



# **Stavrakis Consultants**

## **Residential redevelopment, Former Mortuary building, Hayes Point, Sully**

### **Planning Statement**

**July 2014**

WYG Planning & Environment,  
5<sup>th</sup> Floor, Longcross Court,  
47 Newport Road,  
Cardiff  
CF24 0AD  
Tel: 02920 829200  
Email: [rob.mitchell@wyg.com](mailto:rob.mitchell@wyg.com)



## Document Control

Project: Residential development, Hayes Point


Client: Stavrakis Consultants

Job Number: A085825

File Origin:

Document Checking:

Prepared by: Rob Mitchell	Signed: 
---------------------------	---

Checked by: Rob Mitchell	Signed: 
--------------------------	---

Verified by:	Signed:
--------------	---------

Issue	Date	Status
1	May 2014	Draft
2	July 2014	Final
3		
4		



## Contents Page

<b>1.0</b>	<b>Introduction .....</b>	<b>1</b>
1.1	The Proposal.....	1
1.2	Application Site .....	1
1.3	Application Submission .....	1
1.4	Planning Statement.....	2
<b>2.0</b>	<b>Planning Context .....</b>	<b>3</b>
2.1	Introduction.....	3
2.2	Site Description.....	3
2.3	Planning History.....	4
2.4	Relevant Planning Policy .....	5
2.5	Pre-Application Discussions.....	12
2.6	Summary.....	13
<b>3.0</b>	<b>Planning Considerations.....</b>	<b>14</b>
3.1	Introduction.....	14
3.2	Principle of Residential Development .....	14
3.3	Housing Provision.....	15
3.4	Previously Developed Land .....	15
3.5	Curtilage Listed Building .....	16
3.6	On Site Considerations .....	17
<b>4.0</b>	<b>Summary and Conclusions .....</b>	<b>20</b>

## Appendix Contents

### Appendix A – Site Location Plan



## 1.0 Introduction

### 1.1 The Proposal

1.1.1 WYG Planning and Environment has prepared this Planning Statement in support of a full planning application for the conversion and extension of the former mortuary building at Hayes Point (former Sully Hospital), Sully, into a residential bungalow (Class C3). The application is submitted on behalf of our client, Stavrakis Consultants (The Applicant).

### 1.2 Application Site

1.2.1 The proposed development site is at Hayes Point, which is a large residential development accommodating c. 230 apartments. Hayes Point lies between the settlements of Sully (to the east) and Barry (to the west) and is accessed via Hayes Road. The site accommodates a large, main apartment building - the Grade II\* listed former Sully Hospital building - and a number of associated outbuildings, parking and on-site facilities.

1.2.2 Specifically, the application site comprises the former Mortuary building which is located directly north of the main apartment building. A site location plan is attached at **Appendix A** for reference.

### 1.3 Application Submission

1.3.1 The information prepared in support of this planning application follows pre-application discussions with Officers at The Vale of Glamorgan Council. Reference has also been made to the Council's Validation Requirements Checklist. The application package includes the following documents which are referred to throughout this Statement:

- Site location plan, existing and proposed layout plans;
- Design and Access Statement;
- Listed Building Appraisal;
- Bat Survey; and
- Preliminary Tree Assessment.

1.3.2 The former Mortuary building the subject of this application is a curtilage listed building. Accordingly a Listed Building Consent application is submitted to accompany the planning application.



## **1.4 Planning Statement**

1.4.1 The remainder of this Statement is structured as follows:

Section 2: provides the background to the site, its planning history, the prevalent planning policy and a review of pre-application discussions.

Section 3: evaluates the proposed development in light of the principal considerations.

Section 4: provides a summary of conclusions.



## 2.0 Planning Context

### 2.1 Introduction

- 2.1.1 The purpose of this section is to set out the background to the proposal and to provide the context for key considerations in the determination of the application.
- 2.1.2 It includes a description of the site and its surrounds, a review of the relevant planning history and an examination of relevant extant and emerging policy at both the national and local levels. In addition, a brief summary of the pre-application discussions is outlined.

### 2.2 Site Description

- 2.2.1 The application site measures approximately 0.19ha and sits at the north of the Hayes Point site. Hayes Point is accessed from a private road via Hayes Road to the north. The wider Hayes Point site extends to approximately 57ha and consists of the centrally located apartment building (former hospital) which is surrounded by a large shared parking area, associated outbuildings and extensive open landscaping.
- 2.2.2 Whilst the site is extensively developed and has a substantial residential population, it lies beyond the defined settlement boundary and as such is considered to sit within 'open countryside' in terms of local planning policy. However the site is previously developed land with existing buildings and structures. Hayes Point is located on an existing bus route providing linkages to Barry and Cardiff. The nearest bus stops lie directly adjacent to the site on Hayes Road (west bound and north-east bound).
- 2.2.3 In terms of statutory designations the main apartment building is a Grade II\* listed building. Furthermore, the majority of trees at the Hayes Point site are subject to a Tree Preservation Order (TPO). The site lies within Flood Zone A on the Environment Agency's flood maps and such is at low risk of flooding.
- 2.2.4 In regard to utilities, the site is currently served by water, electricity, telecommunications and sewerage disposal, each of which are considered capable of adaption to serve the proposed development.



