

**APPLICANT:** Mr and Mrs Stuart and Jo Pyman Ishton Barn, Lon Cwrt Ynyston, Leckwith, CF11 8DR

**AGENT:** Mr Tasos Asprou Studio 2, The Coach House, Stanwell Road, Penarth, CF64 3EU

**Ishton Barn, Lon Cwrt Ynyston, Leckwith**

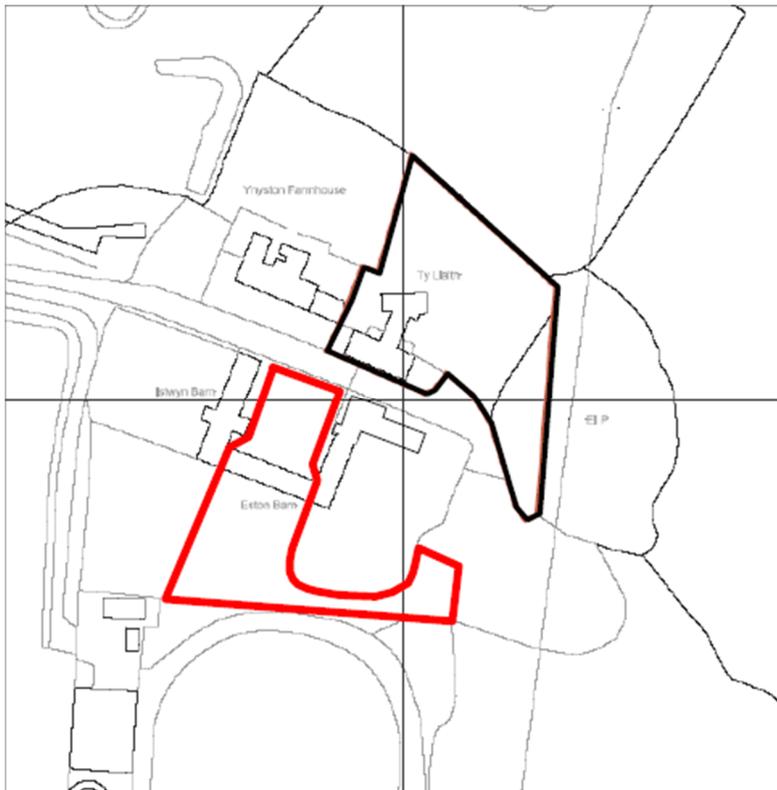
The erection of a garden annex with a glazed connection to the existing structure

**SITE AND CONTEXT**

The application site relates to Ishton Barn, Lon Cwrt Ynyston, Leckwith. The property is part of a barn conversion complex of 5 barns. The application dwelling is single storey and is connected to two other barns creating a U shaped barn.

The property was originally granted consent for conversion in 1994 however the original barns were demolished and rebuilt, retrospective consent was granted for the barns in 2005.

The site is accessed by a private driveway from Leckwith Road and is located within the open countryside. The property falls within the Cwrt-Yr-Ala Basin Special Landscape Area and in a Limestone (Category 2) mineral safeguarding zone.



