

2014/01186/FUL

Yr Arolygydd Cynllunio, Adeilad y Goron, Parc Cathays,
Caerdydd CF10 3NQ ☎ 029 2082 3889 Ffacs 029 2082 5150
e-bost wales@planning-inspectorate.gsi.gov.uk



APPENDIX A

The Planning Inspectorate, Crown Buildings, Cathays Park,
Cardiff CF10 3NQ ☎ 029 2082 3889 Fax 029 2082 5150
e-mail wales@planning-inspectorate.gsi.gov.uk

Penderfyniad ar yr Apêl

Ymweliad safle a wnaed ar 10/9/07

Appeal Decision

Site visit made on 10/9/07

gan/by Hywel Wyn Jones BA (Hons) BTP MRTPI

Arolygydd a benodwyd gan y Gweinidog
dros yr Amgylchedd, Gynaliadwyedd a
Thai, un o Weinidogion Cymru

an Inspector appointed by the Minister for
Environment, Sustainability and
Housing, one of the Welsh Ministers

Dyddiad/Date 03/10/07

Appeal Ref: APP/Z6950/A/07/2047366

Site address: Pencyrn Barns, Ystradowen, Cowbridge

The Minister for Environment, Sustainability and Housing has transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mark Aston against the decision of the Vale of Glamorgan Council.
- The application (ref: 2006/01347/FUL), dated 26 September 2006, was refused by notice dated 14 December 2006.
- The development proposed is the conversion of 2 barns into dwelling and the alteration of the access to the highway as shown on the accompanying drawings.

Decision

1. For the reasons set out below I dismiss the appeal.

Main Issue

2. I consider that the main issue in this case is whether the buildings are suitable for the proposed residential use, particularly in terms of any effect on the character and appearance of the area and the generation of car-borne journeys, having regard to local and national planning policy.

Reasons

3. The site lies within an area of open countryside, within a landscape acknowledged for its attractive quality by its designation as a Special Landscape Area in the adopted Vale of Glamorgan Unitary Development Plan 1996-2011 (UDP). Policy ENV 8 of the Plan deals with Small Scale Rural Conversions and is supported by supplementary planning guidance: The Conversion of Rural Buildings. I have also taken into account national planning policy, in particular paragraphs 7.6.10-11 of Planning Policy Wales, March 2002.
4. In addition to the 2 traditional farm outbuildings envisaged for conversion the site contains a corrugated-sheet clad shed and the framework remains of a former barn. Immediately behind the site lie the farmhouse and a collection of modest outbuildings. A high, dense roadside hedgerow forms an effective screen to this group of buildings from the road save at the point of access.

5. The largest of the barns is a single-storey structure which has been insensitively repaired over the years. The structural report accompanying the application explains that parts of the walls would need to be rebuilt and the roof replaced. The scheme envisages excavation works to lower ground levels around the buildings, most significantly in the case of the larger barn where the works are intended to create sufficient space to facilitate the provision of a second storey. The resultant building would appear materially different to the present structure particularly as the intended lowering of the windows and doors would increase the gap between the eaves and the heads of these openings. This would harm its agrarian character, contrary to criterion (iv) of Policy ENV 8.
6. The proposed removal of a significant section of the indigenous roadside hedge and re-positioning of the access would open up views of the site to the detriment of the intimate, pleasant character of this country lane. A bridleway crosses the site and a public right of way, which runs along higher ground to the north and west, overlooks it. The scheme would create a large area of residential curtilage around the two buildings; both national and local planning policies recognise the harmful impact that such domestication can have on rural areas. The manifestations of residential use of the site, such as external lighting, parked vehicles, garden furniture and play equipment, would erode the landscape quality of the area contrary to the aim of Policies ENV 4 and ENV 8(v).
7. The harm to the area's character and appearance that I have identified outweighs any potential benefits that would arise from the scheme, including the removal of the dilapidated structures, the refurbishment of the buildings and the scope for landscape planting.
8. The supporting text of Policy ENV 8 recognises the sustainability issues that arise from the conversion of isolated buildings for residential purposes. Strategic Policies 2 and 8 emphasise the importance of achieving sustainable patterns of development, which is a cornerstone of government policy. The appellant accepts that the lack of local services including public transport is such that future occupiers would be likely to be dependent on a private car for most services and sources of employment. The appellant points out that there are villages nearby that may not fare materially better in this respect but which are envisaged to accommodate some new residential development in the UDP – this consideration does not justify permitting further development in such remote locations.
9. I conclude on the main issue that the proposed development would harm the character and appearance of the area and would lead to future occupiers being dependent on a private car to access most day-to-day services. The scheme is contrary to the aims of local and national planning policies.
10. I have taken into account all other matters raised in support of the application, including the benefit of the scheme in reducing the isolation of the neighbouring farmhouse, the sustainable measures that would be incorporated in the conversion works and the representations of Ms Jane Hutt, the local Assembly Member. None leads me away from my findings on the unacceptability of the scheme.

