negative impact on neighbours or the surrounding area.
3. The existing dwelling is also clearly far too small to afford an acceptable level of hygienic/sanitary accommodation given that it does not have a separate kitchen and discrete toilet/bathroom facilities that cannot be adequately ventilated.
4. It is not conceivable that were this property to be built today in its current state that planning permission would be given.

5. The property sits well within its immaculately maintained grounds and a substantial increase in size and a change in shape would be an asset to the very pleasant vista over the property from higher up the hill.

4.3 Local Member Representations

The Local Member supports the proposal and requests that this is presented to Planning Committee.

5.0 **EVALUATION**

The main issues to consider are the following:

1. Principle of the proposed development
2. Design of the Proposal
3. Impact upon the Wye Valley AONB

5.1 Principle of the proposed development

5.1.1 The supporting information submitted with this application focuses upon the planning events before the existing site was finally allowed for conversion in 2008. This relates to the extent of the building work that was previously undertaken that was afterwards removed as part of the conversion. It is argued that this was originally undertaken as permitted development and then enforcement action was taken when the approved plans did not reflect what was built on site. A full planning history of what was subsequently undertaken is addressed in the original report for application DC/2007/01144 which is attached. In brief, there were modern building works carried out and then a planning application to retain these works and convert the building to residential use (under application A35156); this was refused on the basis that the proposal was considered to be tantamount to a new build being the result of substantial rebuilding and alterations of an earlier building. A second application to retain the building, together with the works undertaken for the purposes of a holiday let was also refused and was subsequently dismissed at Appeal. The Inspector considered the building to be the result of partial rebuilding and substantial extension of a small single storey stone built agricultural building.

5.1.2 Under current policy the same considerations apply and if faced with the same building for potential conversion as that considered in 2008, the only acceptable way would be to follow the method of the previous approval and to remove the modern elements and effectively strip back the building so that what remains is a shell of the traditional/ original building to be converted. It is not relevant what existed previously, firstly as this was modern and would not have been suitable to include without the development being tantamount to new build and secondly, this element has now been removed.

5.1.3 Criteria f) of Policy H4 of the LDP outlines that buildings for conversion need to 'be capable of providing adequate living space within the structure'. Only very modest extensions will be allowed and normal permitted development rights to extend further or to construct ancillary buildings will be withdrawn.' The Policy goes on to state that the same criteria will also be applied to proposals to extend the buildings that have already been converted. This building has already been modestly extended with the lean-to allowed as part of the original approval for conversion. The host building is small and the extensions and alterations have therefore reached the capacity for the building to be extended with this small addition. As well as this, there have also been ancillary buildings constructed in the form of an agricultural store and workshop building within the grounds of the site.

5.1.4 The proposed extension represents an 84% increase overall in floor area. This not only significantly exceeds what could be considered as a 'very modest' extension, but the resultant building would effectively be tantamount to new build, thus failing criteria e) of LDP Policy H4 which precludes modern buildings in form and age for residential conversion.

5.1.5 Both the applicant and neighbour representations have stated that the building is too small for adequate living accommodation. The size of building was considered during the determination of the previous planning application to provide small but acceptable living accommodation. This property has been lived in as such for a number of years. To put into context how this compares with modern day living accommodation, a comparison is made with a one bed walk-up flat approved on the strategic housing site on Wonastow Road. This unit provides approximately 50 square metres of floor area, including the floor area used to accommodate the staircase (DC/2015/00390; Approved Plan reference W1.1 House Type 1512 143 Revision B). This is compared with the internal floor area measurement for Beaulieu Barn which is 59 square metres (scaled off drawings as measurements given on the drawings are external and this building has thick stone walls). Furthermore, Beaulieu Barn has the 'breathing space' that comes from it being a detached unit situated within a relatively isolated location. The argument that this building should not have been approved in the first place given the substandard living accommodation created is not considered reasonable in this case.

