

DELEGATED REPORT

Application No:	P/22/0083
Site Address:	Tyla-Glas Farm Craig Y Hendre Bedlinog Treharris CF46 6SN
Development:	Proposed barn conversion to form a residential dwelling
Case Officer:	Caroline Pulley
Site Visit:	9th May 2022
Application Expiry Date:	3rd June 2022
Consultation reply date expired:	6th December 2022

APPLICATION SITE

The application relates to a barn attached to Tyla-Glas farmhouse, Bedlinog. The barn is attached to the south-western side of the farmhouse. It is accessed via a long and narrow track that links the site to Gelligaer Common Road to the east. This access track is also utilised by a neighbouring property (Ty Maen) which is located to the south-east of Tyla-Glas (Ty Maen).

PROPOSED DEVELOPMENT

This application seeks planning permission for the conversion of a barn to a two-bedroom dwelling, with associated internal and external works to the building. This would include the introduction of a second floor within the existing roofspace of the barn, a new slate roof covering (and the insertion of a flue), new window openings and rooflights.

On the south-east (front elevation), the submitted plans indicate a new green timber entrance door and the insertion of three new green painted timber sash windows (in lieu of the existing openings). The plans also indicate the addition of two conservation skylight windows within the roofplane and the insertion a flue.

Along the southern side elevation of the barn, the existing timber door and corrugated iron sheet cladding would be replaced with a new timber glazed entrance door. Two timber windows would also be inserted into this elevation to serve the bedroom 1 and the proposed ground floor living area. Also proposed along this elevation are two bird nest boxes/cups and four crevices in the external walls for bats.

The north-west rear elevation of the building would remain largely unaltered, apart from the provision of the new slate roof covering and the insertion of four conservation

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The site plan shows the layout of Tyla-Glas Farm. Key features include:

- Buildings:** A large 'BARN' and a main building labeled 'Tyla-Glas Farm'.
- Access Points:** Marked with circles and numbers: L210 (top left), L211 (top center), L212 (top right), and L210 (bottom center).
- Infrastructure:** A '1.5m high stone work wall' on the left, a '1.7m high stone work wall' at the bottom, and a 'TRACK' running along the bottom left.
- Landscaping:** 'Tree Grass' and 'Shrub Grass' areas with green tree symbols.
- Other Labels:** 'Grass', 'Paving', 'Cobbles', 'Amenity Area (SAND)', and 'Fencing'.

Site Plan as Proposed
1:250

The application is supported by a Structural Assessment Report undertaken by Vale Consultancy. This confirms that the barn has suffered from movement and works would be required to reinstate the structural integrity of the building. These works would include the re-building of the top section of the southern gable wall (as illustrated within the letter provided by Vale Consultancy's dated 17th November 2021), re-pointing of the walls throughout and the use of 'Helibar Helifix' stainless steel tie bars to remedy cracks in the masonry walls.

PLANNING HISTORY

P/01/0280 - Conversion and renovation of existing redundant barn to single dwelling – approved 29.11.2001 (Ty Maen)

CONSULTATION

Head of Engineering and Highways:	No objection
Welsh Water:	No objection subject to foul drainage being dealt with via a septic tank / private treatment works.
Bedlinog Community Council:	No response.
Planning Policy Officer:	No objection.
Environmental Health Manager:	No objection
Ecologist:	No objection but advises that a European Protected Species (EPS) Licence is required.
Public Rights of Way Officer:	No objection.
Natural Resources Wales (NRW):	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a letter was sent to the neighbouring property and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Section 3.60 highlights that all new development in the open countryside should be of a scale and design that respects the character of the surrounding area. It also states that *‘..new building in the open countryside away from existing settlements or areas allocated for development in development plans must be strictly controlled.’*

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

Technical Advice Note (TAN) 6 – Planning for Sustainable Rural Communities

Section 3.2.1 advises that ‘When assessing planning application for the re-use or adaption of a rural building, the primary consideration should be whether the nature and extent of the new use proposed for the building is acceptable in planning terms.

Section 3.2.3 states ‘Conversion proposals should respect the landscape and local building styles and materials.’

