

**REFERENCE:** P/18/868/FUL

**APPLICANT:** Mr Mike James The Old Barn, Mawdlam, CF33 4PH

**LOCATION:** The Old Barn Mawdlam CF33 4PH

**PROPOSAL:** Alterations and extensions to existing structure and conversion to 3 dwellings

**RECEIVED:** 25 October 2018

**SITE INSPECTED:** 11 January 2019

## **APPLICATION/SITE DESCRIPTION**

Planning permission is sought for the alterations and extensions to the existing structure and the conversion into three dwellings of the residential property known as The Old Barn, Mawdlam.

The application proposes the conversion of the existing detached residential property that also comprises associated granny flat accommodation into 3 dwellings. The proposal would comprise two, three bedroom units and a single four bedroom unit with associated off street car parking and amenity space. The application proposes a number of external alterations to facilitate the subdivision of the plot into three dwelling houses - Plots 1, 2 and 3.

### Plot 1

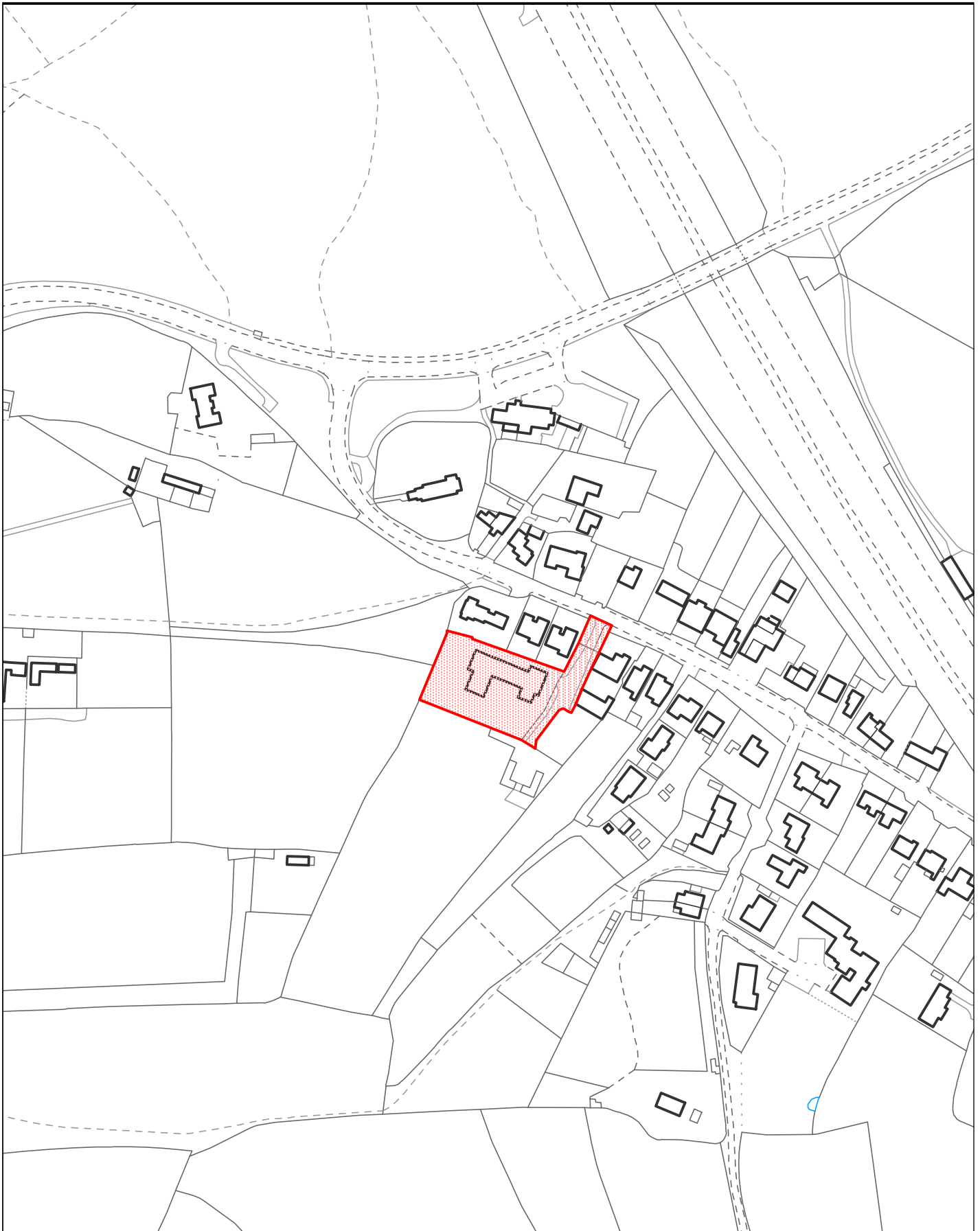
The changes proposed to plot 1 (eastern side of the existing dwelling) include:

