

Report of the Head of Economic Regeneration & Planning

Area 2 Development Control Committee - 29 July 2014

The Long House, Stavel Hagar, Llanrhidian, Swansea

Conversion of redundant long house to form a holiday let and single storey front extension

Planning Application Reference : 2014/0605

1.0 Background

- 1.1 This application was reported to Area 2 Development Control Committee on the 1st July 2014 with a recommendation of approval. A copy of my Committee Report is attached at Appendix A.
- 1.2 Members resolved, however, not to accept my recommendation and deferred the application under the Two Stage Voting Process for further officer advice on reasons for refusal on flood risk grounds and for further comment from Natural Resources Wales (NRW) on grounds that the Authority was not willing to accept a “50 year lifetime of development” for this application.
- 1.3 NRW advise that as the flood risk to the site is tidal, climate change has to be taken into account and that only a “50 year lifetime of development” has been considered by the applicant when applying climate change factors. Although NRW raise no objection to the application they advise that for residential development a “100 year lifetime of development” should be considered for climate change purposes.
- 1.4 On the basis that members previously resolved that this Authority is not willing to accept a “50 year lifetime of development” for this application NRW have offered no additional or revised comments but reiterate their advice that a “100 year lifetime of development” should be considered.:
- 1.5 It should be recognised, however, that the proposal relates to a holiday unit and that the associated flood risk is tidal and as a consequence intermittent and to an extent predictable. On this basis it was considered that subject to the agreement of a flood management plan, by condition, to ensure that the occupants of the holiday accommodation could be safely evacuated should a flooding event occur a “50 year lifetime of development” was acceptable. Based on the advice provided by NRW it is, however, entirely a matter for the Authority to consider whether or not a “50 year lifetime of development” would be acceptable and whether this mitigation would be sufficient to address the flood risk issues raised.
- 1.6 Further correspondence has been received subsequent to Area 2 Committee on 1st July 2014 from the applicant indicating that no evidence has been presented to Members to support concerns regarding flooding, rather an indication that the neighbours have previously experienced flooding. In addition reference is made to a personal dispute with neighbours, which is not a material consideration, and that should the application be refused the applicant would apply for an award of costs at any subsequent appeal.

2.0 RECOMMENDATION

- (i) It is recommended that planning permission be APPROVED subject to the conditions detailed in my report to Area 2 Development Control Committee on the 1st July 2014 attached as Appendix A,
- (ii) If Members are not minded to accept my recommendation that the application be refused planning permission for the following reason;

Reason 01:

The proposal would result in unacceptable flood risk to the future occupiers of the property given that the application site lies within Zone C2 as identified on the Development Advice Map referred to under TAN 15 Development and Flood Risk (July 2004). The proposal is therefore contrary to Policy EV36 of the Swansea Unitary Development together with advice contained in TAN 15; which provides that highly vulnerable development such as residential should not be permitted within this Zone.

BACKGROUND PAPERS:

Local Government Act 1972, as amended by the Local Authorities (Access to Information) Act, 1985.

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<i>Date of</i>	<i>16th July 2014</i>	<i>Document</i>	<i>The Long House</i>
<i>Production:</i>		<i>Name:</i>	

APPENDIX A

ITEM

APPLICATION NO.

