



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 14/11227/FUL **Case Officer:** Ms Tamsin Law
Site Notice Posted: 8th April 2015 **Consultation Date:** 12th Mar 2015
Date Valid: 10th Mar 2015 **8 Week Target:** 5th May 2015
Decision Type: Delegated Decision
Proposal: Demolition of shed and conversion of two existing detached outbuildings to provide one holiday let with a glazed link
Address: 2 Brunant Road, Clydach, Abergavenny

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council		No comments received
NP Planning Ecologist		No comments received
Natural Resources Wales/Cyfoeth Naturiol Cymru	4th Dec 2014	<p>Thank you for providing us with a copy of the updated bat report by Philip Pritchard, dated November 2014.</p> <p>We remove our objection to the above application, providing appropriately worded conditions requiring the implementation of the bat mitigation measures set out in Section 9 of the June 2014 and November 2014 reports are attached to any planning permission your authority is minded to grant.</p> <p>We note that in section 9.6 of the June 2014 report reference is made to the presence of breathable roof membrane in the attic space forming part of the bat mitigation. As the applicant's ecologist notes, there is research showing that these membranes can pose a danger to bats, and NRW do consider this issue when assessing applications for European Protected Species licenses. Please be aware that NRW recommend the use</p>

of bitumastic felt to BS747.

In this case the applicant is proposing to seal away the breathable membrane behind timber boarding, but has not provided details showing how this will be put in place to prevent any access by any bats. We recommend that the applicant provides you with details confirming how the membrane will be sealed away, and that you discuss this matter with your authority's ecologist prior to determination.

We also recommend that you condition the submittal of an appropriate method statement (MS) to be agreed with your authority prior to any work commencing at the site. The MS should include, but not exclusively, 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

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. Please note that the granting of planning permission does not negate the need to obtain a licence.

Monmouthshire County Council Highways 4th Dec 2014

I replied to the previous submission on 11th November 2014, to bbnp and to Lloyd Jones, stating that there was insufficient parking and turning.
I have been unable to open the planning file on your web site today, but unless there has been significant amendments to the proposal, I would be unlikely to be able to support the holiday let of that size.
I will however retry the web site tomorrow and hopefully be able to view the resubmission.
If however in the mean time you could forward the revised plan and statement, I may be able to review earlier.

CADW Ancient Monuments

No comments received

Dwr Cymru Welsh Water - Developer Services

19th Mar 2015

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Conditions

Foul water and surface water discharges shall be drained separately from the site. Reason: To protect the integrity of the public sewerage system. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Advisory Notes

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652.

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage

apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW. On the 1st October 2012 the Welsh Government introduced the Welsh Ministers Standards and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on the Developer Services Section of our website - www.dwrcymru.com Further information on the Welsh Ministers Standards can be found on the Welsh Government website - www.wales.gov.uk

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Llanelly Community
Council

No comments received

Monmouthshire County
Council Highways

No comments received

NP Planning Ecologist 24th Mar 2015

A. Planning Policy & Guidance

To comply with Planning Policy Wales (2014), section 5.5 and also Technical Advice Note (TAN) 5, biodiversity considerations must be taken into account in determining planning applications. Planning permission should be refused if the proposals will result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures.

The adopted Local Development Plan for the Brecon Beacons National Park includes the following policies regarding ecological issues and safeguarding biodiversity:

- o SP3 Environmental Protection - Strategic Policy
- o Policy 3 Sites of European Importance
- o Policy 4 Sites of National Importance
- o Policy 5 Sites of Importance for Nature Conservation
- o Policy 6 Biodiversity and Development
- o Policy 7 Protected and Important Wild Species
- o Policy 8 Trees and Development
- o Policy 9 Ancient Woodland and Veteran Trees

B. Legislation

Environment Act 1995 - the first Statutory Purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park
Natural Environment & Rural Communities Act 2006 - Section 40 requires local authorities to have due regard to conserving biodiversity. This includes reference to the list of priority species and habitats produced under Section 42 of the Act.

