

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE**

5 DECEMBER 2013

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.4(3)

**SITE MEETING
APPLICATION NO. 13/0488 – CHANGE
OF USE OF EXISTING STABLES AND
OFFICES TO RESIDENTIAL USE
INCLUDING A TWO STOREY
EXTENSION. RETENTION AND
RELOCATION OF EXISTING STABLE
BLOCK 2 WITHIN EXISTING
RESIDENTIAL CURTILAGE – THE OLD
BARN, HEOL DDU, CASTELLAU,
LLANTRISANT**

Author: Mrs.Z.Maisey, Principal Officer, Committee Services

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

To refuse the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No.124 (Development Control Committee, 7 November 2013) a site inspection was undertaken on Monday, 18 November 2013 to consider the impact of the proposal on surrounding area.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillor R.B. McDonald and D.Weeks respectively) and County Borough Councillor

E.Webster in consultation with Local Member, County Borough Councillor G.Holmes.

- 3.3 The Development Control Manager informed Members that planning permission was sought for an extension and change of use of a stable/office to a separate dwelling. A separate curtilage from 'The Old Barn' would be created including a garden area and parking area access from the existing shared access. It was also proposed to relocate an existing wooden stable block which was unauthorised and currently sited to the rear of the stable/office, to another site within the grounds of 'The Old Barn'. The applicant had stated that the proposed dwelling was required for accommodation for elderly parents. A Bat Survey had also accompanied the application.
- 3.4 The application was recommended for refusal as it was considered it did not comply with the relevant policies of the Local Development Plan in respect of the principle of the development, sustainability, visual impact and highway safety.
- 3.5 Members viewed the application site and noted the concerns of the Officers.

APPENDIX 1

APPLICATION NO: 13/0488/10 (GW)
APPLICANT: Mr P Costello
DEVELOPMENT: Change of use of existing stables and offices to residential use including a two storey extension. Retention and relocation of existing stable block 2 within existing residential curtilage.
LOCATION: THE OLD BARN, HEOL DDU, CASTELLAU, LLANTRISANT, CF72 8LP.
DATE REGISTERED: 22/05/2013
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: Refuse

REASONS:

The principle of the proposed development is unacceptable as the proposal fails to meet the policy criteria for the conversion of existing buildings located in the countryside to residential use. As such, the development amounts to a new dwelling in the countryside and is an unsustainable form of development. The proposal would have a detrimental impact on an area identified as a Special Landscape Area. Intensification of the existing access and road would also lead to highway safety issues.

APPLICATION DETAILS

Planning permission is sought for an extension and change of use of a stable/office to a separate dwelling. The stable block was constructed relatively recently (approximately 2001), to serve a residential barn conversion (formerly part of Coed Cawr Mawr Farm). The applicant's Design and Access statement details that the stable use is not required as older children have moved away and its conversion to a dwelling is required to provide for elderly parents to live nearby.

The building is currently used as a home office at first floor level and a stable on the ground floor. The plans detail four bedrooms (one with an ensuite) and a separate bathroom, would be provided at first floor level. The ground floor would have a hall, w.c, lounge and a dining/kitchen with an additional utility area. An extension would be located on the western side of the stable block. It would be two-storey with a gable end and would measure 7m in width, 2.7m in depth and with a height of 6.2m. The application details the finishing materials of the

extension would match the existing building. A separate curtilage from the Old Barn would also be created including, a garden area and parking area accessed from the existing shared access.

An existing wooden stable block that does not have the benefit of planning permission is also detailed in the application. It is proposed to relocate this to another part of the site within the grounds of 'The Old Barn'. This stable block is detailing as catering for 3 horses and measures 11m in width, 3.6m in depth and a maximum of 2.9m in height.

The application is accompanied by the following:

- Design and Access Statement which states the dwelling is required for accommodation for elderly parents.
- A bat survey

SITE APPRAISAL

The site currently contains a single dwelling (The Old Barn) which has been converted from a former agricultural barn and was previously part of Coed Cawr Mawr Farm. It is located in close proximity to the farm house and adjacent to Heol Ddu in Castellau and now benefits from a separate access. The stable block, the subject of this application, is located to the west of the dwelling, which is the opposite side to Coed Cawr Mawr Farm house. Its elevations are finished in part brick and part render and its roof is finished in slate. It measures 13.4m in width, 7.2m in depth and with a maximum height of 6.4m.

The other wooden stable (which is unauthorised and is proposed to be retained and re-positioned on site) is located next to the original stable block and close to the access. Behind the dwelling and stable block are the garden areas, a relatively large turning circle and open fields beyond.

