


Heading:

24/2013/0006
Cartshed at Rhyd y Cilgwyn
Rhewl, Nr Ruthin

7

Graham Boase
Head of Planning & Public Protection
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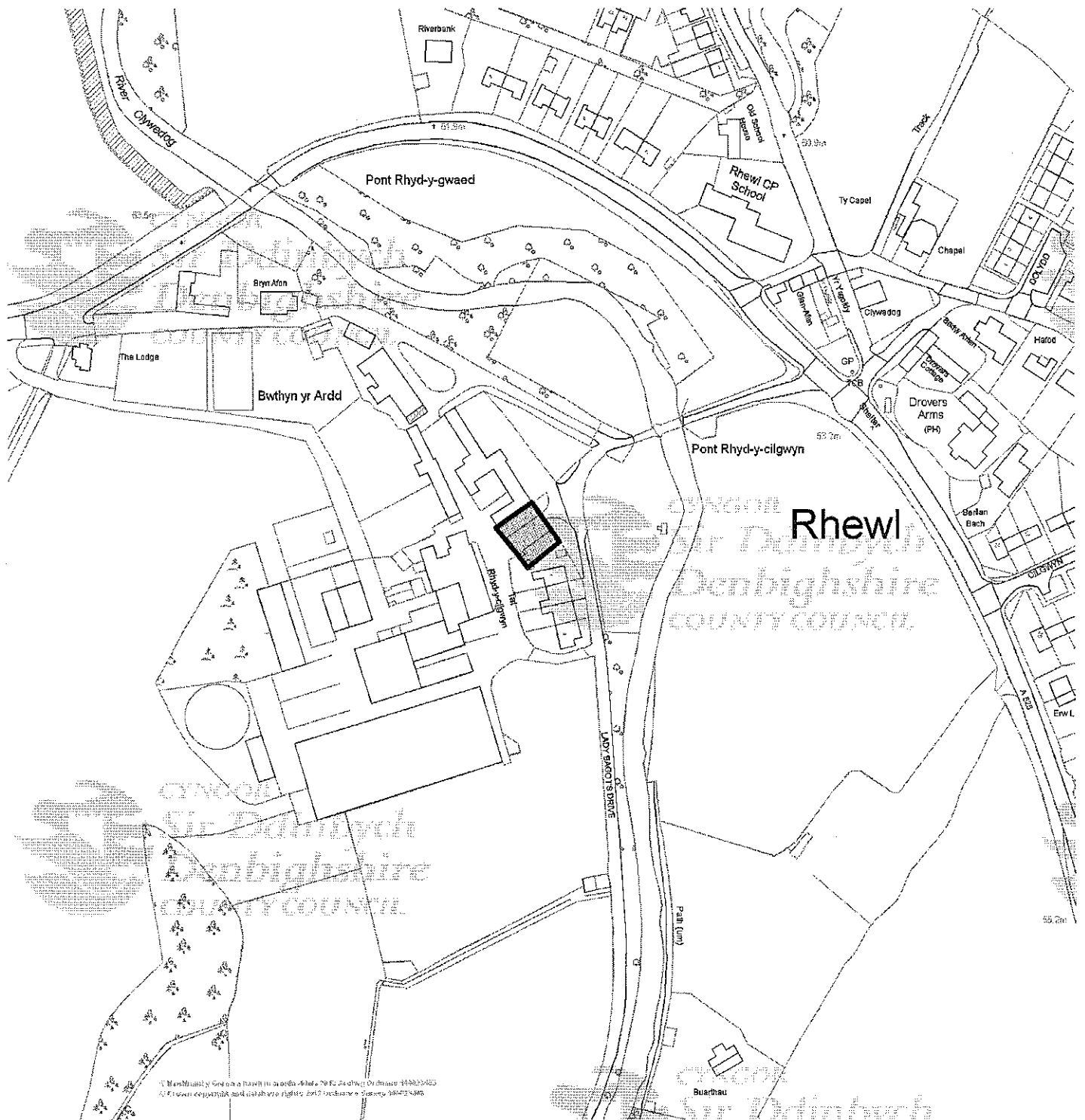
 Application Site



Date 3/4/2013
Centre = 310790 E 360326 N

Scale 1/2500

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



ITEM NO: 7

WARD NO: Llandyrnog

APPLICATION NO: 24/2013/0006/ PF

PROPOSAL: Change of use of redundant outbuilding to form 1 No. dwelling and erection of detached double-garage (Resubmission of application No. 24/2012/0141/PF)

LOCATION: The Cartshed Rhyd Y Cilgwyn Farm Lady Bagot's Drive Rhewl Ruthin

APPLICANT: Mr Mark Hudson

CONSTRAINTS: B Flood Zone
PROW
Listed Building

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2**

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANYNYS COMMUNITY COUNCIL:

"Objects to the above Planning Application as the development would result in the Rhyd-y-Cilgwyn Complex being turned into a village."