Conservation of Habitats & Species Regulations 2010 (as amended) - Regulation 9 requires local authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether the three tests have been met, prior to determining the application.

The three tests that must be satisfied are:

- i. That the development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- ii. That there is "no satisfactory alternative
- iii. That the derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range

C. Comments

1. Thank you for consulting me on the additional information that has been submitted for the above application. The development proposals are for the conversion of two buildings (a modern stable block and a stone outbuilding) to a holiday let with a glazed link between. A third shed will be demolished. Additional information has been submitted to clarify the access and visibility splays to the site.

2. I visited the site last year and provided comments in a Memorandum dated 16th October 2014. The following documents submitted with the application, include ecological information:

Bat report Stable Block Adjacent to Cae Aberduar Cottage, Brunant Road, Clydach, Abergavenny, NP7 0LP by Mr Richard Watkins, dated June 2014

Bat scoping survey Barn adjacent to Cae-Aberduar Cottage, Brunant Road, Clydach, Abergavenny, NP7 0LP by Mr Richard Watkins dated November 2014

3. I note the evidence of the presence of Brown long-eared and lesser horseshoe bats (one of each) roosting in the stable block building during the surveys in 2014. The mitigation measures include the provision of a bat loft in the north-east section of the building. It will be

essential to ensure that the bats do not have access to the breathable membrane as they may become entangled. No evidence of bat roosting was found in the other buildings that are the subject of this application.

4. There will be opportunities to accommodate biodiversity enhancement measures such as a bat brick or gaps for bat roosting behind weatherboarding. In order to comply with the NERC Act 2006 and PPW 2014, I recommend that at least two additional features for bats or nesting birds are specified (type and location) by the applicants as biodiversity enhancement.

5. Improvements to the access are required that will include excavation and reinforcement of the bank. I attended a site visit on the 17th February 2015 and discussed options for minimising the impacts on trees and shrubs at the top of the bank. Although one small elder will need to be removed, I understand that all the other shrubs and trees will be retained. Some of the limbs of the holly may need to be removed to prevent the weight of the tree causing collapse of the bank. Blockwork will be used to reinforce the bank and this will be faced with a new stone wall.

6. I recommend additional planting of shrubs at the top of the bank which will also help to stabilise the soil. The landscaping proposals are broadly acceptable. The Hedge Type I planting specifications on drawing NP9v1 are appropriate and should be implemented in the first planting season following completion of the access construction works.

D. Recommendations

If this application is to be approved, I recommend the inclusion of the following planning conditions and informative notes:

1. Prior to commencement of development works, a full working method statement shall be submitted to the Local Planning Authority and shall be implemented as approved. Construction measures and the method statement shall incorporate the recommendations in Section 9 of the ecological report dated June 2014 and Section 9 of the ecological report dated November 2014.

2. The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first use of the development. Following the installation of the mitigation, a report prepared by a suitably qualified bat consultant confirming their adequate installation shall be submitted to the Local Planning Authority. The results of the post-development monitoring surveys shall be submitted to the Local Planning Authority within 2 months of their being undertaken.

3. No external lighting shall be installed until an external

lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with bat mitigation/enhancement measures and shall be implemented as approved.

4. The landscaping plan as shown on Drawing NP9vI and the planting specification details in Hedge Type I shall be implemented in the first planting season following implementation of the development and retained thereafter. Any planting that fails in the first five years shall be replaced in the following planting season.

Reasons:

1 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP

2 To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006

NP Head Of Strategy
Policy And Heritage

31st Mar 2015

I refer to the above which has been forwarded to the Strategy and Policy Team for comment.

The development plan for the area is the Brecon Beacons National Park Local Development Plan 2007-2022 (hereafter LDP) which was adopted by resolution of the National Park Authority on the 17th December 2013.

My observations relate to the proposals compliance with the strategy and policy of the LDP.

Proposal

The proposal seeks the conversion of redundant rural buildings for use as a Holiday Let.