TAN 5 – Nature, Conservation and Planning
TAN 12 - Design

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries
Policy SW11 – Sustainable design and Placemaking
Policy SW12 – Improving the Transport Network
Policy CW1 - Historic Environment
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW2 – Internationally and Nationally Protected Sites and Species
Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
Policy EnW4 – Environmental Protection
Policy EnW5 – Landscape Protection
Policy EcW10 – Sustainably Supplying Materials
Policy EcW13 – Minerals Safeguarding

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Development

PLANNING CONSIDERATIONS

Full planning permission is sought for the conversion of a barn to a residential dwelling at Tyla Glas Farm, Bedlinog. The key considerations in determining this application are the compatibility of the proposed use, in relation to existing land uses, the potential impact of

the conversion on the character and appearance of both the original building and the immediate area, and the potential impact upon the amenity and privacy of the occupiers of the adjacent properties. The impact of the proposed conversion on highway safety is a further consideration.

Principle of development

The application site lies outside the defined settlement limits, in an area defined as open countryside. Whilst it is accepted that planning policy aims primarily to restrict development in countryside locations, in certain circumstances the alteration, conversion and re-use of rural buildings may be acceptable in policy terms, subject to compliance with a series of criterion. Policy SW4 sets out the criteria, which must be met when considering such proposals. One such criterion is that the development is for the re-use, adaption, or replacement of rural buildings and dwellings.

In this case, the planning application is accompanied by a structural report for the building which outlines the general construction and condition of the barn. In summary, the report identifies that the top section of the gable wall would need to be re-built as inspections reveal that it is leaning over, probably as a result of movement in the roof. Also, the elevations require repointing throughout and this is applicable to both the internal and external faces of the wall. However, it confirms that the barn is generally in a sound structural condition and is capable of conversion without substantial alteration or extension. As such, it is considered that the proposal would fulfil the above criterion, being the re-use and adaption of a rural building, and would therefore be supported in principle as an acceptable use in this location.

Character and Appearance

In visual terms, the barn is of a scale and construction which is clearly in keeping with its rural setting. As described earlier in this report, the top section of the gable end wall would need to be re-built but the plans submitted indicate that the wall would be finished in stone. A condition would ensure that the materials and construction of this new section of wall is in keeping with the existing building. A limited number of new window and door openings are proposed within the elevations but these would not appear out of character with the style of construction or character of the barn. Six conservation style rooflights would also be added to the front and rear roof planes of the barn and these openings are considered to be proportionate to the scale of the building and would not cause adverse harm to the character of the barn. As such, it has been determined that the proposed conversion works are acceptable and would not result in harm to either the appearance of the original building or its wider countryside setting.

Residential Amenity

The barn is positioned within the existing farmyard. As such it forms part of a group of buildings, which include the farmhouse. It is noted that a further residential property (Ty Maen), which appears to be unconnected to the farm, lies in close proximity to the barn. However, having assessed the relationship between the existing property and the barn, the scheme would not compromise either the amenity or privacy of the occupiers of this property. Furthermore, there have been no letters of objection or representation received to this application as a result of the publicity exercise undertaken with Ty Maen. Notwithstanding the above, the existing window located in the rear of the barn does have

potential to overlook the garden area of the existing farmhouse. As such, a condition is recommended to ensure that this opening is obscured to a suitable level.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Head of Engineering and Highways. The response identifies that the site is served off a privately maintained access track. There are no concerns raised in relation to access or visibility. Within the site, the proposed layout plan indicates that the development would be served by four off-road parking spaces, which is considered acceptable to serve the needs of the new dwelling and the existing farmhouse. Overall, no highway objections are raised to the scheme and the proposed conversion is not considered to have an adverse impact on highway safety. However, it is noted that as the eastern part of the site is crossed by a PROW, the developer should be advised that the right of way shall remain protected at all times.

Ecology

In addition to the above, consideration must also be given to the potential impact of the development upon protected species, most notably bats. In support of this, the application is accompanied by a bat survey, undertaken by BE Ecological Ltd. This concludes that there are swallows nesting in the barn. Also, the barn is a roost for up to four common pipistrelle bats and a single long-eared bat. The existing farmhouse was also identified as a maternity roost for up to 35 pipistrelle bats. Accordingly, the report confirms that a licence from Natural Resources Wales (NRW) would be required prior to any works being undertaken on the barn.