Hywel Wyn Jones

INSPECTOR



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 19/08/08

Ymweliad â safle a wnaed ar 19/08/08

Appeal Decision

Hearing held on 19/08/08

Site visit made on 19/08/08

gan/by Clive Nield BSc, CEng, MICE, MCIWEM

**Arolygydd a benodwyd gan y Gweinidog
dros yr Amgylchedd, Gynaliadwyedd a
Thai, un o Weinidogion Cymru**

**an Inspector appointed by the Minister for
Environment, Sustainability and Housing,
one of the Welsh Ministers**

Dyddiad/Date 02/09/08

Appeal Ref: APP/Z6950/A/08/2072658

**Site address: Land and buildings at Crofta Farm, Ystradowen, Vale of
Glamorgan**

**The Minister for Environment, Sustainability and Housing has transferred the
authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Mark Canning against the decision of the Vale of Glamorgan Council.
- The application Ref 2008/00094/FUL, dated 30 December 2007, was refused by notice dated 14 March 2008.
- The development proposed is change of use of an agricultural building to 1 No. dwelling (Barn 2 only).

Decision

1. I dismiss the appeal.

Background and Procedural Matters

2. A previous application was made for the conversion of 3 traditional stone barns to dwellings, which was subsequently amended to 2 barns. However, in view of the Council's concerns about the condition of 2 of the barns, that application was withdrawn in November 2007 (ref. 2007/00078/FUL). The current appeal application refers to only one of the barns and to a smaller site area.
3. It has been suggested that the other 2 barns might be used as storage buildings for the proposed dwelling. However, they lie outside the appeal site and any such use is not included within the appeal application. Their future remains unresolved. There are also several large modern buildings in the farmyard complex and, although not all are within the appeal site, the application plans indicate that 3 would be demolished. The 3 buildings are within land under the control of the applicant, and their demolition is taken to be part of the proposed scheme.

Main issues

4. The main issues in this case are whether or not the nature and location of the development represents a sustainable form of development and the effects on the rural character of the area.

Reasons

5. The site is in the open countryside well outside any settlement boundaries. It is not part of a hamlet or even part of any loose grouping of properties. Crofta Farm, comprising a former farmhouse and a yard of 3 old barns and a number of more modern agricultural buildings, is quite separate from any other built development, even the dwelling opposite the entrance to the access track. The lane from the village of Ystradowen is very narrow and has poor forward visibility due to bends and undulating levels. Although there is reported to be a bus route along the main road through the village, it would be difficult and dangerous to walk along the lane to use that means of transport, and there can be little doubt that future occupants of the proposed dwelling would be almost completely reliant on the private car.
6. Although the proposal would provide a use for a building that is unsuited to modern agricultural use and is under-utilised nowadays, that benefit would be substantially outweighed by the other factors of lack of sustainability, particularly its remote location, poor means of access and reliance on the private car. The proposed additional dwelling in this location would be an unsustainable form of development contrary to the aims of national and development plan policies.
7. Several examples of planning permission being granted for similar rural building conversions (both by the Council and on appeal) have been put forward to support the Appellant's case, and it is argued that these represent similar circumstances so far as sustainable locations are concerned. However, the Council has cited other appeal decisions where lack of sustainability has been an important factor influencing refusal. These illustrate the importance of considering the particular circumstances of each proposal, and that is what I have done in this case. My conclusion is that the current proposal would conflict with important policy aims for sustainable development.
8. National and development plan policies also presume against development in the open countryside, except in certain circumstances. The small scale conversion of rural buildings is one of those exceptions, though preference is for the new use to benefit the diversification of the rural economy, and the proposed residential use would not provide that benefit. Nevertheless, Unitary Development Plan Policy ENV 8 applies to all types of conversion and sets out a range of criteria for such development. These include requirements that effects on character and appearance are acceptable, including impacts of the curtilage, access and changes to the building.
9. In this case, changes to the building itself would be quite limited but the area around the building would take on the appearance of residential curtilage and necessary improvements to the access would also increase its visual impact. Although additional development within the curtilage could be restricted by applying conditions to limit permitted development rights, it is inevitable that residential use of the land would result in its character and appearance changing