LDP Policy Context

The proposal is located in an area of open countryside as defined by the LDP Proposals Map. The LDP defines countryside locations as areas unsuitable to accommodate future development in accordance with the Environmental Capacity of the National Park. In these areas there is a presumption against development with the exception given to those development forms where there is a defined essential need for a countryside location. Strategy policy CYD LPI sets out the forms of development that are considered acceptable within these parameters. Criterion I (b) enables proposals for the appropriate re-use of redundant rural buildings where that use would provide the following beneficial uses

- i) Commercial, Sport, Tourism or Recreation use OR
- ii) Affordable Housing to serve an identified need OR
- iii) The proposal will provide a Rural Enterprise Dwelling to serve an evidenced essential need

As the proposal relates to a holiday let it is taken to accord with criterion (i) above (subject to the imposition of appropriate occupancy conditions restricting use of the site for permeant residential occupation)

Recommendation:

Subject to the imposition of suitable occupancy conditions, the strategy and policy have no objection to the above proposal.

Natural Resources
Wales/Cyfoeth Naturiol
Cymru

23rd Mar 2015

There does not appear to be any new information of relevance for NRW, so please refer back to our comments dated 4th December 2014

Llanelly Community
Council

No comments received

NP Head Of Strategy
Policy And Heritage

16th Oct 2014

The development plan for the area is the Brecon Beacons National Park Local Development Plan 2007-2022 (hereafter LDP) which was adopted by resolution of the National Park Authority on the 17th December 2013.

My observations relate to the proposals compliance with the strategy and policy of the LDP.

Proposal

The proposal seeks the conversion of redundant rural buildings for use as a Holiday Let.

LDP Policy Context

The proposal is located in an area of open countryside as defined by the LDP Proposals Map. The LDP defines countryside locations as areas unsuitable to accommodate future development in accordance with the Environmental Capacity of the National Park. In these areas there is a presumption against development with the exception given to those development forms where there is a defined essential need for a countryside location. Strategy policy CYD LPI sets out the forms of development that are considered acceptable within these parameters. Criterion I (b) enables proposals for the appropriate re-use of redundant rural buildings where

that use would provide the following beneficial uses

- i) Commercial, Sport, Tourism or Recreation use OR
- ii) Affordable Housing to serve an identified need OR
- iii) The proposal will provide a Rural Enterprise Dwelling to serve an evidenced essential need

As the proposal relates to a holiday let it is taken to accord with criterion (i) above (subject to the imposition of appropriate occupancy conditions restricting use of the site for permanent residential occupation)

Recommendation:

Subject to the imposition of suitable occupancy conditions, the strategy and policy have no objection to the above proposal.

NP Planning Ecologist 20th Oct 2014

- A. Planning Policy & Guidance
 - o To comply with Planning Policy Wales (2014), section 5.5 and also Technical Advice Note (TAN) 5, biodiversity considerations must be taken into account in determining planning applications. Planning permission should be refused if the proposals will result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures.
 - o The adopted Local Development Plan for the Brecon Beacons National Park includes the following policies regarding ecological issues and safeguarding biodiversity:
 - o SP3 Environmental Protection - Strategic Policy
 - o Policy 3 Sites of European Importance
 - o Policy 4 Sites of National Importance
 - o Policy 5 Sites of Importance for Nature Conservation
 - o Policy 6 Biodiversity and Development
 - o Policy 7 Protected and Important Wild Species
 - o Policy 8 Trees and Development
 - o Policy 9 Ancient Woodland and Veteran Trees
- B. Legislation
 - o Environment Act 1995 - the first Statutory Purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park
 - o Natural Environment & Rural Communities Act 2006 - Section 40 requires local authorities to have due

regard to conserving biodiversity. This includes reference to the list of priority species and habitats produced under Section 42 of the Act.

o Conservation of Habitats & Species Regulations 2010 (as amended) - Regulation 9 requires local authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application.

The three tests that must be satisfied are:

- i. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- ii. That there is "no satisfactory alternative"
- iii. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

C. Comments

1. Thank you for consulting me on the above application. The development proposals are for the conversion of two buildings (a modern stable block and a stone outbuilding) to a holiday let with a glazed link between. A third shed will be demolished.