ENVIRONMENT AGENCY WALES

No objections

DWR CYMRU / WELSH WATER

No objections

COUNTRYSIDE COUNCIL FOR WALES

No objections

CLWYD POWYS ARCHAEOLOGICAL TRUST

No objections subject to a photographic survey being requested

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Transport and Infrastructure:

Highways Officer:

No objections

Conservation Architect:

No objections

Building Control:

No objections

Biodiversity Officer:

No objections provided the recommendations in the submitted ecology report are followed.

RESPONSE TO PUBLICITY:

None received

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Permission is sought for the conversion to a dwelling of a redundant agricultural building located on the Rhyd Y Cilgwyn estate, Rhewl. The building to be converted is a Grade II curtilage listed building, and measures some 15.5m x 7m, with a small flat roof extension on the western gable.
- 1.1.2 The proposal would involve closing the existing cart door openings with glazing, and erecting a pitched roof timber and glass side extension in place of the existing flat roof extension.
- 1.1.3 Internally there would be 3 bedrooms, a bathroom and kitchen within the existing structure, whilst the proposed extension would accommodate a living/dining room.
- 1.1.4 A garden and parking area would be created to the front of the building. A detached pitched roof double garage is also proposed. (See the plans at the front of the report).

1.2 Description of site and surroundings

- 1.2.1 To the north and west of the site are agricultural buildings; whilst to the south are existing residential properties. East of the site is the access track from the A525, open grassed areas, and the Afon Clywedog.
- 1.2.2 Many of the surrounding buildings are constructed of traditionally dressed stone, except for the more modern agricultural buildings which are of steel frame construction.

1.3 Relevant planning constraints/considerations

- 1.3.1 The building is a Grade II listed curtilage building. The complex is located within the open countryside.

1.4 Relevant planning history

- 1.4.1 The current proposal is a resubmission of a scheme that was initially submitted and then withdrawn to amend details in line with the comments of the County Council Conservation Officer. There is an accompanying listed building application for the proposal that, if planning permission is granted by planning committee, will be sent to CADW for authorisation to also grant listed

building consent.

1.5 Developments/changes since the original submission

- 1.5.1 Additional sectional details for windows and doors have been submitted. The scheme has also been revised in line with comments made by the County Council Conservation Officer.

2. DETAILS OF PLANNING HISTORY:

2.1 N/a

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

- Policy GEN 3 – Development outside development boundaries
- Policy GEN 6 – Development Control Requirements
- Policy CON 2 – Extension or Alteration to Listed Buildings
- Policy HSG 9 – Residential conversion of rural buildings to dwellings
- Policy ENV 6 – Species Protection
- Policy TRA 6 - Impact of New Development on Traffic Flows

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note No. 16 – Conversion of Rural Buildings

3.3 GOVERNMENT POLICY / GUIDANCE

- Planning Policy Wales 5 (2012)
- TAN 12 - Design

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual, landscape and listed building impact
- 4.1.3 Residential Amenity
- 4.1.4 Highways Safety
- 4.1.5 Ecological Impact

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy GEN 3 relates to development outside development boundaries and states that residential development will not be permitted apart from exceptions, the most relevant being the conversion and reuse of vacant rural buildings. Policy HSG 9 of the adopted Unitary Development Plan relates specifically to the residential conversion of rural buildings to dwellings. This policy allows for the conversion of rural buildings where the building is vacant/redundant and being structurally sound and capable of conversion without major or complete reconstruction. SPG 16 provides further advice on these requirements and states that buildings should not be so derelict that they could only be brought into use by substantial rebuilding. In this case, the building is considered to be structurally sound and capable of conversion. The conversion would not have an unacceptable impact on the character of the building and the character and appearance of the countryside; as it is located in close proximity to the existing farmhouse and has an adequate curtilage with suitable boundary treatment. The general principle of conversion would therefore be in accordance with policy. The following sections of the report

review the detailed impact tests of related planning policies.

4.2.2 Visual, landscape and listed building impact

The main policy which refers to scale, landscape and visual impact is GEN 6. Policy HSG 9 also refers to the character of the buildings and area. The general aim of these policies is to ensure the scheme of conversion respects any inherent character that the original building may possess.

