

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2019/5335	<u>DATE:</u> 27/08/2019
PROPOSAL:	Demolition of existing detached barn, and reconstruction of two storey side extension to dwelling to provide annexe accommodation and/or tourist accommodation.
LOCATION:	Cilpentan Farm, Llwyncelyn Road, Tairgwaith SA18 1UU
APPLICANT:	Mr Clint Budd
TYPE:	Full Plans
WARD:	Lower Brynamman

BACKGROUND INFORMATION

The application is reported to Planning Committee under the Council's delegated arrangements as the applicant is the husband of Councillor Sonia Reynolds (Gwaun-Cae-Gurwen Ward).

SITE AND CONTEXT

The application site lies outside of settlement limits to the south of the settlement of Tairgwaith. The wider site comprises farm land, however the application site is limited to the existing farmhouse, outbuildings, and immediate curtilage.

DESCRIPTION OF DEVELOPMENT

The proposed development comprises the demolition of an existing detached barn, and reconstruction of a two storey side extension to the existing dwelling to provide annexe accommodation and/or tourist accommodation.

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

NEGOTIATIONS

The application was significantly altered during pre-application discussions, and following submission of the application further information was required to address the presence of bats at the application site, which are a protected species.

PLANNING HISTORY

The application site has the following relevant planning history: -

- **L1992/0033** Proposed construction of extension to existing farmhouse. Approved: 12th March 1992
- **P2001/0995** Approval of detail under condition 2 (external materials) of previous planning application P/2001/0652 Approved: 30th August 2001
- **P2001/0652** Building for agricultural storage, Approved: 29th June 2001
- **P2006/0826** Conservatory Approved: 4th August 2006
- **P2012/0170** Construction of two ponds and associated works Approved: 9th November 2012

CONSULTATIONS

Biodiversity Unit No Objection, subject to conditions.

REPRESENTATIONS

A site notice was also displayed on the 29/8/2019. In response, to date no representations have been received.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*,

Productive and Enterprising Places and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

Local Planning Policies

The Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies:

- **Policy SP13** Tourism
- **Policy SP14** The Countryside and the Undeveloped Coast
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection

Topic Based Policies:

- **Policy SC1** Settlement limits
- **Policy TO1** Tourism Development in the Countryside
- **Policy EN5** Conversion and Extension of Existing Buildings in the Countryside
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy M1** Development in Mineral Safeguarding Areas
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design
- **Policy WL1** Development in Language Sensitive Areas

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Design](#) (July 2017)
- [Development and the Welsh Language](#) (July 2017)
- [Biodiversity and Geodiversity](#) (May 2018)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, and biodiversity.

Principle of Development

The proposal relates to the demolition of an existing detached barn, and the construction of a new 'extension' (connected to the main dwelling by a double-height fully glazed link) which could either be used as annexe accommodation to the main dwelling or for tourism use. Consideration has therefore been given below to each of the proposed uses of the proposed building.

Annexe Accommodation

In respect of extensions to dwellings within the countryside, LDP Policy EN5 refers specifically, stating that:

The alteration, extension or conversion of existing suitable buildings outside the defined settlement limits for residential, employment, or tourism uses will only be permitted where:

1. The existing building is structurally sound and is capable of conversion without substantial major external alteration or reconstruction.
2. In the case of changes of use to residential purposes alone:
 - (a) It can be demonstrated that there are no viable alternative uses to secure the retention of the building; and
 - (b) That the building is of architectural and/or historic merit.
3. In the case of residential extensions, the extension does not result in a disproportionate increase in the size, scale and massing of the building.

The explanation of this Policy goes further, stating at 5.3.25 that;

“Extensions to buildings that are either existing dwellings in the countryside or are buildings being converted into dwellings should be limited in size to ensure that the form and character of the original building is not adversely affected. The size of extension likely to be acceptable will depend on the circumstances of each individual case, but extensions should not normally exceed the overall dimensions or cubic content of the original building by more than 20%”.

In this case, the proposal seeks the construction of a replacement structure inked to the main dwelling, whose overall scale and massing of the proposal would not be significantly greater than the existing building and would have no materially greater or any adverse impact on the countryside.

In terms of the use as annexe accommodation, it is clear that the new building has all the necessary elements to be self-contained accommodation. The building is, however, linked to the main dwelling internally through the glazed link, and its use as overspill accommodation is considered to be acceptable, provided a suitable condition is imposed restricting its use to annexe accommodation. This condition is essential to the acceptability of the development, as a new dwelling in the open countryside would be contrary to Policy SC1 of the Local Development Plan.

Use as Tourist Accommodation

The applicants also propose to use the new building as tourist accommodation. In this respect, as the site lies within the open countryside Policy SC1 is relevant when it states (inter alia) that;

Outside settlement limits, development will only be permitted under the following circumstances:

7. It is a sustainable tourism or farm diversification proposal that is suitable in a countryside location;

In addition, LDP Policy T01 is relevant when it states that;

Tourism proposals outside of settlement limits will only be permitted where all of the following criteria are satisfied:

1. It is demonstrated that the proposal is viable and contributes towards the quality and economic sustainability of the tourism industry;
2. It is demonstrated that either the proposal requires a countryside location or it could not be accommodated within an existing settlement
3. The proposal would not have an adverse impact upon the landscape, ecology, and cultural heritage and would not adversely impact upon the social, economic, environmental or residential amenity of the area;
4. The proposal does not create unacceptable levels of vehicular traffic, cause a detriment to highway safety and access can be provided by a range of transport modes.