PLANNING HISTORY

01/2106	Coed Cae Mawr Farm, Heol Ddu, Castellau	Proposed new highway access to existing farm buildings.	Granted 26/03/01
00/2102	Coed Cae Mawr Farm, Heol Ddu, Castellau	Relocation of existing agricultural barn	Withdrawn 23/03/00
00/2983	Coed Cae Mawr Farm, Heol Ddu, Castellau	Change of use from vacant farm buildings to residential accommodation	Granted 26/03/01

99/2592	Coed Cae Mawr Farm, Heol Ddu, Castellau	Conversion of two barns to one dwelling	Granted 19/11/99
93/0955	Coed Cae Mawr Farm, Heol Ddu, Castellau	Conversion of two existing barns to one dwelling	Granted 22/02/94

PUBLICITY

The application has been advertised via site notice and direct neighbour consultation. No objections had been received at the time of writing this report.

CONSULTATION

Countryside, Landscape and Ecology - no objection. The submitted bat assessment is acceptable. The recommendations in section 8 of the survey should be provided.

Dwr Cymru/Welsh Water - no objection subject to drainage conditions.

Land Reclamation and Engineering - no objection subject to drainage conditions. A watercourse runs close to the site and a Hydrological Impact Assessment should be provided.

Public Health and Protection - no objection subject to conditions on hours of operation during construction, noise, dust and waste.

Transportation Section - objects – the access lanes leading to the site are sub-standard, the access lacks adequate visibility and the proposal is in an unsustainable location due to the lack of public transport.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is identified as outside the settlement boundary and unallocated. It is also identified as being within a Special Landscape Area SSA 23.6. – Mynydd y Glyn and Nant Muchudd Basin.

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW1 – supports new housing inside the settlement boundaries and allocated sites.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW9 supports the conversion of buildings in the countryside if they are structurally sound or is capable of being made so without substantial major external alteration or reconstruction and that it can be demonstrated there are no viable alternative uses to secure the retention of the building and that the building is of architectural merit and / or historical merit.

Policy SSA13 - promotes development within settlement boundaries.

Policy SSA23 – Development within Special Landscape Areas will be expected to conform to the highest standards of design, siting, layout and materials appropriate for the site.

Supplementary Planning Guidance Access, Circulation & Parking

National Guidance

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 22: Sustainable Buildings; and

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main issues:

Principle of the proposed development

The site is located outside the defined settlement limits and policies in the adopted Local Development Plan do not support new housing in such rural locations. Policy AW1 mainly supports new housing within the settlement boundary and allocated sites and policy AW2 supports development in sustainable locations, such as in the settlement boundary served by a range of sustainable transport options. One criterion of this policy defines a sustainable location as one where the proposal would relate to an existing building in the countryside and accords with policy AW9, relating to the conversion of existing buildings.

Policy AW9 details two main criteria:

The building should be structurally sound or be capable of conversion without substantial major alteration. The building was constructed relatively recently (2001) and is currently in use as a stable with office above. No structural survey has been submitted however, as the building is barely 12 years old, it is assumed that building is structurally sound and this is not therefore an issue which needs to be taken into account in determining the current application.

The second criterion under Policy AW9 supports residential uses, if other uses are not viable and the building has architectural and/or historical merit. With regard to other potential uses, no information has been submitted with the application to demonstrate that any consideration has been given to other potential uses. The applicant states that the current stable building is surplus to requirements however, the proposal involves the retention of an unauthorised stable block (detailed in the application) and no explanation has been given regarding why an unauthorised stable is being retained in preference to a building that is already approved for stability and is lawful. Furthermore, the plans originally submitted (now superseded) detailed further stables may be potentially required in the future, which would also suggest that the use of the existing building as a stable may be required in the future. Whilst the applicant's reasons for desiring a new dwelling are appreciated, these are not considered to override the well-established policy restriction on development in the countryside and should therefore carry little weight in support of the application.

The main part of the criterion relevant to this application looks to retain buildings of significant architectural and/or historic merit, particularly those which may be at risk of being lost, if they had become redundant. In terms of this part of the criterion, the stable was not part of the original farm complex and was built (in approximately 2001) within the residential curtilage of the newly converted barn. The building is a modern stable building and it is therefore considered that the building does not have any historical or architectural qualities that would justify its retention and conversion to a dwelling. Furthermore, the proposed extension would lead to a more domestic looking building and a loss of the existing

building's original character and form. As such, it is considered that there can be no justification put forward for allowing the building to be retained for its historical and/or architectural merits.

Therefore taking the above into account, it is considered the proposal does not comply with policy AW9 for residential conversion.

Sustainability

Turning to the sustainability issue, the building is in essence an outbuilding serving an existing dwelling located in the countryside and is not part of a farm unit and does not have any commercial or industrial use. The proposed conversion would however introduce an intensification of the residential use of the site. There are no public transport links in close proximity to the site and it is likely the occupiers would need to rely on the use of a private car. It is appreciated the dwelling is detailed as being for the elderly parents of the applicant; however it would be difficult to restrict its private sale at a future point, particularly in view of the level of accommodation that is proposed. As detailed above, the proposal does not accord with policy AW9 for conversion of existing buildings in the countryside. Therefore in planning terms, the application constitutes the creation of a new dwelling outside the settlement boundary, not served by public transport and which is therefore considered to be an unsustainable form of development, contrary to policy AW2.