5.2 Design of the Proposal

5.2.1 A requirement of planning policy is that the *"form, bulk and general design of the proposal, including any extensions, respect the rural character and design of the building"*. The SPG states *Any proposed extension will however need to be carefully assessed against strict criteria controlling the effect on the character and setting of the existing building and/or their group value. This effect will clearly be more pronounced on smaller buildings, which is why they may not be favoured for conversion if substantial enlargement is needed to provide tolerable living or working conditions.*

5.2.2 The new extension by virtue of its form and scale is considered to dominate the existing building. The resultant building would appear to be almost doubled in size. The form of the building described by a previous Inspector as being a *"small single-storey stone built agricultural barn"* is no longer the case with the proposed scheme. The form and scale of the proposal, coupled with a single-storey extension to the rear adds a domestic element that is jarring against the existing simple lean-to at Beaulieu Barn. It is helpful that the materials proposed have sought to retain an agricultural appearance with the user of timber boarding as the primary material, with window openings restricted to recessed gables, however this is not enough to ensure that the large bulk and scale of the proposal will respect the form, bulk and general design of the proposal. The almost doubling in scale of this building changes the perception of this building from a small converted agricultural building to a substantially larger more modern domestic building. The proposal fails to satisfy both Criteria a) of LDP Policy H4 (form, bulk and general design to respect the rural character and design of the building) and Criteria d), "the more isolated and prominent the building the more stringent the design requirements with regard to ...extensions especially if located within Wye Valley AONB"

5.3 Impact on the Wye Valley AONB

5.3.1 The Inspector in the appeal A36287 stated that Beaulieu Barn *"stands by itself in an open meadow high on the slopes of the Kymin, a prominent area of high ground and local beauty spot within the designated Wye Valley Area of Outstanding Natural*

Beauty.... The Offa's Dyke Footpath long distance footpath crosses the eastern edge of the meadow and a local public footpath passes within a few metres of the building which is dominant in views from extensive sections of the both paths..... despite the substantial alterations and extensions, I found that the building still retains some agricultural character.... Few external openingssecondly the building stands isolated with the grass of the meadows growing up to the walls.... because of the apparent close visual and functional link between the building and its rural surroundings it does not at present appear to be out of place in its setting, despite its prominence.....I anticipate that this situation would alter significantly were the change of use proposed by your client to be implemented... the surviving agricultural character of the building and its immediate surroundings would change to one of a clearly domestic nature . I conclude that this would unacceptably erode and damage the character and appearance of the surrounding rural area and the Wye Valley AONB and prejudice the objectives of prevailing national and local planning policies”.

- 5.3.2 It is arguable that a degree of erosion to the character and appearance of the Wye Valley AONB has already occurred owing to the development that has occurred on the adjacent small holding since the previous approval for conversion to residential use. However, whilst this development has altered the landscape, the area has not become overly domestic as the changes relate either to agriculture or rural recreation. The barn does still stand in isolation and is open to viewpoints from key receptors, namely local footpaths that are in very close proximity including the Offa's Dyke footpath. When the previous application was approved (DC/2007/01144) the proposal represented a positive improvement to the surrounding landscape as it removed the unsightly domestic extensions and returned the building back to its original form. In this case the proposed extension changes the building from a modest converted agricultural outbuilding to a significantly larger domestic property in the landscape, visible from local vantage points. The cumulative impact of this when viewed in relation to the surrounding development detracts from the immediate landscape contrary to Policy LC4 of the LDP. The relevant supporting information required by MCC's Landscape Officer has not been requested as this was considered to be unreasonable considering the principle of any type of extension on this building was considered to be unacceptable. The proposal does however have a localised, yet harmful impact on the AONB when viewed from key receptors.

In line with the comments above the application is recommended for refusal accordingly.

6.0 RECOMMENDATION: REFUSE

1. The proposed extension, by virtue of its scale, contravenes criteria e) and f) of Policy H4 of the Monmouthshire Local Development Plan (MLDP) because the scale of the proposal represents a substantial increase in the size of the existing building, far exceeding what could be reasonably considered as very modest and secondly, the resultant building would, by virtue of the significant amount of new build, be tantamount to a new build development in the open countryside.
2. The proposal fails to satisfy both criteria a) and d) of Policy H4 of the MLDP because its form and scale as dominates the existing building, changing the appearance of the existing building from a small converted agricultural building to a substantially larger more modern, domestic building. The proposal fails to respect the form, bulk and general design of the proposal, whilst its isolated and prominent location within the AONB requires the design criteria to be applied more stringently.
3. The building lies in an exposed position within the Wye Valley AONB, visible from key receptors including the Offa's Dyke Footpath. The cumulative impact of this

development together with the changes that have already occurred within the surrounding land, would change the character of the land to a clearly domestic nature, which would appear out of place in this sensitive rural landscape and would be contrary to Policy LC4 of the MLDP.