## 2.3 Planning History

2.3.1 Examination of the local authority's planning records has identified numerous planning applications at the Hayes Point site which are considered pertinent to the current submission. These are summarised in chronological order below:

- 2004/00745/FUL: Repair, alteration and conversion of existing hospital buildings to create 234 residential flats with associated access, parking and landscaping, plus demolition of incinerator building and upgrading of drainage system. Approved.
- 2004/00799/LBC: Repair and conversion of the hospital buildings to create 234 residential apartments and ancillary uses including gym and squash courts. Approved.
- 2005/00893/FUL: New works including: 1) refurbishment and extension of gatehouse to provide single dwelling and detached garage. 2) change of use of mortuary to cafe/shop. 3) new maintenance storage building. 4) additional 3 no. Residential units in basement East wing. 5) alterations to penthouse facade and woodlands elevations. Approved.
- 2005/00904/LBC: refurbishment of existing gatehouse lodge including demolitions to produce a new 4 bedroom dwelling. The existing structure is to be extended with 2 storey structure. Approved.
- 2005/01220/LBC: Refurbishment of former mortuary. Amendments to app ref: 04/00799/LBC to provide additional units, elevational alterations, provision of new lift shafts and addition of plant. Approved.
- 2006/ 01594/FUL: Erection of grounds maintenance store and car port incorporating bat roost. Approved.

2.3.2 Of particular note, permission to redevelop the listed former hospital building to accommodate 234 residential units was granted in May 2005. Subsequently, permission was granted to, inter alia, refurbish and extend the existing gatehouse to provide a dwelling and change the use of the mortuary building (the subject of this application) into a cafe/shop in 2005. In 2005 permission was granted to refurbish the gatehouse lodge to provide a new 4 bed dwelling.



2.3.3 It is noteworthy that the site's planning history shows numerous permissions to redevelop and convert existing buildings at the site in order to secure their long term use, in accordance with sustainability objectives which, inter alia, seek the reuse of previously developed land and buildings. In each instance material considerations outweighed the policy presumption against development in the open countryside found in the Unitary Development Plan (UDP).

## **2.4 Relevant Planning Policy**

2.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section provides an overview of extant and emerging planning policy, as well as supplementary guidance produced by the Council.

2.4.2 The statutory development plan is the Vale of Glamorgan Unitary Development Plan (UDP), which was adopted in 2005. The UDP will, in time, be replaced by the emerging Vale of Glamorgan Local Development Plan (LDP). Following public consultation on the Deposit LDP, the Council has recently consulted on Alternative Sites. The Deposit LDP is due to be submitted to the Welsh Government for Examination in due course. Following this, the LDP will be formally adopted.

2.4.3 Accordingly, the LDP is at an advanced stage of preparation and is considered to be a significant material consideration in the determination of the proposed development. This is also true for national planning policy - in the form of Planning Policy Wales Edition 6 (PPW), the Wales Spatial Plan (WSP), Technical Advice Notes (TAN) and supplementary planning guidance (SPG) produced by the Council.

### **The Development Plan - The Vale of Glamorgan UDP (2005)**

2.4.4 In terms of policy, the UDP is divided into two. Part I policies address strategic policies for development and provides a framework for the more detailed policies and proposals in Part II.

2.4.5 In Part I, the UDP acknowledges that its overriding objective is to conserve the best of the Vale's distinctive rural, urban and coastal character whilst permitting beneficial development. To achieve this, it sets out a series of guiding principles (Paragraph 1.7.1). These include:

- To continue the protection and enhancement of the built and natural environment;





- To promote urban regeneration and the re-use of brownfield land thereby minimising the use of greenfield sites; and
- To ensure the design of new development is of a high quality (Paragraph 1.7.2).

2.4.6 These guiding principles form the basis for the Strategic Policies. Policies 1 and 2 are relevant. Policy 1 provides that the rural character of the Vale should be preserved and enhanced, whilst Policy 2 notes that sustainable practices will be favoured, particularly the reclamation of derelict land for appropriate beneficial use.