2. I visited the site earlier this month and have reviewed the documents and drawings submitted with the application, which includes the following ecological information:

o Bat report - Stable Block Adjacent to Cae Aberduar Cottage, Brunant Road, Clydach, Abergavenny, NP7 0LP by Mr Richard Watkins, dated June 2014

3. I welcome the submission of the ecological report with the application and I note the evidence of the presence of Brown long-eared and lesser horseshoe bats (one of each) roosting in the stable block building during the surveys in 2014. The mitigation measures include the provision of a bat loft in the north-east section of the building. It will be essential to ensure that the bats do not have access to the breathable membrane as they may become entangled.

4. Unfortunately two of the buildings that are the subject of these proposals were not surveyed for bat presence. The stone outbuilding has suitability for use by bats for roosting purposes in particular. Both this and the other building that is proposed for demolition will need to be assessed for potential use by bats.

5. There will be opportunities to accommodate biodiversity enhancement measures such as a bat brick or gaps for bat roosting behind weatherboarding. In order to comply with the NERC Act 2006 and PPW 2014, I recommend that at least two additional features for bats or nesting birds are specified (type and location) by the applicants as biodiversity enhancement.

D. Recommendations

In the absence of a bat survey of two of the buildings affected by these development proposals, I am currently unable to support this application. The applicant will need to commission an additional ecological survey to establish whether the proposed development will have impacts on protected species and/or habitats. If no evidence of or potential for presence or impacts is found, a report detailing these findings should be submitted, along with any suitable biodiversity enhancement measures.

If evidence of or potential for protected species is found, further ecological surveys must be undertaken to establish species present, populations and details such as exact roosting sites and flight lines for bats. The methodology of the surveys should follow the latest best practice guidelines for the species concerned. A final report must detail mitigation, compensation and enhancement measures (including landscape design or retention).

As protected species are a 'material consideration', Brecon Beacons National Park Authority cannot determine this application until all the necessary survey, mitigation, compensation and enhancement information are received.

In summary, the applicant will need to submit a report to the BBNPA detailing the following:

- o A full visual assessment of the site for the presence of protected species (bats, nesting birds etc.)
- o If necessary, further surveys to establish species present and population sizes
- o Mitigation and compensation strategies for any species found to be present - these will also need to be shown on architectural drawings
- o Biodiversity enhancement measures that can be incorporated

The biological records provided in the ecological report will be forwarded to the Biodiversity Information Service for Powys and Brecon Beacons.

This application cannot be approved in the absence of this information and should either be withdrawn or refused.

Reasons:

- o To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP
- o To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006

Natural Resources
Wales/Cyfoeth Naturiol
Cymru

16th Oct 2014

Natural Resources Wales (NRW) object to the proposal at the present time, pending the provision of further information regarding bats, which are a European Protected Species. We would be happy to review our position on receipt of further information as requested below.

Bats

We welcome the submission of the document titled "Bat Report - Stable Block adjacent to Cae Aberduar Cottage, Brunant Road, Clydach, Abergavenny NP7 0LP" by Richard Watkins, dated June 2014. We note that the survey found a single brown long-eared bat and evidence of a night roost for a lesser horseshoe bat within the stable building.

However, we also note that no bat survey has been undertaken at the barn to be converted, or the shed to be demolished. We believe that there is a reasonable likelihood that bats may be using the structures as roosts. Furthermore, we believe that the proposals could impact on any bat roosts present due to the nature of the planned alterations.

It is possible that an internal and external scoping survey to assess the potential of the buildings for bats may be sufficient to determine the presence or likely absence of species in the buildings. However, if a scoping survey indicates that features suitable for bat roosting are present in these buildings, we recommend that activity surveys be undertaken in line with current best practice guidance, especially as

bats are confirmed to be using the adjacent stable building. We would highlight that the Bat Survey Guidelines (2nd Edition) recommend at least two activity surveys separated by one month during the bat active period of May to September.

Legislation and policy - European Protected Species

All species of British bats are European Protected Species (EPS), legally protected under

The Conservation of Habitats and Species Regulations 2010 (as amended). Legal

protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.