2014/0605

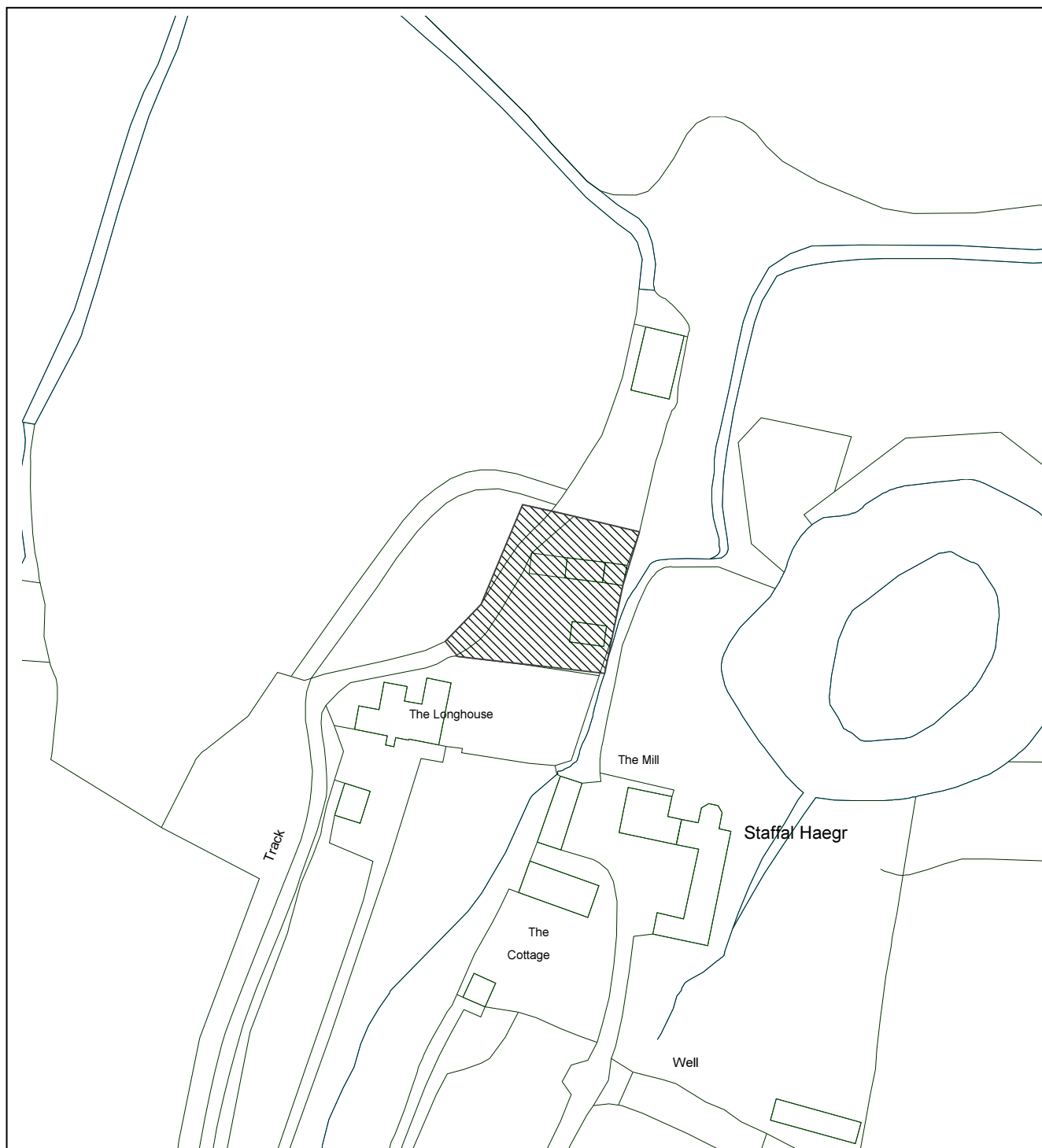
WARD:

Gower
Area 2

Location: The Long House, Stavel Hagar, Llanrhidian, Swansea

Proposal: Conversion of redundant long house to form a holiday let and single storey front extension

Applicant: Mr Michael Baldrain



NOT TO SCALE

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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EC12	The conversion of existing buildings in the countryside to new uses that contribute to the local economy and the extensions of such buildings will be permitted subject to a defined set of criteria including the building's structural integrity, its ability to be converted without prejudicing the character of the building or its locality, the building's compatibility with its surroundings, issues of access and highway safety, and the building's past uses etc. (City & County of Swansea Unitary Development Plan 2008)
Policy EC17	Proposals for tourism and recreation developments of an appropriate scale in locations which relate acceptably to the existing pattern of development and/or their surroundings in terms of the nature of the proposal concerned will be permitted provided they comply with a specified list of criteria including standard of design, effect on landscape and nature conservation, effect of visitor pressure on sensitive locations, provide acceptable and safe access, would not cause a loss of best agricultural land. (City & County of Swansea Unitary Development Plan 2008)
Policy EC19	The creation of well-designed un-serviced tourist accommodation through the conversion of existing appropriate rural buildings will be supported. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2007/0806	Repositioning of existing agricultural building (application for the Prior

Approval of the Local Planning Authority)
Decision: Prior Approval Is Not Required
Decision Date: 27/04/2007

99/0084 CHANGE OF USE OF DISUSED BARN TO WATER BOTTLING UNIT
Decision: *HGPC - GRANT PERMISSION CONDITIONAL
Decision Date: 04/10/1999

RESPONSE TO CONSULTATIONS

The application was advertised on site and one neighbouring property consulted. No response.