2.4.7 In the more detailed policies in Part II, there is a general presumption in favour of the development of derelict sites, for instance, within Policy ENV 25. The requirements for such new development are set out in Policy ENV 27. It considers, proposals should:

- Complement or enhance the local character of buildings and open spaces;
- Meet the Council's approved standards of amenity and open space, access, car parking and servicing; and
- Minimise any detrimental impact on adjacent areas.

2.4.8 In the more detailed policies in Part II, Policy HOUS 3 relates to the erection of new dwellings in the countryside and specifies that development of dwellings will be restricted to those that can be justified in the interests of agriculture and forestry. Paragraph 4.4.64 points out that the countryside is to remain undeveloped and its attractive appearance protected, and, as such, new residential development outside those settlements boundaries referred to in Policy HOUS 2 must be strictly controlled.

2.4.9 Policy HOUS 8 outlines the detailed criteria to be met by new residential development. These criteria include:

- The scale, form and character of the proposed development should be sympathetic to the environs of the site;
- The proposal should have no unacceptable effect on the amenity and character of existing or neighbouring environments relative to noise, traffic congestion, exacerbation of parking problems or visual intrusion; and



- The provision of car parking and amenity space is in accordance with the Council's approved guidelines.

- 2.4.10 Policy ENV1 is of particular importance to the proposed development. This policy identifies that development within the delineated countryside will only be permitted in situations including the re-use or adaptation of existing buildings particularly to assist the diversification of the rural economy or where development is approved under other policies of the plan. For the purpose of this policy, countryside is defined as land lying outside settlement boundaries which has not been developed for employment use or allocated within the plan.
- 2.4.11 Policy ENV17 stipulates that development which has a detrimental effect on the special character appearance or setting of a building or groups of buildings, including listed buildings, will not be permitted.
- 2.4.12 Policy ENV24 stipulates that the conservation of open spaces which are important for amenity and recreation within the built environment will be favoured.
- 2.4.13 Policy ENV27 refers to design of new development. The policy states proposals must have full regard to the context of the natural and built environment. Development will be permitted where it;
- Enhances local character and open spaces;
  - Meets standards of amenity and open space; and
  - Minimise any detrimental impact on adjacent areas.
- 2.4.14 Highways issues are addressed in Chapter 6 of the UDP. Policy TRAN10 indicates new parking facilities should relate to the type of land use proposed, its density and location, and the capacity of the highway network. The approved guidelines set out in the UDP dictate that one to two spaces should be provided per unit.
- 2.4.15 Policy REC 3 of the UDP indicates new residential developments are expected to provide public open space on site and / or contribute towards the enhancement of public open space in the area. The adopted Planning Obligations SPG specifies that developments which propose 5 or more dwellings should provide for on-site public open space. The development as proposed will lead to a net gain of 1 dwelling and as such this requirement is not considered to apply.



## **Material Considerations**

### ***The Vale of Glamorgan Local Development Plan – Deposit Draft***

- 2.4.16 Prior to reviewing relevant planning policy of the emerging LDP, it is firstly important to consider the weight to be given to the LDP in the determination process.
- 2.4.17 The LDP is anticipated to be adopted in early 2015. However, notwithstanding this, the evidence base for, and Sustainability Appraisal of, the LDP provides the most up to date position which respect to the Council's future housing needs and accordance with national policy contained in PPW. The UDP policies set out above were adopted in 1995 and are time expired with respect to the UDP plan period (1996-2011). PPW's advice is clear; to give outdated policies decreasing weight in favour of other material considerations.
- 2.4.18 In regard to the LDP Deposit Draft, it notes that there is a requirement to ensure that development within the Vale of Glamorgan uses land effectively and efficiently, whilst it also promotes the sustainable use and management of natural resources (Objective 10, Paragraph 4.16).
- 2.4.19 Policy SP1 provides the overall strategy for development within the Vale. Providing a range and choice of housing to meet the needs of all sectors of the community is of particular importance in this Policy and regeneration and creation of sustainable communities remains a primary objective.
- 2.4.20 Policy SP3 sets out the residential requirements in sustainable locations, with the provision of 9,950 new residential units needed up to 2026.
- 2.4.21 The framework for delivering housing growth is underpinned by Policies MG1 and Policy MG2 Housing Allocations. Policy MG 1 indicates that the overall housing requirements will be met through; allocations in the plan, sites with extant planning permissions; development of unallocated windfall sites in sustainable locations, small sites (including infill), the conversion of suitable buildings and subdivision of existing dwellings. A provision of 5% flexibility margin is introduced to ensure the availability of a range and choice of housing land throughout the Plan period. Paragraph 6.8 recognises the important contribution of small unallocated sites (9 units or less) in delivering the Vale's housing requirement over the plan period.
- 2.4.22 The approach that should be taken to new development is outlined in Policy MD2 and, as such, proposals will be favoured where they contribute to creating high quality, sustainable and locally distinct places.