These requirements are translated into planning policy through Planning Policy Wales

(PPW) July 2014, section 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature

Conservation and Planning (September 2009). The

planning authority should take them

into account when considering development proposals where a European Protected

Species is present.

NRW advice on the application

We advise that further information as outlined above needs to be sought from the applicant

before your authority can determine whether an NRW EPS licence in relation to bats and

their roosts is required in relation to the proposals for the barn and the shed buildings, or

conclude that the development will cause no detriment to the favourable conservation

status of the species concerned.

Please note that we have not considered possible effects on all species and habitats listed

in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on

the Local Biodiversity Action Plan or other local natural heritage interests. To comply with

your authority's duty under section 40 of the NERC Act,

to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or nature conservation organisations such as the local Wildlife Trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

We refer you to our 'Planning Advice Note (100) Natural Resources Wales/ Cyfoeth Naturiol Cymru' for further guidance on environmental planning and regulatory issues.

In summary, Natural Resources Wales object to the proposal at the current time, pending the provision of further information regarding European Protected Species

CADW Ancient
Monuments

14th Oct 2014

Thank you for your letter of 25 September 2014 inviting Cadw's comments on the planning application for the proposed development as described above.

Cadw's role in the planning process is not to oppose or support planning applications but to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled ancient monuments or Registered Historic Landscapes, Parks and Gardens. It is a matter for the local planning authority to then weigh Cadw's assessment against all the other material considerations in determining whether to approve planning permission.

The advice set out below relates only to those aspects of the proposal, which fall within Cadw's remit as a consultee. Our comments do not address any potential impact on the setting of any listed building, which is properly a matter for your authority. These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Our records have not identified any scheduled ancient monuments, historic parks and gardens or historic landscapes that are likely to be affected by this proposal. You should also consult the Historic Environment Record, the official

register of archaeological sites in Wales,
which is held by the Welsh Archaeological Trusts.

Monmouthshire County Council Highways	No comments received
Dwr Cymru Welsh Water - Developer Services	No comments received
NP Planning Ecologist	No comments received
Natural Resources Wales/Cyfoeth Naturiol Cymru	No comments received

CONTRIBUTORS

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

The application has been advertised through the erection of a site notice. No representation or objections have been received.

RELEVANT POLICIES

Local Development Plan 2013;

CYD LPI Enabling Appropriate Development in the Countryside
Policy 1 Appropriate Development in the National Park
Policy 6 Biodiversity and Development
Policy 7 Protected and Important Wild Species
Policy 12 Light Pollution
Policy 23 Sustainable Design in the Adaption and Re-use of Existing Buildings
Policy 59 Impacts on Traffic
SPI 1 Sustainable Design

Planning Policy Wales 7th Edition 2014

Technical Advice Note 12 Design 2014

PLANNING HISTORY

App Ref	Description	Decision	Date
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OFFICER'S REPORT

Introduction

The application seeks full planning permission for the demolition of a shed and the conversion of two

outbuildings to provide one holiday let unit at 2 Brunant Road, Clydach. The application site falls within an area of open countryside within the community of Llanelly.

Site description

The barns that forms part of this application is sited 6.5 metres to the east of the host dwelling. The barns are currently separated located on either side of a yard and are raised in relation to the host dwelling and adjoining highway. One barn is currently a stable and measures 14.4 metres in width and 4.8 metres in depth. Across the yard from the stable is a smaller barn that measures 11 metres in width and 5 metres in depth. The stable is a relatively modern building finished with stone walls, slate roof and timber windows and doors. The smaller barn is finished with stone walls and corrugated sheet doors and roof.

Proposal

As described above it is proposed to convert the redundant barn and stable into one holiday let unit and to construct a glazed link to join the two buildings. The holiday let will provide a kitchen, diner, living room, three bedrooms, a bathroom, a w.c., a garage and associated parking and outdoor space. In order to facilitate the conversion all existing openings will be utilised and there will be the addition of one opening on the southern elevation gable, and all windows and doors will be timber. The roof will be finished in slate.

