

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0616/FULL 21.08.2018	Mrs J Thomas Caerllwyn Ganol Farm Twyn-gwyn Road Mynyddislwyn NP11 5JY	Convert sixteen stables into four one bedroom holiday chalets Caerllwyn Ganol Farm Twyn-gwyn Road Mynyddislwyn Newport NP11 7AJ

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on Twyn-gwyn Road, Mynyddislwyn.

Site description: The application site comprises a block of stables adjacent to a farmhouse and associated agricultural buildings. The applicant also appears to operate a landscaping business from the land.

Development: It is proposed to convert the existing stable block (comprising 16 stables) to four holiday let chalets.

Dimensions: The building has a footprint measuring 36 metres x 8 metres. The building has a maximum ridge level of 4 metres.

Materials: Painted render and slate.

Ancillary development, e.g. parking: Additional parking provision comprising four formal parking spaces (one disabled) and a further parking area measuring approximately 20 metres x 25 metres.

PLANNING HISTORY 2005 TO PRESENT

None.

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POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located outside the settlement boundary in the open countryside.

Policies: Policy SP11 (Countryside Recreation), CW2 (Amenity), CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales 10th Edition (December 2018) and Technical Advice Note 12 (Design) and 13 (Tourism).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable as no ground disturbance works are proposed.

CONSULTATION

Transportation Engineering Manager - Raises objection to the proposed development for the following reasons:

1. The access road leading to the site is unsuitable to serve further development by virtue of its narrow width, restricted forward visibility and poor vertical alignments; and
2. The proposed development would increase traffic hazards to the detriment of highway safety and the free flow of traffic on the access roads leading to the site.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection subject to a land drainage condition being attached to any permission. However, as it is not proposed to significantly increase the amount of impermeable surfaces at the site, this condition is not considered necessary in this instance.

Dwr Cymru - Provide advice to the developer.

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Rights Of Way Officer - Provides advice to the developer regarding public rights of way in the vicinity of the application site.

Minerals Officer - No comments.

Ecologist - No objection subject to conditions.

ADVERTISEMENT

Extent of advertisement: Three neighbours were consulted by way of letter and a site notice was displayed near the application site.

Response: One letter of objection was received from the Open Spaces Society.

Summary of observations: Raise issues regarding public rights of way in the vicinity of the application site.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? Crime and disorder are not considered to be an issue for this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Holiday lets/accommodation is classed as a C3 residential accommodation use. The application site is located within the Mid-Range Viability zone where the chargeable rate is £25 per square metre (plus indexation). However, if the applicant is able to demonstrate that the existing stables have been used for their lawful purpose for a continuous period of 6 months in the past 3 calendar years, the development will be CIL exempt.

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ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main consideration in the determination of this application is whether the proposed holiday chalets would have an unacceptable impact upon the character of the area, the amenity of any nearby residential properties, or have an unacceptable impact on highway safety.

Given that limited alterations are proposed to the existing elevations, the development will have no impact in visual amenity terms. Furthermore, as the nearest residential dwellings (7, 8 and 9 Quarry Cottages) are located approximately 60 metres to the north of the application building, there will be limited impact in terms of residential amenity.

In terms of highway safety, Policy CW3 of the Adopted Caerphilly Local Development Plan states:

"CW3 - Development proposals must satisfy the following highways requirements:

A - The proposal has regard for the safe, effective, and efficient use of the transportation network;"

The Transportation Engineering Manager raises objection to the proposal for the following reasons:

1. The access road leading to the site is unsuitable to serve further development by virtue of its narrow width, restricted forward visibility and poor vertical alignments; and
2. The proposed development would increase traffic hazards to the detriment of highway safety and the free flow of traffic on the access roads leading to the site.

However, this highway objection needs to be balanced against relevant local and national planning policy and guidance that encourages and seeks to promote tourism/recreation proposals and opportunities.

Policy SP11 relates to Countryside Recreation, and states:

"Access to opportunities for enjoyment of the County Borough will be promoted and encouraged where the proposals are sustainable in terms of its impact on the natural heritage, the local community and the rural environment within which they are located."

Given the limited scale of the proposal, it is considered that the proposal will be sustainable in terms of its impact, whilst encouraging tourism within the area.

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Section 5.5 of Planning Policy Wales 10th Edition (December 2018) relates to Tourism. The following paragraphs are of relevance:

"5.5.1 - Tourism involves a wide range of activities, facilities and types of development and is vital to economic prosperity and job creation in many parts of Wales. Tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection."

"5.5.2 - The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. The planning system can also assist in enhancing the sense of place of an area which has intrinsic value and interest for tourism. In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In some places however there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors."

"5.5.5 - Long-distance routes, rights of way, disused railways, waterways and other green infrastructure are important tourism and recreation facilities, both in their own right and as a means of linking attractions."

"5.5.7 Planning authorities should adopt positive approaches to proposals which utilise previously developed or disused land and water bodies for tourism uses, particularly in relation to urban regeneration."

As can be seen, there is strong national policy support to encourage tourism in appropriate locations given the benefits such proposals can provide. Given the fact that the proposal is to convert existing building as opposed to building a new structure; the existing use of the site, i.e. stables; as well as the national policy support for tourism, it is considered that the objection of highways ground does not outweigh the benefits the proposal would bring, and the development is therefore considered to be acceptable in planning terms.

It is also noted that it is often the case that tourist accommodation is located along narrow country lanes in rural locations, and any marginal increase in traffic as a result of the development would relate to predominantly tourists from outside the area who would generally navigate the highway network leading to the site with caution.

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Comments from consultees: The comments of the consultees have been set out above, and any concerns can be accommodated by condition.

Comments from public: The concerns relating to the impact on existing public rights of way are an issue for the Council's Rights of Way Officer to deal with.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
Block Plan, received 09.07.2018;
Site Location Plan, received 21.08.2018;
Chalet 1 Plan Disabled, received 09.07.2018;
Proposed Ground Floor Plan, received 09.07.2018;
Proposed Elevations, received 09.07.2018.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The development hereby approved shall be used for holiday accommodation only, let on a short term basis of no more than one month at a time, and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
REASON: The site is located in an area where it is the policy of the Local Planning Authority to restrict the erection of new dwellings.

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- 04) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the existing building at Caerllwyn Ganol Farm, Twyn-gwyn Road, Mynyddislwyn, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use hereby approved is first utilised.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 05) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, Swift, House martin or Starling) in the existing building at Caerllwyn Ganol Farm, Twyn-gwyn Road, Mynyddislwyn, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use hereby approved is first utilised.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Advisory Note(s)

Please find attached the comments of Rights of Way Officer, The Council's Ecologist, Dwr Cymru/Welsh Water, The Head of Public Protection that are brought to the applicant's attention.