The Gower Society – make the following comments:

1. The Design Guide should be strictly followed.
2. We are concerned about the NRW letter to the applicant in March of this year stating the position relating to potential flooding. Local knowledge of this area confirms to us that water may have reached this building (and may even have entered it) during high tides early this year. This requires checking.
3. We refer to the decision made by the Planning Inspector to refuse the building to remain as it was following unlawful works and subsequent planning enforcement in March 2007. It is essential that the clauses relating to matters that had been carried out without permission be adhered to prior to any decision being made.
4. Under no circumstances must the building be raised in any shape or form beyond the dimensions referred to by the Inspector.
5. The drawings do not indicate, as far as we could see, what materials the windows are to be made from.

We are concerned about this application and would be obliged if you would take these points into consideration when making your decision.

Natural Resource Wales –

Natural Resources Wales (NRW) does not object to the above application, providing appropriately worded conditions requiring the implementation of bat mitigation measures are attached to any planning permission your authority is minded to grant.

Protected Species - Bats

NRW welcome the submission of the revised document entitled; '*Bat Survey for Staffal Haegr, Llanrhidian (Report Number B-14-04-01)*', dated 11 April 2014, by Matthew Carroll (Consultant Ecologist).

We note from the survey report that small numbers of pipistrelle species of bats were recorded day roosting within the long barn.

NRW advice on the application

NRW does not object to the above application and we do not consider the proposed development will result in a detriment to the maintenance of favorable conservation status of this species, providing that:

The works are carried out in accordance with a method statement (MS) to be agreed with your authority prior to any work commencing at the site. The MS should include, but not be limited to, timing of works, measures to avoid killing & injuring bats during works, use of

materials (such as timber, roofing membranes), positioning and size of entrances, size & location of roosting areas, vegetation retention/management, proposals for lighting as appropriate and should be implemented as agreed.

A suitable roosting resources is provided, appropriate for use by day roosting pipistrelle species of bats. This roosting resources could be provided in the form of, for example, behind fascia crevices, or retained cavities within the wall structure or similar, which can provide similar roosting to that available presently.

We also advise that the applicant seeks a European Protected Species licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon bats. Please note that the granting of planning permission does not negate the need to obtain a licence.

Flood Risk

The site is located within zone C2, as defined by the development advice maps referred to under TAN 15 Development and Flood Risk (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be at risk of flooding in the 1% flood event.

The proposal is for the conversion of an agricultural building into holiday accommodation and can therefore be classed as a change of vulnerability from less vulnerable to highly vulnerable according to TAN15.

The TAN15 guidance is that highly vulnerable development should not be permitted within zone C2. However as a Flood Consequences Assessment (FCA) has been submitted with this application, it appears your Authority are minded to go against TAN15 policy and have applied the justification test outlined in Section 6 of TAN15.

As the flood risk to the site is tidal, climate change has been considered as part of section 3 of the FCA. It proposes that the finished floor level of the property will be 6.45m AOD which is above the 0.5% tide level with climate change allowances applied, however only a 50 year lifetime of development has been considered when applying climate change. For residential development we advise that a 100 year lifetime of development is considered for climate change purposes, therefore it is up to your Authority if you are willing to accept a 50 year lifetime of development for this application.

Therefore we would advise your Authority that when climate change is applied to the 0.1% scenario it will not comply with Table A1.15 in TAN15. Should your Authority be minded to approve this application despite it not complying with TAN15, we would advise that a flood management plan is developed for the site and approved by your Authority to ensure that occupants can be safely evacuated should a flood event occur.

We would be in favour of the use of soakaways in the management of surface water from the site. If it is found for any reason that soakaways or any other SUDs techniques cannot be implemented on site, Developers must give a good reason as to why they cannot be used and any conventional drainage system must improve upon the existing status quo.

In summary, Natural Resources Wales does not object to the above application, providing appropriately worded conditions requiring the implementation of bat mitigation measures are attached to any planning permission.

Planning Ecologist – No objection subject to conditions securing bat roost

Glamorgan Gwent Archaeological Trust – the proposal will require archaeological mitigation and a standard condition recommended.

Highways - Whilst access to the site is via a rural lane which is restricted, it is unlikely that a single holiday let will generate such a volume of traffic movements as to render the proposal unacceptable in highway terms. Adequate parking is available within the farm complex and three spaces are indicated to be reserved for the holiday let use.

I recommend that no highway objections are raised.

APPRAISAL

The application is reported to Committee for decision and a site visit has been requested by Councillor Richard Lewis in order to assess the impact upon the AONB.