A small patio area will be located to the rear of the holiday let providing a small amount of private amenity space whilst a courtyard is located to the front to provide parking and turning areas. Two parking spaces are proposed.

The buildings will be linked via a glazed building that will house the kitchen/diner and will measure 3 metres in width and 4.7 metres in depth with a maximum height of 4.1 metres falling to 3 metres at the eaves. The linked building will be finished with a slate roof and large timber windows.

Planning Policy Context

The development plan for the area includes the adopted Local Development Plan (2013). This application is considered against policies CYD LPI, 1, 6, 7, 12, 23, 59 and SPII.

Principle of Conversion to Holiday Lets

2 Brunant Road lies outside a defined settlement boundary and is classed as falling within the open countryside. In this particular case policy CYD LPI (1b), which enables appropriate development in the countryside is relevant and identifies that for proposals to re-instate redundant buildings to the following beneficial uses will be supported subject to other policies of the LDP:

- i) Commercial, Sport, Tourism or Recreation use OR
- ii) Affordable Housing to serve an identified need OR
- iii) The proposal will provide a Rural Enterprise Dwelling to serve an evidenced essential need.

The actual proposal is for one holiday let unit, although the use class would be the same as that of a residential dwelling (use class C3), it is the restrictions that can be placed on a holiday let by way of conditions that makes it slightly different. A proposal for a holiday let unit would be considered a suitable 'commercial, tourism, sport or recreation use' with regard to policy CYD LPI and it therefore

complies with this policy.

Overall, it is considered that the principle of the conversion of the barn into one holiday let unit is acceptable, subject to the following material considerations that will be discussed below.

Visual Amenity

Policy I (i) aims to ensure that the scale, form, design, layout, density, intensity of use and use of materials will be appropriate to the surrounding and will maintain or enhance the quality and character of the Park's landscape and built environment. In addition policy I (ii) expects proposed development to be integrated into the landscape to the satisfaction of the NPA through planting and appropriate management of native species.

In relation to the proposed external fabric of the barn, the proposal seeks to utilise all existing openings and the windows and doors proposed are to be timber. The conversion will ultimately maintain the character and rural appearance of the barn and stable.

Turning to the proposed change of use, the use of this barn as a holiday let will not adversely affect its character nor will it lead to any detrimental visual impact on this part of the National Park. Nevertheless, in order to safeguard the integrity of the barn an appropriately worded condition removing permitted development rights will be added.

Neighbour Amenity

Paragraph 3.1.7 of Planning Policy Wales (2012) PPW states that "the planning system does not exist to protect the private interests of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. The Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties."

Due to the countryside location of the site, and the distance maintained between the proposed development and the closest neighbouring property, the proposal will have no unacceptable impact on neighbour amenity.

Biodiversity

Section 40 of the NERC Act 2006 requires Local Authorities to have due regard to conserving biodiversity including those on the list of priority species and habitats produced under Section 42 of the Act. Furthermore, the Conservation of Habitats & Species Regulations 2010 (as amended) requires local authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. i.e the development is in the public interest, there is no satisfactory alternative and that the derogation is not detrimental.

PPW and TAN6 stipulate that biodiversity considerations must be taken into account in determining planning applications and that planning permission should be refused if the proposals would result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures. Policies SP3, 6 and 7 of the LDP requires development to have due regard to biodiversity and that a developer must prove that development does not have a detrimental impact upon biodiversity.

A bat report entitled 'Bat report - Stable Block Adjacent to Cae Aberduar Cottage, Brunant Road, Clydach, Abergavenny, NP7 0LP' by Mr Richard Watkins, dated June 2014 was submitted in support of the application. The survey found that there was evidence of brown long eared and lesser horseshoe bats were roosting in the stable block. However the survey only looked at one of the buildings and no survey had been undertaken on the other barn to be converted or the substandard barn which is to be demolished. As such initial objections were received from the National Park Ecologist. Following discussion with the applicants agent an additional survey entitled 'Bat scoping survey - Barn adjacent to Cae-Aberduar Cottage, Brunant Road, Clydach, Abergavenny, NP7 0LP' by Mr Richard Watkins dated November 2014 was submitted. No evidence of bat roosting was found in the other buildings.