The report puts forward a number of mitigation and compensation measures as part of the proposed development. These include the provision of four crevices within the stone work of the building as a mitigation measure for the pipistrelle roosts and the provision of a small roof void within the barn for the long-eared bat. The proposed enhancement measures include the siting of two bat boxes within the vegetation in the boundary of the site, the insertion of two modified ridge tiles on the north-western wing of the main farm house and the provision of bird boxes/cups. On review of the report, the Council's Ecologist raises no objection to the scheme subject to all recommendations in the report being controlled by a condition.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered to be acceptable. The proposed residential use is an appropriate alternative use for the building and it is noted that the structural report confirms that the barn is capable of conversion without the need for major reconstruction. While it is acknowledged that the barn is a bat roost, having regard to the proposed mitigation and compensations, the Council's Ecologist has raised no objection to the application and it is noted that a separate licence from NRW would be required before any works take place on the building.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been

considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following CONDITIONS

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Elevations 1 of 2 as Proposed Drawing no. P724 L_210 Rev C received on 16.01.2023

Elevations 2 of 2 as Proposed Drawing no. P724 L_211 REV B received on 12.01.2023

Floor Plans as Proposed Drawing no. P724 L_200 Rev B received on 12.01.2023

Section 1 of 2 as Proposed Drawing no. P724 L_212 Rev B received on 12.01.2023

Section 2 of 2 as Proposed Drawing no. P724 L_212 Rev B received on 12.01.2023

Site Plan as Proposed Drawing no. P724 L_0003 Rev B received on 12.01.2023

Bat Survey Report, Issue 1, Version B, October 2022 received on 03.01.2023

Letter from Vale Consultancy Document Ref: 13951/MNJ/A received on the 14.06.2022

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Before work commences** samples and details of the following shall be submitted to and approved in writing by the Local Planning Authority:

(a) A sample panel for the proposed stone work and pointing (including the stonework proposed for the gable wall and the proposed 1.5m high boundary wall). The sample panel must be constructed on site for inspection and retained there until the completion of the development;

(b) Drawings to a minimum scale of 1:5 with full cross section profiles of the roof lights, windows and doors;

(c) Samples for the proposed slates and ridge tiles.

All works shall be completed in accordance with the approved details.

Reason - To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C, D, E, F, G and H, Schedule 2, Part 2, Class A and Schedule 2, Part 40, Class A, B, C, D, E, F, G, H, I, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with

or without modification), no extensions, outbuildings, solar panels, or other alterations, fences, walls or other means of enclosures shall be erected or carried out other than what is expressly authorised by this permission.

Reason - In the interest of visual amenity and in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. The utility room window in the northwestern rear elevation of the building shall be fitted with obscure glazing which is level 3 or higher on the Pilkington Scale of Privacy or equivalent. This window shall be fixed shut and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The residential unit hereby permitted shall not be occupied until the window has been obscurely glazed in accordance with the approved plans and shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. **Warning: A European Protected Species (EPS) Licence is required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at:

<https://naturalresources.wales/permits-and-permissions/species-licensing/apply-fora-protected-species-licence/bat-licences/?lang=en>

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The developer/applicant should be aware that the site is crossed by a Public Right of Way (PROW). Planning permission does not authorise the obstruction of, interference to, diversion or stopping-up of a public right of way. No part of the

development hereby permitted must interfere with or obstruct the public right of way (until the public right of way has been formally stopped-up or diverted). For further guidance on this matter, the developer/applicant is advised to contact the Council's Public Rights of Way Officer directly.

4. A permit may be required from NRW for the proposed septic tank. The developer is therefore advised to contact Natural Resources Wales (NRW) before works start regarding the use of a septic tank to serve the proposed dwelling.
5. The applicants/developers attention is drawn to the comments of the Authority's Environmental Health Section regarding the potential problem to neighbouring properties arising from the creation of noise and dust during the construction process. To avoid unexpected and unnecessary enforcement action, the applicant/developer is advised to contact the Environmental Health Section prior to the commencement of development to agree an appropriate method of noise and dust suppression.

The developer must ensure that all waste arising from the site is disposed of at a site licensed for its reception. Under no circumstances shall waste be burnt on site.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

19/1/23