- The erection of a single storey dining room extension to the rear, south facing elevation. The extension would have a rectangular footprint measuring 3.4 metres in projection with a 6.7 metres width. The extension would have a flat roof design extending to a height of 3.2 metres from ground level. The extension would have a rendered finish. An external amenity/balcony area would be created above the extension that would incorporate a 1.8m high privacy screen to its west facing boundary. Access to the elevated amenity area would be via a newly created opening at first floor level.
- The erection of a dormer structure to the side, east facing roof plane of the building.
- The insertion of a roof sky light to the east facing roof plane of the building.
- The removal of a single storey, front canopy/car port to the northern side of the building.
- The replacement of a window with an entrance door and window to the east facing elevation of the building.

### Plot 2

The changes proposed to plot 2 (central aspect of existing dwelling) include:

- The replacement of an existing window opening with an entrance door within the north facing elevation of the building.
- The demolition of an existing single garage to the north western corner of the building.
- The replacement of a window opening with an entrance door with associated access steps leading into the rear garden amenity space of this plot (to the south elevation).
- The introduction of an area of timber cladding to the rear, south facing elevation of the building at first floor level.
- The replacement of an existing window opening with a larger glazed area to the west facing, first floor elevation of the building.



Cyngor Bwrdeistref Sirol  
 Pŵl-pobol-ar-Obwr  
  
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**P/18/868/FUL**

**The Old Barn  
 Mawdlam**



Scale 1 : 2,500

Date 21/03/2019

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- The cladding of the first floor of the western side of the building (existing rendered walling) with treated timber.

### Plot 3

Works to plot 3 (most western side of the existing dwelling) include:

- The erection of a two storey side extension to the western side of the existing building. This extension would have a mixture of rendered and timber clad elevations. It would have a predominantly, pitched roof design set below the ridge height of the main, existing dwelling and measure 5.4 metres by 8.2 metres. It would accommodate a garage and wc at ground floor level with a living room being created at first floor level. A small decking area would be created to the south and western side of the extension which would give access to the side garden space associated with the plot.
- The erection of a first floor extension above the existing annexe to the rear, south elevation of the building. This extension would measure 8.2 metres by 9.6 metres and be finished with timber cladding. It would accommodate a master bedroom, dressing room, kitchen and utility room.
- The creation of an access drive to plot 3, which would be off the existing private drive behind the building (to the south).

**Figure 1 – Existing & Proposed elevations of the building**

### Existing



## Proposed



The application site comprises a large residential property, known as The Old Barn, Mawdlam that is set within a spacious curtilage. The plot is accessed via a private drive off Heol Las and is set within a recessed position behind the residential properties that front onto Heol Las, the main road through the village. The application building is two storey comprising a mixture of rendered and stone facades and has been developed on a relatively flat site that covers an area of approximately 0.27 hectares. The application site is situated within the built up area of Mawdlam and is situated inside the settlement boundary as prescribed by the adopted Bridgend Local Development Plan, 2013.

Two residential plots have recently been developed to the front (north) of the application building (P/15/389/Ful refers) which are screened from the development site by a high tree line and a high boundary fence. Planning permission has also recently been granted to develop a single residential unit towards the east of the application site (P/17/598/FUL refers).

The planning application is supported with a Preliminary Bat Survey and an Ecological Walkover Survey.

**Figure 2 – Photographs of the application site**

Access drive into plot off Heol Las



Front (north elevation) and eastern side of the existing building



Rear (south elevation) of the application building



## RELEVANT HISTORY

88/1170 - Refurbishment of Barn to Provide Dwelling & Garage & Demolition of Existing Barn - Granted 13/10/1988

91/1153 - Conversion and Extension of Existing Barn, Revision of Previous Approved Scheme 88/1170 - Granted 14/11/1991

P/15/389/FUL - Land adjacent to Delfryn, Heol Las - Proposed Residential Development for 2No. Detached Dwellings - Granted 23/11/2015

P/17/206/OUT - Summerville Bungalow, Mawdlam - Demolition and replacement of an existing bungalow with 3 x two storey detached dwellings - Refused (Dismissed on Appeal) 13/06/2017

P/17/24/OUT - Land to the east of the Old Barn - Erection of a single dwelling on vacant garden plot - Granted 06/04/2017

P/17/598/FUL - Land to the east of the Old Barn - Erection of detached 4 x bed dwelling on vacant garden plot (outline consent P/17/24/OUT) - Granted 22/08/2017

## NEGOTIATIONS

The proposed development has been the subject of pre application discussions and the applicant was also requested to revise the scheme during the planning application process. These revisions were sought to improve the design of the proposal and to reduce the impact on neighbouring residential properties. During the processing of the application, the applicant was also requested to submit a Preliminary Bat Survey, Ecology Survey and Tree plan.