Both Natural Resources Wales and the National Park Ecologist are satisfied with the findings of the proposal and have no objection subject to conditions ensuring appropriate landscaping and mitigation are attached to any decision. The proposal therefore satisfies the requirements of policies SP3, 6 and 7 of the LDP.

Access and Parking

Policy 59 (Impacts of traffic) states that development will be permitted where appropriate access could be achieved. The principle point of this policy is would there be an unacceptable impact on road safety.

Following consultation with Monmouthshire Highways Department the following comments were received and states that there was insufficient parking and turning, and unless there were significant amendments to the proposal, they would be unlikely to be able to support the holiday let of that size. Following discussion with the agent, amended plans were received to address the negative comments. The plans now detail parking for two vehicles, turning area so that cars can enter and exit in a forward gear and amended visibility. Monmouthshire Highways were reconsulted on the amended plans and no comments were received.

It is considered that the proposal will not have a detrimental impact on highway safety.

Conclusion

The principle of the conversion of this barn to holiday let accommodation is acceptable. There will be no adverse impact on the overall character of the barn or the wider landscape. Moreover, the biodiversity issues have been resolved and there will be no impact on neighbour amenity or highway safety. The proposal is therefore considered to comply with policies CYD LPI, 1, 6, 7, 12, 23, 59 and SPI 1.

RECOMMENDATION: Permit

Conditions and/or Reasons:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v2, NP4v2, NP5v2, NP8v2, NP9v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending and re-enacting that Order) no development of the types described in Part 1; Classes A, B, C, D, E, F, G and H; Part

- 2; and Part 40 of Class A of Schedule 2, other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.
- 4 The building which is the subject of this application shall be used for one unit of holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of 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.
 - 5 The unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings, including the names and main home addresses of guests, shall be kept up-to-date and made available for the Local Planning Authority to inspect at all reasonable times.
 - 6 No development shall take place until details or samples of the doors and windows have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 7 No development shall take place until samples of the slate to be used on the roof have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 8 Foul water and surface water discharges shall be drained separately from the site.
 - 9 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
 - 10 Prior to commencement of development works, a full working method statement shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved. Construction measures and the method statement shall incorporate the recommendations in Section 9 of the ecological report dated June 2014 and Section 9 of the ecological report dated November 2014.
 - 11 The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first use of the development. Following the installation of the mitigation, a report prepared by a suitably qualified bat consultant confirming their adequate installation shall be submitted to and approved in writing by the Local Planning Authority. The results of the post-development monitoring surveys shall be submitted to and approved in writing by the Local Planning Authority within 2 months of their being undertaken.
 - 12 No external lighting shall be installed until an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with bat mitigation/enhancement measures and shall be implemented as approved.
 - 13 The landscaping plan as shown on Drawing NP9v1 and the planting specification details in Hedge Type 1 shall be implemented in the first planting season following implementation of the development and retained thereafter. Any planting that fails in the first five years shall be replaced in the following planting season.

Reasons:

- 1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 In order to safeguard the character and visual amenities of the locality and in accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 4 In accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013 the Local Planning Authority is not prepared to allow the introduction of separate units of residential accommodation in this rural location

- 5 To ensure the approved holiday accommodation is not used for permanent residential accommodation in accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 6 In the interests of visual amenity and in accordance with CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 7 In the interests of visual amenity and in accordance with CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 8 To protect the integrity of the public sewerage system.
- 9 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 10 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNPA. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006.
- 11 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNPA. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006.
- 12 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNPA. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006.
- 13 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNPA. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006.

Informative Notes:

- 1 Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2010 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: NRW, Cantref Court, Brecon Road, Abergavenny, NP7 7AX Tel: 01873 737000

Signed (Case Officer):
Ms Tamsin Law
Planning Officer (DC)


Date: 5.5.15

Checked (Principal Planner):


Date: 5.5.15

**Signed (National Park
Authorised Officer):**


Date: 5.5.15