The Senior Conservation Officer has examined the proposals and concludes that the proposal would not harm the historic character of the building.

In terms of visual appearance, it is considered the proposal would retain the scale and form of the building, with minimal alterations to facilitate the conversion, which is in line with the general thrust of policy HSG 9. The proposed extension is considered acceptable in this instance as it makes viable the re-use of a listed structure.

It is considered that a sympathetic conversion would preserve the building from further degradation, and that it complies with basic tests Policy HSG 9, Policy CON 2 and Policy CON 3.

4.2.3 Residential Amenity

Policy GEN 6 and HSG 9 set specific tests to be applied to amenity impacts of development.

The proposal would have a limited impact on the privacy and amenity of the occupiers of the dwellings to the south of the site, owing to siting, spacing, the absence of facing windows and location of private garden areas. There is an adequate amount of amenity space proposed for the dwelling. The distance to the agricultural buildings is considered acceptable. Reference can be made to the existing dwellings and their relationship to the agricultural activities which is not dissimilar to that which is now proposed. There is no evidence to suggest that the current occupiers of dwellings in this location suffer as a result of their proximity to agricultural activities.

Given the above details, the proposal is considered to comply with the basic amenity tests of Policy GEN 6 and HSG 9 in terms of residential amenity.

4.2.4 Highways Safety

Policy GEN 6 criteria (vii) permits development where it does not have an unacceptable effect on the local highway network. Policy TRA 6, Impact of New Development on Traffic Flows, requires careful assessment of the impact of development upon the safe and free flow of traffic on the highway.

No alterations are proposed to the existing access points and parking would be provided on site. The Highways Officer has not raised any objections to the proposal. The increase in use of the access is not considered significant.

It is considered that the proposal is acceptable in terms of its impact upon highways, and complies with policy GEN 6 (vii) and TRA 6.

4.2.5 Ecological Impact

Policy ENV 6 seeks to ensure that wildlife and bio-diversity are not negatively affected as a result of development.

A Bat and Bird survey has been submitted with the application. The survey found no evidence of bats in the outbuilding although bats were present in the

surrounding area. Birds were found to be nesting in the building. The Biodiversity Officer raises no objections.

In the absence of any protected species it is considered that the ecological impacts of the proposal are acceptable. It is considered prudent however to attach a note to applicant to advise that all contractors follow a code of best practice in relation to the timing of site works and actions in the event of bats being present.

4.3 Other matters

4.3.1 With respect to the comments of the Community Council, it is considered that there are limited planning policy grounds to support refusal of a simple barn conversion on the basis of cumulative impact, it is not considered that the proposals would lead to an unacceptable accumulation of dwellings resulting in a detrimental impact upon the amenity of the area through loss of privacy, unacceptable additional activity, loss of visual amenity etc., and in this instance, as above, the land use planning impacts of the proposal are considered acceptable.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal is considered acceptable under the terms of the relevant policies and is therefore recommended for grant.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. PRE-COMMENCEMENT CONDITON

Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the wall materials to be used for the new sections of building hereby permitted and no materials other than those approved shall be used.

3. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.

4. PRE-COMMENCEMENT CONDITION

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years 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.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.

NOTES TO APPLICANT:

You are advised that the Local Planning Authority has granted this permission solely on the basis that the proposal involves the conversion of the building to a dwelling, to be carried out strictly in accordance with the approved plans. Any alteration or demolition work deviating from that shown on the approved plans, unless agreed by the Local Planning Authority, involving the rebuilding of part or all of the outbuilding will invalidate the planning permission.

The Biodiversity Officer had advised your attention should be drawn to the following:

Please ensure the recommendations in addendum species surveys are incorporated, these relate to the installation of bat and bird friendly features into the conversion as a positive conservation measure and the following advice be followed:

1. Slates, ridge tiles/finishers, abutment flashings, door frames and window frames, structural members, lintel bearings, purlins or wall plates where these are involved, are all removed by hand where possible and with care to ensure that no torpid or hibernating bats are injured during the works. Similarly, defects to structural masonry should be lowered to prevent torpid / hibernating bats being injured.
2. This type of work should be conducted between November and end of March where possible to avoid potential disturbance to breeding bats.
3. If torpid or hibernating bats are uncovered at any time during the works, works must stop immediately and further advice sought from a licensed bat worker.

As birds nests were recorded, all work should be scheduled to avoid the bird nesting season (March to September) and compensation for lost nests will need to be provided within the conversion.