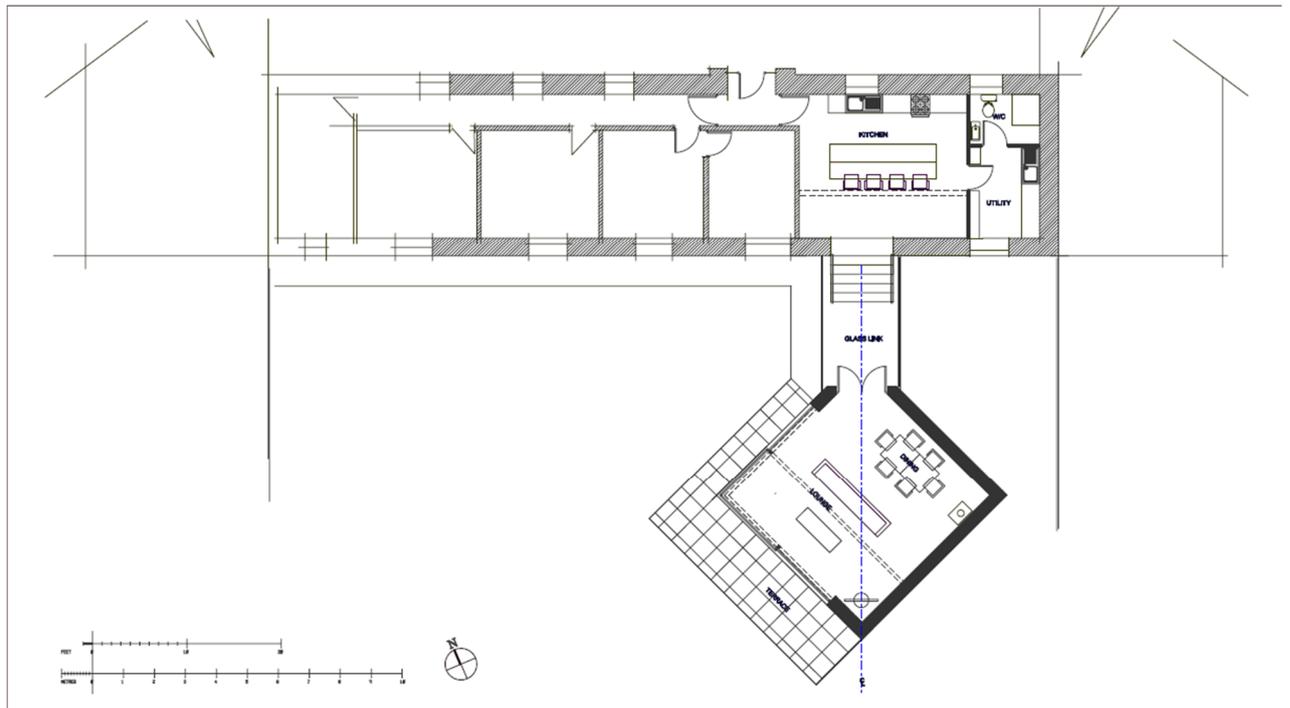
## DESCRIPTION OF DEVELOPMENT

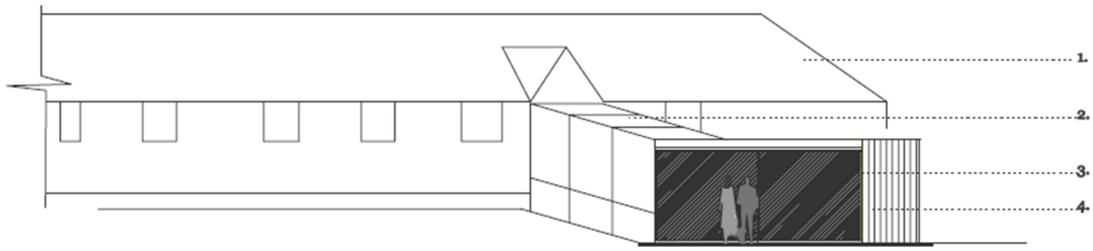
This is a full planning application for a rear extension glazed external link to a dining room and lounge. This application follows the refusal of planning application 2023/00445/FUL for a single storey extension to the rear of the property.

The proposed glazed link is downward sloping from the south elevation of the dwelling. The extension is flat roof, with a maximum roof height of 2.7 metres high and minimum roof height of 2.5 metres where it meets the proposed dining room and dining room. The glazed link is 4.5 metres deep and 2.5 metres wide.