due to the paraphernalia and clutter associated with domestic use. Two public footpaths pass close to the southern boundary of the site, and the proposed dwelling and curtilage would be clearly visible from those footpaths.

10. At present the farm yard and surrounding area is indisputably rural in character. However, the proposed development would introduce additional residential activity and appearance to the detriment of that character. This would conflict with several criteria of UDP Policy ENV 8 and with the aims of wider national and development plan policies to safeguard the character and appearance of the open countryside.
11. There is little dispute that the barn is capable of conversion without substantial reconstruction or that the proposal would contribute towards Government aims for the provision of a wider choice of housing. I have taken into account these and all other matters raised, including conditions that might be possible, but they do not outweigh the considerations that have led me to my main conclusions that the proposal would represent an unsustainable form of development in the open countryside and would be unacceptably detrimental to the rural character and appearance of the area. For these reasons I conclude that the appeal should be dismissed.

Clive Nield

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr Chris Morgan, BA, DMS, Agent.
MBA, MCMI, MRTPI

FOR THE LOCAL PLANNING AUTHORITY:

Ms Justina Walsh, BSc, DipTP, Principal Planning Officer (Enforcement and
MRTPI Appeals), Vale of Glamorgan Council.

DOCUMENTS

- 1 Letter of Notification and list of persons notified.
- 2.1-2.4 Refusals of Planning Permission and corresponding Appeal
 Decisions for 2 barn conversion development proposals,
 provided by Council.

PLANS

- A1-A5 Application plans: location and site plans (with red line
 boundaries); site plan with details of other building
 demolitions and access driveway; Existing (drg.4) and
 Proposed (drg.5) plans of barn.
- B Plan of public footpaths, provided by Council.

Appendix B

Our Ref:6197

Planning Ref: 2014/01186/FUL

13th January 2015

Dear Committee Members

Coed Y Colwn Barn, Llanccarfan

Following receipt of an email dated 12th November 2014 from the planning officer assigned to this application for the conversion of a redundant agricultural barn to a residential dwelling, we would like to clarify some of the issues raised in that email, and indicate further why this application should be approved.

The barn is stated by the officer to be "*substantially divorced from the nearest settlement (Llanccarfan approximately 1 mile away) and as such is considered to be in an unsustainable location, being substantially divorced from local services*" and so would not accord with policies ENV1 and ENV8 of the Vale of Glamorgan Unitary Development Plan 1996-2011 and the Rural Conversions SPG as well as Technical Advice Note 6 and Planning Policy Wales.

In response, it should be noted that there are already a substantial number of 'isolated' barns in the locality which have been granted permission for residential conversion within the Vale of Glamorgan area. Probably the most similar is Slade Barn, Llanmaes, application 2009/00317/FUL, which was approved under delegated powers. In the officer's report for that application it is stated that the barn is "*1km south east of Sigingstone and 1km north of Llanmaes.*"; and :

"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 Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Strategic Policies 2 and 8, Policies ENV1 - Development in the Countryside; ENV8 - Small Scale Rural Conversions; ENV16 - Protected Species; and ENV27 - Design of New Developments; of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the Council's Supplementary Planning Guidance on the Conversion of Rural Buildings and the advice contained within Planning Policy Wales 2002, the proposal is considered acceptable in that the conversion can be achieved without substantial reconstruction of the external walls, extension to the building or insertion of new openings, and would not unacceptably alter the appearance and rural character of the building or the wider character of the countryside.