This generally permissive Policy offers flexibility in providing new, high quality tourism facilities outside of settlement limits in locations which would not normally be considered for development. Since a large concentration of tourism facilities are located within the Valleys area,

allowing development outside of settlement limits provides scope for the tourism sector to grow and contribute to reinvigorating the valley communities.

Proposals are required to demonstrate that they are economically viable, will promote sustainable development and enhance economic growth in the tourism sector. The valley areas, with their rural setting have the potential to continue to build on the growing tourism industry and can integrate rural diversification into tourism schemes. Evidence required to accompany applications may include business plans and local data, including information on existing and projected visitor numbers for the area and an assessment of the position of the proposed development within the current tourism market.

Certain proposals, by their very nature will require a countryside location and may include activities such as golf, fishing and mountain biking. Such activities will need to be designed in a manner to ensure the environmental impact is fully assessed and is minimised.

The applicant has provided clarification on the demand and linkages for tourism based accommodation within this area, specifically equestrian related activities which are undertaken in and around the existing farm, and nearby trotting facility. Notwithstanding the wider tourism draw of the area as a whole, including cycling and walking activity.

Accordingly, subject to there being no unacceptable impacts arising from the proposal, the principle of providing tourism accommodation within the extension is considered acceptable under Policy TO1.

Principle of Development – Conclusion

Having regard to the above the proposal, as either a proposed tourism use or as an extension to an existing dwelling, is considered to be acceptable in principle subject to consideration of matters of design and scale and compliance with other topic specific policies within the Local Development Plan.

As stated previously, a suitably worded condition that restricts the (dual) use of the development would need to be imposed.

Impact on Visual Amenity

The existing building to be demolished currently houses a former barn/store and is approximately 5.9m high with a ridged roof, and has a footprint of approx 53 sq m.

The proposed extension has a narrower frontage, but extends further at the rear, linked to the main dwelling with a double height glazed link. It is two storey, with a ridged roof set at a lower level than the main dwelling.

The overall scale in terms of footprint, and massing the overall scale of the building is not significantly greater than the existing building, albeit linked to the property to appear as an extension. The design of the extension provides a suitable addition to the property, mirroring the design of the property, whilst retaining an appropriate massing and scale that reflects the character of the property.

In terms of visual amenity, and specifically the design principles set out within Policy BE1 of the Local Development Plan, it is therefore considered that the extension provides an acceptable addition to this dwelling, and one that does not detract from the overall rural character of the area, or the character of the property itself.

Impact on Residential Amenity

The nearest residential properties are located within the settlement of Tairgwaith to the north, off which the farm access is derived. Accordingly there would be no impacts upon residential amenity.

Highway and Pedestrian safety

The site is already accessed by a vehicular access that serves this farm, and is provided with off street car parking fronting the building within an existing yard. There is sufficient space to enter and leave the site in a forward gear, and to provide parking to serve both potential uses of this extension.

The proposed tourism use is based on equestrian and other sustainable activities that do not rely on private vehicular transport, taking advantage of the rural location, surrounding the property itself and the wider countryside. As such once on site, there is potential for additional journeys to be limited.

It is not considered that the scale of the development, nor the uses proposed, would result in a significant increase of traffic on the existing track or any unacceptable impact on highway safety, and as such, it is considered that the proposals accord with Policies TO1 and TR2 of the Neath Port Talbot Local Development Plan.

Biodiversity / Ecology

The applicant has submitted a Bat Survey which confirmed that the existing hay loft is a night feeding roost for an individual brown long eared bat. The proposed development will result in the destruction of the night roost.

The original bat survey highlighted mitigation but excluded specific details, though these have now been provided, including plans of the proposals which identify a new 'hot box' in existing garage and bat crevices installed in the side wall of new build.

The biodiversity Unit now offers no objection, but highlight that a European Protected Species (EPS) Licence is required for this development. Accordingly there is no objection of biodiversity grounds.

This planning permission does not provide consent to undertake works that require an EPS licence and a suitably worded note will be added to any permission issued in this regard.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the character of the area as a whole, the design, scale and massing of the existing development in the area, nor upon residential amenity. The use of the development would also, subject to condition, accord with Policies SC1, EN5, T01, and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

Approve subject to the following conditions

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan 001
Existing and Proposed Site Plans 002
Proposed Floor Plans 006
Proposed Elevations 006

Reason:

In the interests of clarity.

Regulatory Conditions

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 4 The development hereby approved shall not be occupied at any time other than in accordance with either of the following purposes:

a) As holiday accommodation only, and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 12 Weeks in any calendar year.

An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

or

b) For purposes ancillary to the residential use of the dwelling known as Cilpentan Farm, as identified as a single planning unit within the plans hereby approved and shall not be sold, let or sublet as a separate unit of accommodation.

Reason:

Since the development hereby approved is considered acceptable as tourist / holiday accommodation under Local Development Plan Policies SC1 and T01 or as annexe accommodation connected to the main use of the existing dwelling under LDP Policies EN5 and BE1, but not for occupation as independent residential accommodation in the countryside which would be contrary to Policy SC1 of the Neath Port Talbot Local Development Plan.