2.4.23 Policy MD 3 sets out the key principles that developers should consider in respect of design, amenity and access which together contribute to attractive, safe and accessible environments. Considerations include;

- High standard design that positively contributes to the context and character of the surrounding natural and built environment;
- Responds to the local context and character of neighbouring buildings;
- Biodiversity interests are preserved or enhanced and demonstrates the efficient use of water;
- No unacceptable impact on the amenities of neighbouring occupiers and would be compatible with other uses in the locality;
- Promote the creation of health and active environments and reduce the opportunity for crime and anti-social behaviour;
- Provide safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users.
- Minimise the cause of climate change and incorporate renewal and low carbon energy use features.
- Provides safe access to the highway network, not exacerbating existing traffic congestion; and
- Provide public and private amenity space and car parking in accordance with the Council's standards relevant SPG.

2.4.24 Policy MD4 seeks to ensure that all new development in the Vale of Glamorgan is supported by appropriate services and facilities to meet their needs.

2.4.25 Policy MD5 refers to environmental protection and, as such, development proposals will be required to demonstrate they will not result in unacceptable impact on residential amenity, property and the natural environment. Under Policy MD6, development must provide a positive contribution to biodiversity interests by maintaining and enhancing biodiversity features.



2.4.26 Policy MD9 stipulates that for listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance.

***LDP Evidence Base - Joint Housing Land Availability Study (July 2014)***

2.4.27 The latest publicly available Joint Housing Land Availability Study is dated July 2014. It finds that there is land available to provide a 7.3 year housing land supply.

***National Policy***

2.4.28 Planning Policy Wales Edition 6 (PPW) sets out the wider planning and sustainability objectives for development within Wales.

2.4.29 Paragraph 2.7.1 advises that “where development plan policies are outdated or superseded local planning authorities should give them decreasing weight in favour of other material considerations, such as national planning policy, in the determination of individual applications. This will ensure that decisions are based on policies which have been written with the objective of contributing to the achievement of sustainable development.” Paragraph 4.9.3 states “if the Welsh Government’s objectives for the more sustainable use of land and buildings and the re-use of previously developed sites are to be achieved, local authorities and other stakeholders will need to be more proactive.”

2.4.30 Figure 4.1 of PPW notes the importance in Wales of enhancing the economic, social and environmental well-being of people and communities i.e. the three pillars of sustainability.

2.4.31 Paragraph 4.7.2 requires development to be located so that it can be well serviced by existing infrastructure. It promotes resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings (sections 4.6, 4.7 and 4.8). It stipulates development in the countryside is strictly controlled; it should respect the character of the surrounding area and should be of appropriate scale and design (paragraph 4.7.8).

2.4.32 Paragraph 4.9.1 specifies previously developed (or brownfield) land should, wherever possible, be used in preference to greenfield sites. It is considered that the re-use of the site would promote sustainability objectives by regenerating vacant land.

2.4.33 Paragraph 9.2.22 stipulates that planning for housing in rural areas should embody sustainability principles, benefiting from the local communities while maintaining and enhancing the environment.



2.4.34 Paragraph 12.1.6 indicates that the capacity of existing infrastructure, and the need for additional facilities, should be taken into account in the consideration of planning applications and should seek to maximise the use of existing infrastructure and consider how the provision of different types of infrastructure can be co-ordinated.

### ***Wales Spatial Plan***

2.4.35 The Wales Spatial Plan (WSP) *People, Places, Futures* sets a strategic framework to guide future development and policy interventions. It integrates the spatial aspects of national strategies for social inclusion and economic development, health, transport and environment, translating the Assembly Government's sustainable development objectives into practice.

2.4.36 The WSP identifies how good quality housing will assist in tackling deprivation and contribute to the development of sustainable communities throughout Wales. The Assembly Government has identified that *'a lack of good quality housing affects people's health and wellbeing and influences their long-term life chances. The scale of population growth that needs to be accommodated is challenging, with a projected growth of 330,000 persons across Wales between 2006 and 2031. Equally important is the need to maintain a mix of tenure and size of housing to ensure balanced communities'* (Paragraph 10.4).

### ***TANS - Technical Advice Notes***

2.4.37 The detailed technical advice within the TANS has also been used to inform the proposed development. With respect to housing supply advice Technical Advice Note 1 - Joint Housing Land Availability Studies is clear; where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies (para 5.1).

2.4.38 TAN 5 refers to Nature Conservation and Planning. The document provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

2.4.39 TAN 12 on Design seeks to equip all those involved in the design of development with advice on how 'promoting sustainability through good design' may be facilitated through the planning system



and the preparation and validation of mandatory design and access statements (DAS). The content of the TAN is referred to in more detail in the DAS accompanying this application.