Full planning permission is sought for the conversion of the former Longhouse at Stavel Hagar, Llanrhidian to form holiday accommodation together with a single storey front extension

The main issues for consideration during the determination of this application relate to whether or not the building is structurally capable of conversion, and the impact of the proposal upon the traditional character of the existing building and the wider Gower AONB having regard for the provisions of Policies EV1, EV3, EV22, EV26, EC12 and EC17 of the Swansea UDP and the Supplementary Planning Guidance documents entitled 'A Gower Design Guide' and the 'Conversion of Rural Buildings'.

The application is accompanied by an Ecological Survey; a Structural Survey and a Flood Consequence Assessment. Following detailed discussions with Natural Resource Wales and the Department own Ecologist it has been agreed that:

- **Ecology**

The works should be carried out in accordance with a method statement (MS) to be agreed with your authority prior to any work commencing at the site. The MS should include, but not be limited to, timing of works, measures to avoid killing & injuring bats during works, use of materials (such as timber, roofing membranes), positioning and size of entrances, size & location of roosting areas, vegetation retention/management, proposals for lighting as appropriate and should be implemented as agreed. A suitable roosting resources is provided, appropriate for use by day roosting pipistrelle species of bats and that the applicant seeks a European Protected Species licence from NRW under Regulation 53(2)e of the Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon bats.

- **Flooding**

A flood management plan should be developed for the site and approved by the Local Planning Authority to ensure that occupants can be safely evacuated should a flood event occur.

The application site lies on the north western outskirts of the village of Llanrhidian behind an identified 'visually significant tree belt' (Gower Design Guide) and is accessed via a long shared access road off the western end of Mill Lane which in turn splits onto 2 separate private access drive to the property as well as a neighbouring one to the south east. A short distance to the north of the site lies the Loughor estuary. As such these two properties lie in relative isolation with no through route passing by.

The site comprises of a host dwelling as well as several small outbuildings which include an existing single storey barn type structure known as the 'Long House' which is the focus of this application. In its current form the Long House comprises of a long, linear single storey building which has differing roof forms at either end of this. These comprise of a pitched roof form for the eastern half of the building and a taller monopitched roof to the western end. In addition to this there are a number of different sized door and window openings some of which have been boarded over as well as a section of facing brickwork.

The proposals seek to bring the building into habitable use as a holiday let comprising of a living room, dining area and kitchen, bathroom and bedroom as a series of linearly connected rooms. It is also proposed to incorporate a gable roofed porch area which also includes a small WC. Access to the Long House will be via the porch area as well as directly into the kitchen area from the south and into a small hallway between the kitchen and bedroom to the north.

Proposed changes to the appearance of the building include replacing the monopitched roof with a traditional pitched roof, reuse of the boarded up door openings, new fenestration and the aforementioned new porch. Materials are to include a natural slate roof, softwood stained fascia boards and barge boards, natural stone to building envelope, hardwood doors and softwood stained windows with oak lintels and stone cills.

The application is also supported by a structural survey which demonstrates that the building is capable of being converted without major rebuilding. As a result of all of the minor changes over the years the existing building now lacks a coherent appearance and form. The proposals to alter the roof and provide new fenestration would improve the appearance of the building and give it a more visually unified exterior. The proposed porch is of an appropriate design and is therefore acceptable. The use of the proposed traditional materials is strongly welcomed given the location of the site within the Gower AONB area. Overall the proposals represent an improvement over the existing in design terms and also help to increase the holiday let offer of the locality and as such are acceptable in visual terms

On this basis, it is considered that the scale, design and external appearance of the proposed scheme is in keeping with the character and appearance of the surrounding area, is not visible from any surrounding public vantage points and so would not appear unduly prominent. It is therefore considered that the proposal would not have a significant harmful effect upon the visual relationship of the character of the area and its setting which contributes positively to the quality of the area and the wider Gower AONB. As such the proposals would accord with Policies EC12, EV22 and EV26 of the Unitary Development Plan and Supplementary Planning Guidance documents entitled the Gower AONB Design Guide and the Conversion of Rural Buildings.

The application site is well placed for walking, cycling, horse riding and activity holidays, being within the Gower AONB and the surrounding area is served by bus routes and road networks. In this respect, it is considered that the proposed holiday let accords with the criteria of Policy EC17 which supports proposals for tourism and recreation developments of an appropriate scale and Policy EC19 which supports the creation of well-designed unserviced tourist accommodation through the conversion of existing appropriate rural buildings. However to ensure that the holiday let remains in perpetuity an appropriate condition is attached ensuring that the building is used for holiday accommodation purposes only.