The principle of the proposed development is therefore unacceptable and the proposal would cause significant harm to rural protection policies. This view is supported by the Spatial Planning Section, which has raised a policy objection to the proposal.

Visual impact on the character of the area and Special Landscape Area

The stable building is located within the residential curtilage of an existing barn conversion, however it is physically separated from the dwelling (The Old Barn) by approximately 15 metres. Whilst the building is not considered to have any significant historical or architectural merit, it is rural in character and clearly incidental to The Old Barn conversion. The proposal however details a large extension, which would result in the visual appearance of the building becoming very domesticated and it is considered that the existing stable would be clearly seen as a new dwelling in the countryside, rather than the conversion of an existing rural building. It is therefore considered that the current proposal would fail to comply with policy AW6, as it is not of a high standard of design which reinforces attractive qualities and local distinctiveness or is appropriate to the local context in particular, in terms of its siting, appearance, elevational treatment and detailing.

For this reason, the proposal is also considered to cause visual harm to the rural character of the area, particularly taking into account the designation of the site within Special Landscape Area SSA 23.6. - Mynydd y Glyn and Nant Muchudd Basin. The primary landscape qualities that have been identified for this SLA include that this is the largest area of un-industrialised lowland farmland within RCT and the key policies for the management of this area are to ensure no large-scale development and to conserve patterns of existing smallholdings and associated uses. Such designation requires development to conform to the highest possible design standards and it is not considered that the proposal fulfils this criterion and would cause harm to the distinctive landscape of the area and unspoilt low lying farmland, which the policy seeks to protect.

Highway safety

With regard highway safety, it is proposed to use the access that serves the applicant's dwelling, 'The Old Barn'. An objection has been raised by the Transportation Section that the access lanes leading to the site are sub-standard and the access lacks adequate visibility. The applicant has provided further details to show the existing access has better visibility than that granted for the original barn conversion and further support for the proposal. The Transportation Section has assessed this and maintains their objection. Therefore taking into account the above, it is considered the existing access to the site would not be acceptable to serve an additional residential dwelling.

OTHER ISSUES

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Residential amenity

With regard to the impact on residential amenity, the nearest neighbouring property is on the opposite side of the former barn and as such, there would be no significant impact.

Ecology

The existing stable has potential for protected species such as bats. A bat survey has been submitted by the applicant, which concludes there is little evidence to show the building supports bats. It also details some requirements if permission were to be granted. No objection has been raised from the Council's Ecologist.

Unauthorised Stable

The unauthorised stable has been included in this proposal to retain and relocate it to a different part of the site. The size and design is typical of stables for use by a single dwelling. It would also be relocated to a position still within the curtilage of 'The Old Barn'. Although the dwelling contains an existing stable building (which is subject to conversion to residential as part of this application), it is not considered the additional stable would be an overdevelopment of the current curtilage of the former barn or would have a significant detrimental visual impact on the area as a whole. Therefore as such, this issue would not warrant a refusal reason. Members will note that as this application is being recommended for refusal, a separate application would be required for this element, if permission is refused.

Public Health

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning dust issues.

Conclusion

The application is considered not to comply with the relevant policies of the Local Development Plan in respect of the principle of the development, sustainability, visual impact and highway safety (policies AW1, AW2, AW5, AW6, AW9 and SSA23).

RECOMMENDATION: Refuse

1. The proposed residential conversion is considered not to comply with the requirement of policy AW9 and would result in an unsustainable form of development. As such the development would be contrary to policies AW1, AW2 and AW9 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed extension and residential conversion would result in a detrimental impact on the character of the area which is identified as a Special Landscape Area. As such the development would be contrary to policies AW6 and SSA23 of the Rhondda Cynon Taf Local Development Plan.
3. The access lanes leading to the proposed development are sub-standard in terms of highway geometry, forward visibility and structural integrity to cater for the additional traffic generated by the proposed development that would create further hazards to the detriment of highway safety and free flow of traffic. As such the development would be contrary to policy AW5 of the

Rhondda Cynon Taf Local Development Plan.

4. The access lacks adequate visibility at its junction with Heol Ddu to serve the proposed development and any intensification of use would create additional traffic hazards to the detriment of highway safety. As such the development would be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan.
5. The use of private vehicles as the only mode of transport to and from the proposed development site would result in the site being un-sustainable in terms of national advice and policy on transport. As such the development would be contrary to policies AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan.

LOCAL GOVERNMENT ACT 1972

As amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

5 DECEMBER 2013

REPORT OF THE DIRECTOR, LEGAL AND DEMOCRATIC SERVICES

SITE MEETING

APPLICATION NO.13/0488 – CHANGE OF USE OF EXISTING STABLES AND OFFICES TO RESIDENTIAL USE INCLUDING A TWO STOREY EXTENSION. RETENTION AND RELOCATION OF EXISTING STABLE BLOCK 2 WITHIN EXISTING RESIDENTIAL CURTILAGE – THE OLD BARN, HEOL DDU, CASTELLAU, LLANTRISANT

Minute No.124 (Development Control Committee, 7 November 2013)