2.4.40 In regard to transport, TAN 18 states development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environment, social and cultural quality of rural areas.

2.4.41 TAN 22, Planning for Sustainable Buildings, seeks to provide technical guidance on the implementation of the national planning policy on planning for sustainable buildings through the planning application process.

***Planning Obligations and Sustainable Development – A Developer’s Guide and Amenity Standards SPG***

2.4.42 The guidance on amenity standards states that the Council will ensure that usable, adequate and appropriate private amenity space is provided as part of new residential development (Policy 2).

## **2.5 Pre-Application Discussions**

2.5.1 A pre-application request was sent to Vale of Glamorgan Planning Department on 12 February 2014 via written correspondence. Subsequently, a meeting was held on 13 March 2014 with planning and conservation officers to discuss the principle of the proposed redevelopment. Formal pre-application advice was received in a letter dated 9 April 2014. The key points to be drawn from this consultation were:

- Confirmation that the site is located beyond the nearest designated settlements and technically sits in 'open countryside' where residential development is strictly controlled. Policies ENV1 and HOUS3 of the adopted UDP apply;
- Confirmation that the former mortuary building is curtilage listed. In addition to a planning application a Listed Building Consent application is required;
- Acknowledgement that planning permission has previously been granted for the unit's conversion into a cafe/shop;
- Acknowledgement that planning permission has been granted for other minor residential redevelopment at the Hayes Point site i.e. the gatehouse building;



- Confirmation that the proposed conversion of the mortuary building would be acceptable in principle given it would result in the beneficial reuse of a curtilage listed building;
- No objection in principle to a flat roofed single storey extension to the northern elevation of the mortuary building, subject to its final design;
- Careful consideration required on the proposed means of enclosure to balance the need to maintain the open nature of the site and the provision of defensible space;
- Extension of the curtilage into the woodland and beyond the existing stone wall is discouraged given the resulting pressure to remove trees which are considered to be an important feature; and
- Any application should be accompanied by a Phase 1 Habitat Survey/Bat Survey/ Barn Owl Survey and Tree Survey.

## **2.6 Summary**

- 2.6.1 The site lies beyond the defined settlement boundary and as such is considered to sit within 'open countryside' in terms of local planning policy. However the site is previously developed land and lies at an established residential location on an existing bus route. The existing building is curtilage listed.
- 2.6.2 The Hayes Point history shows numerous permissions to redevelop and convert existing buildings at the site in order to secure their long term use. In each instance material considerations outweighed the policy presumption against development in the open countryside.
- 2.6.3 Pre-application discussions confirmed that the proposed conversion of the mortuary building justifies a departure from the development plan and is acceptable in principle given it would result in the beneficial reuse of a listed building. Officers do not object to a single storey flat roof extension to the building, subject to its final design.





## **3.0 Planning Considerations**

### **3.1 Introduction**

3.1.1 This section sets out the principal planning and development issues arising from the proposed development drawing on the site's planning history, policy review and pre-application discussions with Officers.

### **3.2 Principle of Residential Development**

3.2.1 Section 38 (6) of the 2004 Planning and Compulsory Purchase Order Act states that planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.2.2 In these terms, the relevant Development Plan policy is HOUS3. It states that development of dwellings in the countryside will be restricted; indicating new residential development outside settlements referred to in Policy HOUS 2 must be strictly controlled.

3.2.3 There is no dispute that the development site lies beyond the defined settlement boundary of the nearest settlement in the adopted UDP. However, it is our view that there are sufficient material considerations to justify a departure from the Development Plan on this policy issue.

3.2.4 The site is atypical of a countryside location insofar as it is an established residential location, already home to a substantial population, lies on an existing bus route and is well served by existing infrastructure. This is considered to materially diminish the relevance of UDP Policy HOUS3 in this instance. As set out above, the site is considered to be a sustainable location for the type of modest windfall housing development proposed (i.e. a net gain of 1 dwelling), having regard to the three pillars of sustainability; the social, economic and environment.

3.2.5 Mindful of the above, and as confirmed by officers in pre-application discussions, WYG consider the proposals are sufficiently compliant with the thrust of adopted policy to warrant a departure from the development plan in this instance. We also consider the proposed development to be compliant with emerging LDP policy and due weight should be attributed to this. The relevant SPGs have also been reviewed, with their tests and guidelines informing the design approach.