Turning to residential amenity, the scale of the building remains largely unchanged and therefore no addition issues of physical overbearance or overshadowing arise. Any new window openings are limited and given the distance and relationship between the

application property and the surrounding properties the proposal will not result in any loss of privacy. It is acknowledged that the use will change, however, the scale and type of accommodation proposed, it is not considered that the comings and goings likely to be generated will give rise to any significant demonstrable harm. Overall therefore the proposal is considered to comply with Policy EV1 of the Swansea UDP.

Glamorgan Gwent Archaeological Trust has advised that the proposed development has the potential to reveal archaeological features relating to the medieval and post-mediaeval settlement of the area. They do not raise any objection to the positive determination of the application, subject to a condition being attached to the consent, to mitigate the impact of the proposed extension on any buried archaeological resource. This will be achieved through an appropriately worded condition requiring the applicant to submit a programme of archaeological work in accordance with a written scheme of investigation.

In terms of highway safety matters, whilst access to the site is via a rural lane which is restricted, it is unlikely that a single holiday let will generate such a volume of traffic movements as to render the proposal unacceptable in highway terms. Adequate parking is available within the farm complex and three spaces are indicated to be reserved for the holiday let use. The Head of Transportation and Engineering therefore raises no objection to the proposal.

In conclusion it is considered that the proposal respects the proportions, design and character and appearance of the existing building which in turn respects the wider countryside and AONB whilst also offering modern, flexible holiday accommodation for its occupants. The introduction of this use will also make a valuable contribution to the local economy and is considered to be of a good quality design and subject to a condition ensuring traditional materials are used in their construction and renovation the proposal will respect the visual amenities of the area. Therefore, it is considered that the development complies with the principles of Policies EV1, EV2, EV3, EV22, EV26, EC12, EC17 and EC19 of the Swansea UDP and Supplementary Planning Guidance documents 'Gower Design Guide' and the 'Conversion of Rural Buildings'. Approval is recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The owner shall ensure that an up to date register containing details of all occupiers of the chalet together with the dates of occupancy and details of the occupiers' main home address, is maintained and submitted to the Local Planning Authority on an annual basis (the register for each calendar year shall be submitted by the 31st January in the following year unless otherwise agreed by the Local Planning Authority), and shall also be made available at all reasonable times for inspection by the Local Planning Authority.
Reason: To ensure that the holiday accommodation is not used for unauthorised permanent residential accommodation.

- 3 The property shall be used for holiday accommodation only and shall not be occupied by any person or persons as their main or sole place of residence.
Reason: The site is only suitable for holiday use and is unsuitable for permanent residential use.
- 4 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 5 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource
- 6 The applicant shall seek a European Protected Species licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon bats. Where protected species are found to be present on the site in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a license to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
Reason: In the interest of protecting species listed under the Conservation of Habitats and Species Regulation 2010.
- 7 The works hereby approved shall be carried out in accordance with a method statement (MS) to be submitted and to and agreed with the Local Planning Authority prior to any work commencing at the site. The MS should include, but not be limited to, timing of works, measures to avoid killing & injuring bats during works, use of materials (such as timber, roofing membranes), positioning and size of entrances, size & location of roosting areas, vegetation retention/management, proposals for lighting as appropriate and should be implemented as agreed.
Reason: In the interest of protecting species listed under the Conservation of Habitats and Species Regulation 2010.
- 8 A suitable roosting resources shall be provided, appropriate for use by day roosting pipistrelle species of bats. This roosting resources could be provided in the form of, for example, behind fascia crevices, or retained cavities within the wall structure or similar, which can provide similar roosting to that available presently, details of which shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interest of protecting species listed under the Conservation of Habitats and Species Regulation 2010.

- 9 A flood management plan shall be developed for the site which shall be submitted to and approved in writing by the Local Planning Authority to ensure that occupants can be safely evacuated should a flood event occur.

Reason: In the interest of managing flood risk

- 10 The design, location and orientation of any/all new lighting provision installed as a consequence of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any lighting is erected, and the scheme shall be implemented and retained in accordance with the approved details

Reason: To ensure that the development hereby approved does not result in unacceptable levels of light pollution to neighbouring premises and/or the surrounding area.

INFORMATIVES

- 1 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV3, EV22, EV26, EC12, EC17 and EC19 of the Swansea Unitary Development 2008.
- 3 As part of a sustainable drainage system the developer is advised to consider the use of sustainable drainage (SUDS) measures, such as permeable paving for the driveway access and car parking area, and rainwater or greywater harvesting from the new buildings, etc.

PLANS

001-site location plan, 002-block plan, 003-proposed ground floor plan,004-existing elevations & sections, 005-proposed elevations & sections received 23rd April 2014