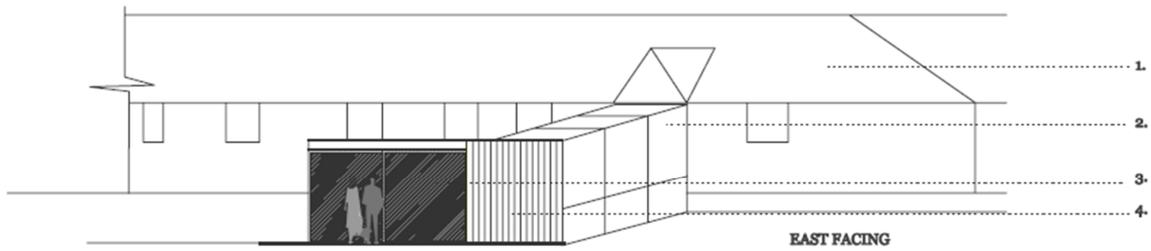
The dining room and lounge will be flat roof, with a height of 2.5 metres. The extension will be a mix of vertical timber cladding and glazed aluminium sliding doors. The cladded glazed lounge extension measures 9.4 metres wide and 8.3 metres deep.

The flat roof extension will have a patio area surrounding the North-west and South-west elevation, measuring roughly 1.2 and 2.1 metres deep respectively.

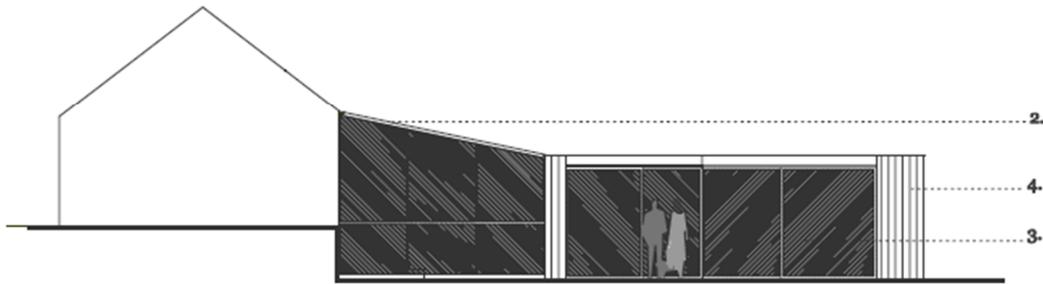




WEST FACING



EAST FACING



Material Key:  
 1. Existing natural slate tiles  
 2. Glass block  
 3. Aluminium sliding doors  
 4. Vertically oriented natural timber cladding  
 5. Rainwater goods back to match existing



## PLANNING HISTORY

1991/00013/FUL, Address: Ynyston Farm, Leckwith, Cardiff, Proposal: Conversion of dairy into residential dwelling, Decision: Refused, Decision Date: 30/04/1992;

1991/00014/FUL, Address: Ynyston Farm, Leckwith, Cardiff, Proposal: Conversion of redundant agricultural buildings into four residential dwellings, Decision: Refused, Decision Date: 02/06/1992;

1998/00012/FUL, Address: Ynyston Farm, Leckwith, Vale of Glamorgan, Proposal: Conversion of disused barns and milking parlour to create 4 no. dwellings (variation to extent planning permissions), Decision: Approved, Decision Date: 03/04/1998;

1999/00311/FUL, Address: Eston Barn, Ynyston Farm, Leckwith, Proposal: Construction of outdoor swimming pool, amendments to conversion and part rebuilding of barn, Decision: Approved, Decision Date: 23/04/1999;

2005/00253/FUL, Address: Ynyston Farm - Ishton Barn and Istwyn Barn, Leckwith, Proposal: Conversion to 2 No. dwellings as built., Decision: Approved, Decision Date: 22/04/2005;

2007/01731/FUL, Address: Istwyn Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Three new windows, Decision: Approved, Decision Date: 06/02/2008;

2018/00295/FUL, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Rear extension and front hall extension, Decision: Refused, Decision Date: 30/05/2018;