## PLANNING POLICY

### Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan (LDP) 2006 - 2021, which was formally adopted by the Council in September 2013, within which the following Policies are of relevance:

<b>Policy PLA1</b>	Settlement Hierarchy and Urban Management
<b>Policy PLA11</b>	Parking Standards
<b>Policy SP1</b>	Regeneration-Led Development
<b>Policy SP2</b>	Design and Sustainable Place Making
<b>Policy SP3</b>	Strategic Transport Planning Principles
<b>Policy SP4</b>	Conservation and Enhancement of the Natural Environment
<b>Policy SP12</b>	Housing
<b>Policy COM3</b>	Residential Re-Use of a Building or Land
<b>Policy ENV6</b>	Nature Conservation
<b>Policy ENV7</b>	Natural Resource Protection and Public Health
<b>Policy ENV8</b>	Heritage Assets and Regeneration
<b>Policy ENV15</b>	Waste Management in New Development

### Supplementary Planning Guidance

**SPG 02** Householder Development

**SPG 08** Residential Development

**SPG 17** Parking Standards

**SPG 19** Biodiversity and Development

## **National Planning Policy and Guidance**

National planning guidance in the form of Planning Policy Wales (Edition 10 December 2018) (PPW) is of relevance to the determination of this application.

Paragraph 1.30 confirms that... *‘Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications’.*

*All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.* (Paragraph 2.2 of PPW refers)

*The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.*(Paragraph 2.3 of PPW refers)

*Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.* (Paragraph 2.7 of PPW refers)

*Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development.* (Paragraph 3.51 of PPW refers)

*Planning authorities will need to ensure...through the development management process they make the most efficient use of land and buildings in their areas.*(Paragraph 4.2.22 of PPW refers)

*Infill and windfall sites can make a useful contribution to the delivery of housing. Proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.* (Paragraph 4.2.23 of PPW refers)

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

Technical Advice Note 5 – Nature, Conservation and Planning (2009)

Technical Advice Note 12 – Design (2016)

Technical Advice Note 18 – Transport (2007)

Technical Advice Note 24 – The Historic Environment (2017)

### **Wellbeing of Future Generations (Wales) Act 2015**

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales

- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

## **PUBLICITY**

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 06 March 2019.

## **CONSULTATION RESPONSES**

*Welsh Water Developer Services* - Raise no objection to the proposal subject to the imposition of standard conditions/advisory notes regarding the drainage of the development.

*Destination & Countryside Management* - Raise no objection against the application. The information submitted in support of the application, comprising a Preliminary Bat Survey, Ecological Walkover Survey (Ecology Services, February 2019) and a letter produced by Pyle Garden Centre regarding the trees on the site, has been fully reviewed. Whilst the letter submitted in relation to the trees does not strictly satisfy BS 5837:2012, given the small scale of the development, the lack of tree preservation orders on site and the fact that the letter states that 'the trees planted in the shrub beds would not be compromised' - the information submitted is satisfactory. It is also welcomed that a nesting bird box/bat box scheme is proposed. These enhancements would go towards satisfying Section 6 of the Environment (Wales) Act 2016 which places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

*Cornelly Community Council* - Consulted on 15/11/2018 - no comments received on the planning application.

*Head of Street Scene (Land Drainage)* - Raises no objection to the planning application subject to the imposition of standard drainage conditions.

*Glamorgan Gwent Archaeological Trust (GGAT)* - No objection to the application. It is advised that information in the Historic Environment Record shows that the development area is within the Merthyr Mawr, Kenfig and Margam Burrows Registered Landscape of Outstanding Historic Importance, and within character area HLCA007: Kenfig and Mawdlam. This is characterised as Post-medieval settlement and agricultural landscape with medieval precursor; medieval and post-medieval fields; distinctive boundaries, ribbon development settlement pattern; post-medieval vernacular buildings; ecclesiastical features; communications: footpaths, tracks and straight lanes; historic associations. The focus of the settlement at Mawdlam is in this area, with both the Church of St Mary Magdalene and the Angel Inn likely to date from the 13th Century. 19th Century Title and OS maps depict buildings around these, one of which forms the eastern part of the application area. Clearly this does not remain in its original form and the immediate area has been disturbed by the creation of the current property and landscaping.

GGAT have therefore considered the likely archaeological impact of the proposed development. As noted, changes to the ground conditions are likely to have already impacted archaeological deposits. Therefore, given the current information, it is



considered the impact of the proposal will not cause an adverse effect on the archaeological resource. There is low potential for the work to encounter previously unknown archaeological remains. As the archaeological advisers to Members, there is no objection to the determination of this application.

*Shared Regulatory Services* – No objection subject to standard advisory notes/conditions regarding land contamination, imported soil/aggregates and unstable land.