### **3.3 Housing Provision**

- 3.3.1 The most recent Joint Housing Land Availability Study (July 2014) shows the Vale of Glamorgan has 7.3 year housing land supply. While this indicates the Council currently meet a minimum 5 year supply requirement the proposed development's contribution to the Vale of Glamorgan's housing stock should be given weight when determining the application.
- 3.3.2 The principal listed building's original use as a hospital has long since ceased. In May 2005 the building's long term future was secured by virtue of a comprehensive conversion and extension to provide residential apartments.
- 3.3.3 The mortuary building's original use has long ceased and reinstatement to this use is neither viable nor appropriate. It is clear the most appropriate solution to ensuring its long-term future is providing an alternative, residential use.
- 3.3.4 We consider TAN1 advice is clear, the need to increase supply should be recognised by expediting the site's development for residential purposes. This is considered particularly true given the absence of a "downside" to such a course of action - bearing in mind the emerging LDP position and agreement by officers in pre-application advice that the merits of the proposals warrant a departure from the local plan (considered below).
- 3.3.5 The provision of housing will generate social and economic benefits. Helping to meet housing need will generate construction jobs and improve unit mix by introducing a materially different house type to the Hayes Point site.
- 3.3.6 Accordingly, we consider it important to note that while housing land supply cannot justify the development of this site on its own, UDP policies are increasingly being overtaken by national policy (and emerging local policy) and this, as well as the wider social and economic benefits, remains a material consideration with respect to meeting the wider housing needs within the Rural Vale.

### **3.4 Previously Developed Land**

- 3.4.1 It is recognised that the entire site would fall within the definition of 'previously developed land' (PDL) as set out in PPW. Paragraph 4.9.1 of PPW clearly states that not all previously developed land is suitable for development. However, the site has no overriding impediment which would preclude its redevelopment. Indeed, the site has been disused for a significant period and despite



previous attempts to find a viable, alternative use to arrest its deterioration it remains vacant. Bringing the site back into active use will secure the future of an attractive listed building and provide a much needed dwelling to the Rural Vale.

- 3.4.2 PPW expresses a clear preference for the development of PDL over and above Greenfield sites and, indeed, it is key aim of both the UDP and the emerging LDP. Accordingly, the status of the site as PDL, and securing the future of the listed building are strong and material considerations in favour of permission being granted for the proposed development.

### 3.5 Curtilage Listed Building

- 3.5.1 The main apartment building at the Hayes Point site is a Grade II\* listed building. The former mortuary building dates from the site's original use as Sully Hospital. Pre-application discussions confirmed the site to be curtilage listed. Accordingly, a Listed Building Consent application for the proposed redevelopment accompanies this planning application.

- 3.5.2 The heritage status of the site is considered to further warrant its redevelopment, subject to a sensitive design solution being achieved. Indeed, pre-application discussions and correspondence<sup>1</sup> with officers on this topic confirmed the following:

*"...noting its curtilage listed status and its evident architectural value, it was considered that the conversion of the mortuary building for residential purposes would secure the long term future for this building by bringing it back into beneficial use. It is noted from the planning history that consent has previously been granted under application 2005/00893/FUL for the conversion of the building for use as a cafe although this part of this consent does not appear to have been implemented. The continued use of this building of significant architectural merit represents a significant material consideration which in my opinion represents a justification for the provision of a new dwelling within a countryside which would usually amount to a departure from the development plan."*

- 3.5.3 The pre-application advice adds:

*"In conclusion therefore it is considered that the proposed conversion of the mortuary building would be acceptable in principle given it would result in the beneficial re-use of a listed building..."*

---

<sup>1</sup> Pre-application advice letter dated 9 April 2014



- 3.5.4 The proposed redevelopment is considered to enhance the landscape setting of the listed building in accordance with UDP policy ENV17 and LDP policy MD9. In terms of design, the approach taken has been informed by pre-application discussions with officers. The proposed redevelopment seeks to retain the original building largely unaltered whilst providing a sensitive single storey, flat roof extension to the rear of the original building. The proposed conversion and alterations ensure the integrity of the original building (in particular its visible east, south and west facades) is maintained whilst an adequately sized, viable residential property is provided for future occupants.
- 3.5.5 Due regard has been paid to the character of the original mortuary building and the principal listed building in designing the proposed extension. The extension is clearly read as such, through the use of glass and a change of materials providing a clear transition from the old to the new. The extension maintains its subservience to the original building but provides a counterbalance with respect to the existing building's block-like form and massing. This ensures the character of the original building is maintained and delivers what is considered to be a sympathetic and high quality layout. The proposed redevelopment is complimented by a modest landscaping scheme utilising native species to help provide private amenity space without unduly impacting the open-park landscape character.
- 3.5.6 The design approach is set out in further detail in the accompanying Design and Access Statement and Listed Building Appraisal.