2018/00754/1/NMA, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Non Material Amendment - An increase of 400mm to the depth of the previously approved hall extension. The width of the extension remains unchanged.  
Planning approval  
2018/00754/FUL - Rear extension and front hall extension, Decision: Withdrawn, Decision Date: 07/06/2022;

2018/00754/FUL, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Rear extension and front hall extension, Decision: Split Decision, Decision Date: 19/12/2018;

2022/00621/FUL, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Variation of Condition 2: front hall extension , Decision: Approved,

2023/00149/FUL, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Replacement of softwood timber windows with high quality aluminium windows  
Replacement of uPVC French doors with aluminium French doors, Decision: Approved, Decision Date: 09/10/2023.

2023/00445/FUL, Address: Ishton Barn, Lon Cwrt Ynyston, Leckwith, Proposal: Single storey extension to the rear of the property, Decision: Refused, Decision Date: 08/08/2023 for the following reason :

*The proposed extension by reason of its siting, design, size, appearance and finishes, would result in a disproportionate and unsympathetic addition which would significantly detract from the appearance, character and setting of the former model farm-style buildings. The proposal would therefore be contrary to Policies MD2 (Design of New Development), MD11 (Conversion and Renovation of Rural Buildings) and MD12 (Dwellings in the Countryside) of the Vale of Glamorgan Local Development Plan 2011-2026, Supplementary Planning Guidance on The Conversion and Renovation of Rural Buildings SPG (2018) and national guidance contained in Technical Advice Notes 12 – Design.*

## CONSULTATIONS

Michealston le Pit with Leckwith CC were consulted on 11 December 2023. No letters of representation have been received to date.

Dinas Powys Wards were consulted on 11 December 2023. No letters of representation have been received to date.

## REPRESENTATIONS

The neighbouring properties were consulted on 11 December 2023. A site notice was also displayed on 21 December 2023. No letters of representation have been received to date.

## REPORT

### Planning Policies and Guidance

#### **Local Development Plan:**

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

POLICY SP9 – Minerals

POLICY SP10 – Built and Natural Environment

#### **Managing Growth Policies:**

POLICY MG17 – Special Landscape Areas

POLICY MG22 – Development in Minerals Safeguarding Areas

#### **Managing Development Policies:**

POLICY MD2 - Design of New Development

POLICY MD9 - Promoting Biodiversity

POLICY MD11 - Conversion and Renovation of Rural Buildings

POLICY MD12 - Dwellings in the Countryside

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

### **Planning Policy Wales:**

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 12 – Design (2016)

Paragraph 2.6 states:

*“Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.”*

Paragraph 4.5 states:

*“In many cases an appraisal of the local context will highlight distinctive patterns of development or landscape where the intention will be to sustain character. Appraisal is equally important in areas where patterns of*

*development have failed to respond to context in the past. In these areas appraisal should point towards solution which reverse the trend.”*

Paragraph 6.16 states:

*“The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.”*

- Technical Advice Note 23 – Economic Development (2014)

### **Welsh National Marine Plan:**

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

### **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Conversion and Renovation of Rural Buildings (2018)  
Section 9.3 – Alterations / Extensions is of particular relevance and the guidance set out in Paras 9.3.1 – 9.3.4
- Design in the Landscape
- Minerals Safeguarding (2018)
- Parking Standards (2019)
- Residential and Householder Development (2018)

### **Other relevant evidence or policy guidance:**

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents, unless relevant consideration indicates otherwise.

## Equality Act 2010

The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the preparation of this report.