This application was a minor amendment to a previous application (2008/01429/FUL) on the same site where the officer had reported:

"As noted above, the Council has prepared a Sustainable Settlements Appraisal, which identifies the settlements that can provide for the everyday needs of local residents and, therefore, those which may be considered as sustainable in terms of providing services for new dwellings in the area. Sigingstone falls within the 3rd tier of settlements in that, whilst very rural in nature, it contains services that makes it more appealing in terms of sustainability than smaller more isolated settlements.

Given the relative proximity of the site to the local bus route and the villages of Sigingstone and Llanmaes for local services, and the subsequent regular connections to larger settlements such as Llantwit Major for a wider range of services, it is considered that the application site bears a sufficiently proximate relationship to existing established settlements, such that its occupants would not be solely dependent on the private motor car. It is therefore considered that the application site is not isolated, and represents a sustainable location for a conversion."

Coed y Colwn Barn is a similar distance to Llanccarfan with its regular bus service and local amenities. The area is also served by the Green Links (hail and ride) bus service on a regular basis.

Other 'isolated' barns in the Vale include:

- Gingham Barn, St Mary Church;
- Meadow Barn and Y Grawnby, Llantrithyd;
- barn at Caemen Farm, Bonvilston;
- barn at New Barn, St Athan; and
- barn at Treguff, Llanccarfan

The successfully defended appeals, referred in the officer's report for this application, relate to applications submitted in 2007. Slade Barn was an approved 2008 application.

It is also noted that many of the adverse comments relate to potential alternative commercial uses for the barn, in preference to residential use. However, this has already been considered by the applicant and addressed in the Planning Statement submitted with the application (paragraphs 1.13 and 1.14):

- "1.13. If considered for alternative commercial use, It is noted that there are many commercial/industrial units in nearby Barry which are already serviced with all the requirements of a modern office or industrial unit and which have good accessibility for delivery lorries and employee parking. However, many of these are empty.*
- 1.14. With regards to commercial use, Coed y Colwn Barn would be prohibitively expensive to convert and provide services compared to other more attractive units in far more accessible locations."*

The officer's implied suggestion is that the barn could be used as a small farm shop, small business use or community hall. But, the barn is not attached to a farm as it was left to the applicant in her mother's will. Neither the applicant nor her husband are engaged in agriculture. Therefore, there would be no produce from a farm to sell in the farm shop – it would have to be purchased from third parties.

There is already a community hall in Llanccarfan. An additional hall would be superfluous.

Clearly, in the absence of any development the barn will fall into disrepair. Old agricultural barns are part of the historic fabric of the Vale of Glamorgan and the best means of preserving them is with a beneficial use - and the only effective means of achieving this in the case of Coed y Colwn Barn is to sympathetically convert it to residential accommodation. The barn is currently sound and would require no change in external appearance to convert it to residential accommodation.

The smaller 'existing shed' referred to in the Planning Statement is not currently *in situ* although it was at the time of our first visit to the site. The shed was a wooden-frame building with metal sheeting walls and had been used for agricultural storage for many years. Unfortunately, during the interim period the structure has been damaged and collapsed during a heavy storm. The collapsed structure remains on the site.

The curtilage to the rear of the barn would be minimised. There is no intention to use the 1 acre of land associated with the barn for amenity purposes. It is likely to be planted with specimen trees to act as a windbreak to protect the integrity of the building in the future.

There is no extension associated with the barn – it is merely reinstatement of the pre-existing cart shed for which the former walls and roof timbers are clearly present and the stone lying where it fell. This is a relatively recent occurrence, as can be seen in the photograph taken from *Bing Maps*, and we were informed by another Vale of Glamorgan Council Planning Officer that reinstatement would be acceptable.

The building can be restored "*without substantial reconstruction of the external walls, or extension to the building*". The building is probably 90-95% intact, as originally built, and is structurally sound. The rebuilding of the lean-to which collapsed between 2006 and 2009 cannot be considered "substantial", particularly when the bases of the walls are still *in situ*.

On this basis it is considered that the application accords with planning policies and that there is sound justification for the conversion of the barn to residential use.

Yours sincerely,

Ieuan Williams

(BSc, MA, MIEMA, MBIAC)

Reading Agricultural Consultants Ltd.