## **3.6 On Site Considerations**

### **Trees**

- 3.6.1 The application is supported by a preliminary assessment of trees and accompanying Tree Location Plan.
- 3.6.2 The trees surrounding former mortuary building are protected by virtue of a blanket Tree Preservation Order<sup>2</sup>. Accordingly the proposed redevelopment has considered this landscape sensitivity and seeks to retain as much possible existing trees/planting, with due regard paid to the findings of the preliminary tree assessment.

---

<sup>2</sup> TPO ref: W1 - mixed deciduous and coniferous woodland



3.6.3 Notwithstanding this, the existing building is encroached by trees and based on the tree assessment’s findings some felling is considered essential in order to create appropriate residential amenity i.e. improve outlook and natural light as well as ensuring future occupant safety.

**Table 1.0 Trees proposed to be removed**

ID No	Species	Category
7, 15, 28, 30	Scots Pine	4
11, 34	Sycamore	4
42	Wych Elm	4
29	Wych Elm	3
46, 47	Sycamore	2
27	Corsican Pine	2

Source: Tree schedule – Preliminary Tree Assessment

3.6.4 The accompanying tree assessment identifies that the majority of trees proposed to be removed are Category 4; that is, ‘trees in poor condition which should probably be removed irrespective of any proposed alterations to the site’. One Category 3 tree is also proposed to be removed. The subject tree is considered unremarkable and not of sufficient value to warrant its retention mindful of the need to provide adequately for residential amenity.

3.6.5 The tree assessment identifies three Category 2 trees which are proposed to be removed. While loss of Category 2 trees has been resisted where practicable, on balance, the proposed removal of these trees outlined above is considered to be necessary, having regard to the requirements of the wider scheme. Removal of these trees will improve natural light and minimise the risk of harm to both the integrity of the extended building and personal safety of future occupants. Retaining the trees would detract from the residential amenity of the dwelling and give rise to anxiety with respect to the building’s structure and safety.

3.6.6 A landscaping scheme has been formulated which, inter alia, details mitigation for the proposed tree loss. Briefly, understory shrub planting of native species is proposed to be introduced to reinforce the woodland edge; this will also improve privacy. Natural regeneration will also help mitigate tree loss in time and the proposed sedum roof provides a biodiversity benefit in its own right.



3.6.7 In light of the above we consider there is no impediment with respect to trees which may otherwise prevent development of the site, provided the proposed mitigation is implemented and that all proposed works are carried out in accordance with BS5837. This can be secured via a suitably worded condition attached to any permission.

**Bat Survey**

3.6.8 Further to pre-application discussions the application site was appraised for its ecological potential by a qualified ecologist. Accordingly a bat survey has been carried out and accompanies the application.

3.6.9 No bats were recorded emerging or returning to the existing building during the bat surveys and therefore no direct impacts to roosting bats are anticipated.

3.6.10 Further details are provided in the accompanying Bat Survey.

**Parking and Access**

3.6.11 On-site parking at Hayes Point has been reviewed and in the interests of highway safety it is proposed to provide x2 no. dedicated parking spaces adjacent to the proposed development with sufficient turning space to access/egress the property in a forward gear. The proposed parking is located to the side of the property so as not to inhibit outlook and/or detract from the building's frontage. Access is provided by existing Hayes Point accesses both by vehicle and on foot. The proposed development is considered to accord with UDP Policy TRAN 10 with respect to the provision of appropriate parking.

3.6.12 Further details are provided in the accompanying Design and Access Statement.



## 4.0 Summary and Conclusions

4.1.1 This Planning Statement sets out the context for the proposals and aims to fully assess the principal considerations. We provide the following summary of conclusions:

- The application site is located at Hayes Point, a well established residential location, previously developed for c.230 dwellings and served by existing facilities/infrastructure;
- Whilst the application site lies beyond the nearest defined settlement boundary the relevance of UDP policies ENV1 and HOUS2 is considered to be diminished. Notwithstanding this, the proposed development does not conflict with the thrust of both policies;
- The site is previously developed land. It is well serviced by existing infrastructure/ facilities and lies on an existing bus route. The site is considered to represent a sustainable location;
- The site represents an unallocated small site. Redevelopment of the existing building will deliver one dwelling which, in accordance with LDP policy MG1, will contribute towards the Vale's housing supply;
- Bringing the site back into active use will secure the future of an attractive, curtilage listed building;
- There is no impediment with respect to trees which may otherwise prevent development of the site, provided appropriate mitigation is implemented;
- A bat survey confirms that no direct impacts to roosting bats are anticipated as a result of the proposed development;
- The scale, massing, design and landscaping of the proposed redevelopment constitutes an appropriate and sensitive redevelopment which will enhance the landscape setting of the listed building in accordance with UDP policy ENV17 and LDP policy MD9.