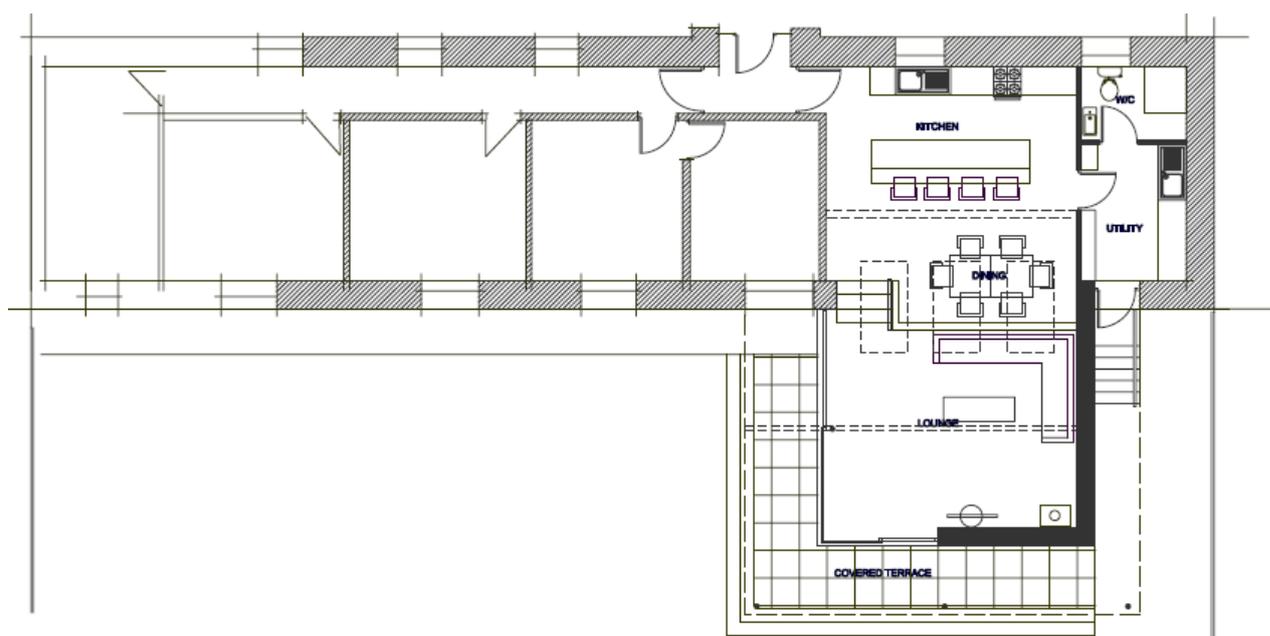
## Well-being of Future Generations (Wales) Act 2015

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

### Issues

In assessing the proposal against the above policies and guidance it is considered that the principal issue is the impact on the character and appearance of this former agricultural building and its setting and impact and the wider area, which includes the Cwrt Y Ala Special Landscape Area (SLA). Impact on neighbouring properties, amenity space and impact on mineral safeguarding are also material consideration.

Consideration should also be given to the planning history at the site, particularly the refusal of planning application ref. 2023/00445/FUL for a rear extension to the existing property.



*Proposed floor plans refused under ref. 2023/00445/FUL*

## Design

In policy terms Policy MD2 of the Local Development Plan states new development should amongst other things:

- 2) *Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest.*

2) *Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density.*

Policy MD12 of the LDP relates to dwellings in the countryside and requires that dwellings as extended are not disproportionate in size to the original dwelling, would not unacceptably affect the character of the existing dwelling and its contribution to rural character and would have no materially greater impact on the landscape.

Policy MD11 relates to the conversion and renovation of rural buildings. This policy is considered applicable in assessing proposals following conversion and renovation of rural buildings. In particular, Criterion 2 is relevant which states that the reuse can be achieved without substantial reconstruction, extension or alteration that unacceptably affect the appearance and rural character of the building or its setting. It should be noted that this policy is considered equally relevant to proposals for subsequent alterations to already converted buildings.

Paragraph 7.65 of the supporting text states that:

*The conversion of both traditional and modern rural buildings must be sympathetic to their location and not require any extensions or alterations which would materially alter the character of the building including its setting in the rural landscape. For traditional rural buildings, separate guidance is contained in the Council's SPG "The Conversion of Rural Buildings". Any major remodelling of either the building itself or its setting in a manner which would not maintain or enhance its existing rural character is unlikely to be considered favourably.*

The Supplementary Planning Guidance on The Conversion and Renovation of Rural Buildings is also of particular relevance.

