

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Development Services
Dock Office, Barry Docks, Barry, CF63 4RT



To / I:	Cieri Rowlands	From / Oddi Wrth:	Conservation and Design
Dept / Adran:	Development Management	My Ref / Fy Cyf:	
Date / Dyddiad:	02 October 2019	Tel / Ffôn:	(01446) 704628
Your Ref / Eich Cyf:		Fax / Ffacs:	(01446) 421392

Application: 2019/00871/OUT
Location: Land at Model Farm, Port Road, Rhoose
Proposal:

Recommendation

- | | |
|--|--|
| <input type="checkbox"/> No objection | <input type="checkbox"/> Notes for applicant |
| <input type="checkbox"/> Object (holding objection) | <input type="checkbox"/> Request for further information |
| <input checked="" type="checkbox"/> Object and recommend refusal | <input type="checkbox"/> Recommend planning conditions |

Main Issue

The main issues considered by me are:

- whether the proposed development preserves the listed buildings, their setting or any features of architectural or historic interest which they possess; and
- whether the proposed development preserves or enhances the character or appearance of conservation areas.

Please note the primary consideration for any development affecting a listed building or its setting or a conservation area are the statutory requirements to have special regard to the desirability of preserving the historic asset.

Legislation and Policy

The Planning (Listed Buildings and Conservation Areas) Act (1990)

The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out the principal statutory instruments which must be considered in the determination of any application affecting either listed buildings or conservation areas.

Section 66 of the Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning

authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 69 enables Local Planning Authorities to designate conservation areas. Conservation areas are those areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Section 72 requires that in the exercise of planning duties special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Courts have made it clear that the duty imposed in the Act means that in considering whether to grant permission for development that may cause harm to a designated asset and/or its setting, the decision maker should give particular weight to the desirability of avoiding that harm. There is still a requirement for a planning balance, but it must be informed by the need to give weight to the desirability of preserving the asset and its setting.

Planning Policy Wales

Chapter 6 of Planning Policy Wales (PPW) sets out the Welsh Government's planning guidance on the conservation and enhancement of the historic environment.

Paragraph 6.1.9 makes clear "Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place."

Paragraph 6.1.10 states:

"There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses."

Paragraph 6.1.14 states:

"There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised."

Technical Advice Note 12: Design

TAN 12 seeks to promote sustainability through good design. Paragraph 2.2 states:

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.”

Technical Advice Note 24: The Historic Environment

Local Development Plan

The Vale of Glamorgan LDP policies reflect the national policy for the strict control of development affecting conservation areas. Policy SP10 (Built and Natural Environment) and Policy MD8 (Historic Environment) set out the preserve or enhance the character or appearance of the Vale of Glamorgan’s Conservation Areas.

POLICY SP 10 - BUILT AND NATURAL ENVIRONMENT
DEVELOPMENT PROPOSALS MUST PRESERVE AND WHERE APPROPRIATE ENHANCE THE RICH AND DIVERSE BUILT AND NATURAL ENVIRONMENT AND HERITAGE OF THE VALE OF GLAMORGAN INCLUDING:

1. THE ARCHITECTURAL AND / OR HISTORIC QUALITIES OF INDIVIDUAL BUILDINGS OR CONSERVATION AREAS, INCLUDING LOCALLY LISTED BUILDINGS;
2. HISTORIC LANDSCAPES, PARKS AND GARDENS;
3. SPECIAL LANDSCAPE AREAS;
4. THE GLAMORGAN HERITAGE COAST;
5. SITES DESIGNATED FOR THEIR LOCAL, NATIONAL AND EUROPEAN NATURE CONSERVATION IMPORTANCE; AND
6. IMPORTANT ARCHAEOLOGICAL AND GEOLOGICAL FEATURES.

Policy MD8 (Historic Environment) deals specifically with the protection of the qualities of the built historic environment, and in particular the preservation and enhancement of conservation areas character or appearance:

POLICY MD 8 - HISTORIC ENVIRONMENT
DEVELOPMENT PROPOSALS MUST PROTECT THE QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT OF THE VALE OF GLAMORGAN, SPECIFICALLY:

1. WITHIN CONSERVATION AREAS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE AREA;
2. FOR LISTED AND LOCALLY LISTED BUILDINGS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE BUILDING, ITS SETTING AND ANY FEATURES OF SIGNIFICANCE IT POSSESSES;
3. WITHIN DESIGNATED LANDSCAPES, HISTORIC PARKS AND GARDENS, AND BATTLEFIELDS, DEVELOPMENT PROPOSALS MUST RESPECT THE SPECIAL HISTORIC CHARACTER AND

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| <p>QUALITY OF THESE AREAS, THEIR SETTINGS OR HISTORIC VIEWS OR VISTAS;
4. FOR SITES OF ARCHAEOLOGICAL INTEREST, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE ARCHAEOLOGICAL REMAINS AND WHERE APPROPRIATE THEIR SETTINGS.</p> |
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Supplementary Planning Guidance

Conservation Area Appraisal and Management Plan

The Porthkerry Conservation Area Appraisal and Management Plan identifies the qualities of the conservation area. Whilst the conservation area is an area of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve or enhance, this does not mean that it is automatically of high sensitivity to all forms or scales of development or that parts of it are uniformly of the same value and sensitivity.