4.1.2 It is acknowledged that the proposals are a departure from the extant development plan (Policies ENV1 and HOUS 3 of the UDP) however we consider it is appropriate to apply flexibility in this instance to secure the future of a disused curtilage listed building.

4.1.3 As confirmed in pre-application discussions and set out in the reasons and justification provided in this Statement, we consider the numerous material considerations justify a departure from the development plan and weigh firmly in favour of permitting the proposals, with appropriate conditions.

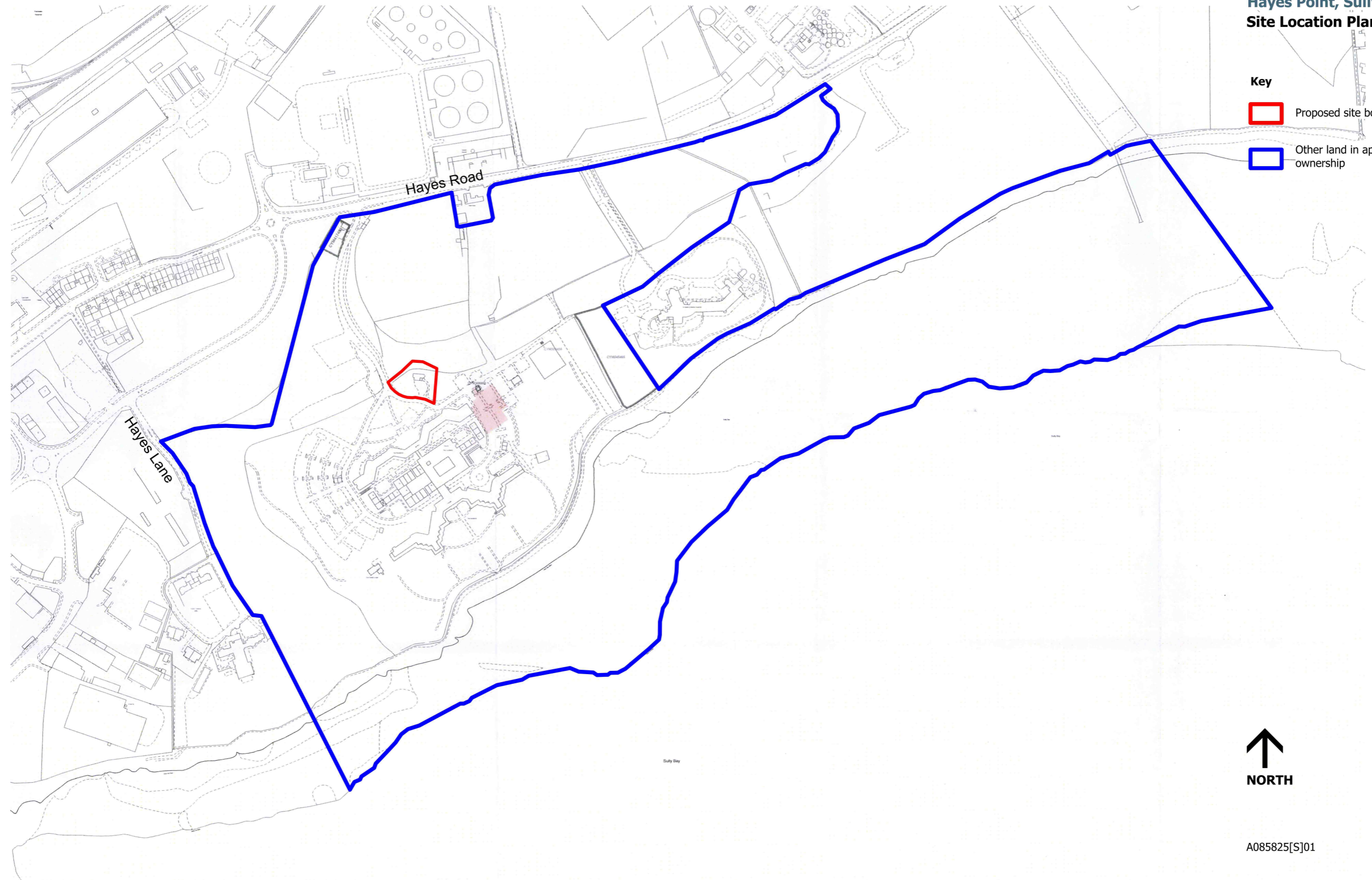


# Appendix A – Site Location Plan



# Hayes Point, Sully Site Location Plan

# S01



**Key**

- Proposed site boundaries
- Other land in applicants ownership



A085825[S]01

Scale: 1:2500 @ A3  
Date: 15 July 2014

creative minds safe hands