Paragraph 2.2. of the SPG states that "... Both the policy and the guidance contained herein are equally applicable to subsequent applications to extend or alter rural buildings that have already been converted."

Paragraph 9.3.2 of the SPG states: -

*"Where justified, minor additions may be acceptable where this is designed with sensitivity for the existing building and does not conflict with other planning requirements. Extensions should enhance the character and appearance of the building and, where possible, should make a positive contribution to the wider environs. Favourable consideration will be given to glazed lightweight extensions which retain the distinction between 'old' and 'new'."*

Paragraph 9.3.1 of the SPG states :

*“If a building merits conversion then it must be of a scale which is capable of conversion to a new use in its own right. Accordingly, proposals that rely on substantial new-build elements in order to make them work will not be permitted.”*

The existing barn comprises of a simple rectangular footprint and has been converted in such a way that it still retains its simple rural character. Given the very limited size of the barn and its linear form, an extension of any size in this location would harm the simple form of this barn.

Paragraph 9.3.3 of the SPG states:

*“Consideration may also be given to proposals for extensions where reconstruction of a previously demolished element would beneficially reinstate the completeness of a group of buildings. In such cases it will be important to establish beyond doubt the nature and particularly the size of any demolished element, therefore photographic, cartographic or other evidence should be provided to support such proposals.”*

No evidence of previously demolished extensions has been submitted and interrogation of historic mapping does not indicate that there was previously a building, or part of a larger building here.

No justification / supporting statement has been submitted within this application setting out any rational / design justification for the scheme.

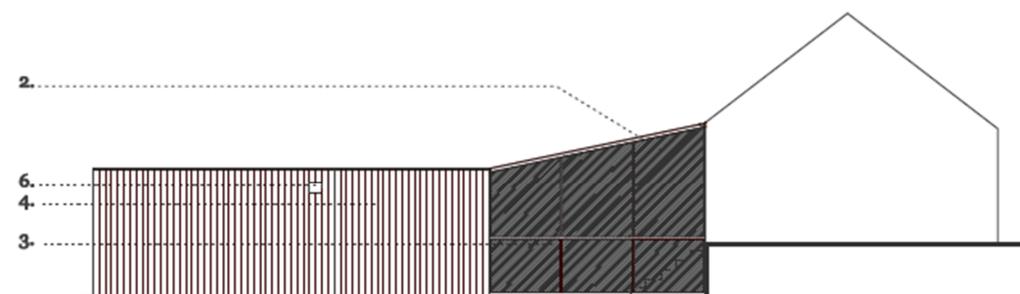
When compared to the refused scheme, the design has been developed in that the scale of extension against the building has been reduced. The flat roof glazed link does reduce the more direct impacts on the rear elevation of the rural building itself and assists and providing a slight degree of separation to the extended accommodation. However, the main part of the extension nevertheless still has an impact on the host building.

The existing dwelling has an internal floor space of 115 square metres. The proposed extension would total some 72 sq.m in area, still a significant extension and in the way the accommodation is proposed a disproportionate extension to the barn. In addition, whilst there has been an attempt to separate the main part of the extension from the barn by the glazed link, the proposal as a whole is still read and viewed as an extension to the barn, where the scale of the resulting footprint would change the character of the existing barn from a single simple linear barn eroding and failing to retain the character of the original rural building.

Paragraph 9.3.4 states:

*“In all cases, where an extension is deemed acceptable it should be subordinate in scale to the existing building and respectful in its design detailing to the parent building.”*

Even if the principle of an extension was acceptable the detailing and design is considered to be poor. Whilst it may be argued that the use of glass and timber cladding to the elevations allows a distinction to the original stone barn and allows it to be read as more modern addition, it is nevertheless an addition which is dominating and unsightly.