The CAAMP is not prescriptive about which areas may be suitable for development but is guidance on general principles. It provides more detail than the Local Development Plan and is the preferred guidance for assessing the impact of the proposed scheme.

Assessment

The application is supported by a Built Heritage Statement prepared by CGMS heritage. This acknowledges that there will be potential to impact on the significance of six designated heritage assets and two undesignated heritage assets. Although the language used relates to the English policy context it is readily understood.

It infers that any impact will be on the setting of these historic assets rather than any direct impact. Specifically, it concludes that there will be a **moderate degree of harm** to the setting of Lower Porthkerry Farm House (Grade II listed); Upper Porthkerry Farm House (Grade II listed) and the Porthkerry Conservation Area. There will be a **minor degree of harm** to the setting of Church Farmhouse (Grade II*); the Outbuilding to Church Farmhouse (Grade II*); the former stables block associated with Upper Porthkerry Farm House (locally listed County Treasure); and Egerton Grey (locally listed County Treasure). There will be a **negligible degree of harm** to the setting of the Church of St Curig (Grade II*) and Porthkerry Viaduct (Grade II).

The methodology employed in the assessment is considered robust and the findings of the report in respect of the above buildings is accepted as an accurate assessment. Notwithstanding this, I note that no consideration has been given to two locally listed County Treasures (namely Welford Farmhouse and Welford Farm Barns). The former because it has been demolished and the latter because they have been converted to residential use.

Whilst it is accepted that the demolition of the house means no consideration should be given to this element and the conversion of the barns has reduced their

significance to some degree; it is not accepted that they do not retain significance that should be considered in the determination of this application. I have carried out a brief assessment of the barn below:

Barns at Welford Farm

Significance: The remaining barns on the site are part of a range of two-storey rubble outbuildings which formerly enclosed three sides of a courtyard. The buildings feature hipped slate roofs and square headed window and door openings under heavy stone lintels. It has been significantly altered including the demolition of the western wing (in addition to the farmhouse). In addition, the barns have been converted to residential use which has further diluted their significance. Nevertheless, the barns retain

As the only remnant part of the historic farmstead, it provides some historic and aesthetic value in detailing the designs, materials and building types in the eighteenth century. The presence of original fabric fronting onto the A4226 provides a degree of visual connection with the fields that the building most likely served.

Setting: The Welford Farm complex is experienced primarily in the immediate and intermediate setting of their surrounding plots, associated former farmstead development (where remaining) and the surrounding field parcels. The application site abuts close to the southern boundary of the former farmstead.

From the intermediate and wider extended setting, it is still possible to experience Welford barn as part of a former farmstead even though the alterations (including demolition of the house and part of the barn, and conversion of the remaining barn to residential use) and cessation of an agricultural use have impacted upon the overall experience. In addition, an upgraded road, immediately south of the barn has markedly impacted the way the building is experienced.

Accordingly, the historic setting of the remnant former farm buildings has been much eroded both in the intermediate and wider extended setting by the road alterations and its immediate surrounds with the cessation of the farm's agricultural use, demolition of much of the farmstead and residential conversion of the barn. Setting makes a small positive contribution, though much reduced and limited to the surviving rural context still experienced. The Site correspondingly makes a small positive contribution in this regard.

Significance and Setting Summary: The former barn associated with Welford Farm is of local significance with its significance derived from the retained original fabric and the historic functional relationship with Welford Farm.

The wider rural surrounds, including application site makes some positive contribution to the building's significance by providing some historic rural and agricultural context to the understanding of the historic asset, primarily as a barn.

Assessment of impact: The proposed development of the business park to the south west of the barn would alter some of the wider rural landscape. The application site to the south west of the barn will be used to provide B2/B8 uses with the Parameter

Plan: Land Use and Storey Heights indicating min/max heights of 12m/16m; lengths of 200m/220m; and widths of 70m/80m. The proposed development represents a degree of further erosion of the wider rural environment alongside the existing airport development.

There will be a change to the intermediate and wider setting. It is considered that the proposed development will result in a **minor degree of harm** to the significance of the Welford Barn. This level reflects the changes and harm to significance already seen through significant alterations to the farmstead through the demolition of the farmhouse; the new dwelling and the conversion of the barn. This harm will arise through the further erosion of the wider agricultural landscape from the proposed built development which will be visible on the surrounding landscape.

Mitigation: No mitigation is proposed.

Where harm has been identified in the Built Heritage Statement the only mitigation proposed relates to lighting, which it is acknowledged, will unlikely remove that harm completely. It is unclear if any other mitigation has been considered.

Conclusion

Having regard to the above I am of the view that the Built Heritage Statement is a generally accurate reflection of the impacts of the proposed development on the setting of historic assets and broadly agree with its contents. I disagree with its conclusions on the significance of the Welford Barn and have provided a brief assessment of this above.

I agree with the conclusions of the Built Heritage Statement that there will be varying degrees of harm to the setting of historic assets. This is contrary to policies SP10 and MD8 of the LDP. On this basis I cannot offer my support to the application.

However, you will need to reach your own conclusion, and if necessary, carry out a balancing exercise weighing any 'harm' against any benefits. Furthermore, you will need to demonstrate how considerable importance and weight has been afforded to the considerations to which s66 and/or s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 apply and, where appropriate to explain how benefits have been weighed against such matters.

Peter Thomas
Senior Planner (Conservation and Design)