The proposal, based on its siting and form appears as a relatively arbitrary 'tack on' and does not respect the simple form of the building and is not reflective of the historic form and layout of this building and does not enhance the character and appearance of the building.

It is therefore considered that the proposal would adversely alter the character of the barn, changing its original form, domesticating it and eroding the original and simple rural character of the building. As such the proposals are contrary to criterion 2 of Policy MD11 – Conversion of Rural Buildings and the associated guidance within the Conversion of Rural Buildings SPG, particularly relating to Para 9.3.1 – 9.3.4. It is also considered contrary to the design criteria of Policy MD2 criterion (1) and (2) and the advice within TAN12 – Design (paras 2.6 and 6.16) and Planning Policy Wales.

#### Impact on neighbouring properties

In respect of neighbouring impacts, the proposed extension would be visible from both Eston and Istwn barn, however given the distance that it was be set in from the boundaries, it would not raise any concerns relating to privacy or amenity of neighbouring properties.

#### Amenity Space

While the extension would result in the loss of existing amenity space, the remaining area within the approved residential curtilage, would be of an acceptable size to serve the dwelling.

#### Mineral Extraction

It is noted that the site is covered by limestone (Category 2) in the LDP. Strategic Policy SP9 (Minerals) and MG22 (Development In Minerals Safeguarding Areas) seek to safeguard known mineral resources. Policy MG22 states that, in such areas with known resources, new development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of the development;
2. Or extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The development would have no significant impact on the possible working of the resource by reason of its nature or size; or
4. The resource in question is of poor quality / quantity.

In this case, having regard to criterion 2, given the location of the application site and its proximity to the existing dwelling and other dwellings, it is considered that any extraction of the mineral resource would likely have an unacceptable impact on amenity of nearby occupiers. Therefore as extraction would likely have an unacceptable impact on amenity, the proposal is in line with Policy MG22 in that it would satisfy criterion 2.

#### Green Infrastructure and Biodiversity Enhancement

On 18 October 2023, Welsh Government announced changes to Planning Policy Wales (PPW) by way of a Dear CPO letter entitled 'Addressing the nature emergency through the planning system: update to Chapter 6 of Planning Policy Wales'. Although it is to be included in the forthcoming revision to PPW, the letter confirms that the Chapter 6 policy is updated with immediate effect. The main policy changes which are of relevance relate to green infrastructure, net benefit for biodiversity and the protection afforded to trees.

Based on the nature of the proposal and its impacts, the proposal is not considered to give rise to an adverse impact upon existing green infrastructure provision on site owing to the scale and nature of the proposal.

Policy MD9 'Promoting Biodiversity' of the Adopted LDP requires new development to conserve and where appropriate, enhance biodiversity interests unless it can demonstrate that:

1. The need for the development clearly outweighs the biodiversity value of the site;
2. The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.

Para. 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that :

*"Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity....."*

The applicant has provided details of bird box to be affixed to the side elevation of the extension This is considered an appropriate and proportionate biodiversity enhancement measure for this proposal, the implementation of which would be secured by condition if the proposal were to be acceptable.

### REASON FOR RECOMMENDATION

The decision to refuse 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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

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

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

### RECOMMENDATION

#### REFUSE (W.R.)

1. By reason of its siting, scale and design, the proposed extension to the converted barn would adversely alter the form, character and historic value of the converted barn and the rural character of the area. The proposal is therefore contrary to Policies SP1 - Delivering the Strategy, SP10 - Built and Natural Environment, MD2 - Design of New Development, MD8 – Historic Environment and MD11 - Conversion and Renovation of Rural Buildings of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within Supplementary Planning Guidance on Conversion and Renovation of Rural Buildings (2018) and national guidance contained in Planning Policy Wales Edition 11 and TAN 12 - Design

#### NOTE:

**Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.**

**In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).**

**The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.**

**Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.**