*Head of Street Scene (Highways)* - Raises no objection against the application subject to the imposition of conditions.

*Councillor J H Tildesley* - Supports the planning application - highlighting the building is far too large for single or family activity. The previous occupants lived in a tiny portion of this building with the remainder being isolated. The planning application will restore a more moderate size to 3 dwellings, making the site more manageable.

*Councillor R Granville* - Advises consultation should be undertaken with the Highways Authority.

## **REPRESENTATIONS RECEIVED**

Objections to the initial planning application have been received from the owners/occupiers of the following neighbouring residential properties:

Carreg Llwyd, Heol Las  
The Corners, Heol Las  
Vistana, Heol Las  
Ty Llan, Heol Las  
Delfryn, Heol Las  
Ivy Cottage, Heol Las.

The objections received are summarised as follows:

### 1. Loss of residential amenity

The major expansion of the building would result in a significant loss of amenity to the occupiers of the three properties to the North of the site, namely Carreg Llwyd, Ty Llan and Delfryn.

Unneighbourly overlooking of gardens.

The development will increase vehicle movements along the private drive which will increase noise nuisance.

The proposal would dominate adjoining properties.

Neighbours wellbeing will be compromised by the development (with regard being made to the Wellbeing of Future Generations (Wales) Act 2015).

Increase in noise and disturbance.

The nuisance from additional vehicles movements, within the plot, will be exacerbated by the inclusion of gravel driveway areas, this is already being experienced with the current arrangements for the site.

The developers have shown no sympathy for the property or surrounding neighbours which does not instill confidence that this renovation will be managed appropriately.

The application has a complete disregard for the relationship between the development site and those of their neighbours.

The development is considered contrary to Policy SP2 of the Bridgend Local Development Plan and Supplementary Planning Guidance, which are set to ensure that the general standard of amenity in the wider community is protected in the public interest.

2. New structure to plot 3 resulting in privacy loss and unreasonable domination  
The new structure/extension to plot 3 provides a new decked area that would overlook existing/proposed properties. This building when viewed from the main living space of the neighbouring plot (Delfryn) would appear unreasonably dominating as defined within Policy SP2 of the Bridgend Local Development Plan.
3. Loss of character to the original barn building  
The character of the barn would be lost by attaching a dwelling on its south western corner and inserting large/numerous glazed areas.  
Harmful visual intrusion.  
Poor regard to the site context and setting.  
Whilst the barn is not a listed building it is a key, historical landmark in Mawdlam and in the past has been renovated sympathetically. Use of uPVC and extensive fenestration is not in keeping with the spirit or detail of the dwelling.  
The proposals would not be in keeping with its country surroundings and represent an eyesore.  
The barn would be unrecognisable as an historic agricultural building which forms part of the history of Mawdlam.  
Altering the building so that it becomes unrecognisable as to its heritage, would be to the detriment of Mawdlam's history for future generations.  
The dubious design quality of the development is seeking to create large areas of glazing, a glazed extension, a balcony, uPVC windows, cladding of stone work with timber panelling, which are all a contradiction of the historic facade and alien to the vernacular of the surrounding area.
4. Reduced space around buildings  
Claustrophobic and cramped environment that should not be allowed to prevail on any resident of the Borough.  
Overdevelopment of the plot with limited amenity space for the new units contrary to the guidance and standards set out in the Well Being of Future Generations (Wales) Act 2015 and Policy SP2 of the Bridgend Local Development Plan.
5. Increased traffic movement and highway safety concerns  
Substandard access arrangements for the development.  
The distance between a public highway and a proposed dwelling should be no more than 45 metres, which the proposal does not appear to comply with, contrary to LDP policies.  
Increased conflict and danger to pedestrians in the village through increased vehicle activity.  
Sporadic pavements throughout the village do not adequately accommodate pedestrian movements, with the development proposal only increasing health and safety issues.  
There is not a fully inclusive pavement infrastructure within the village which raises major safety concerns.  
The village cannot sustain the growth in vehicle numbers associated with the development.  
The amount of traffic and pedestrians in the village has continually increased since the 1970s which needs to be given careful consideration when planning the future development of Mawdlam.  
In addition to this proposal, permission has already been granted to develop a single dwelling adjacent to the barn, all of which will access and exit at the narrowest point of the village with poor visibility.

Within 5 years the entrance into Mawdlam Village will see a potential increase of one to thirty vehicles with no improved infrastructure to accommodate the vast increase.

The intensification of the access road to the site must bring about concerns in relation to the adequacy and safety of the development in highway safety terms. The Authority must be satisfied and demonstrate that the increased traffic flows associated with the site do not create any increased risk to vehicles and pedestrians on Heol Las who, due to the absence of pavements, are forced to share the highway with vehicles at the drive entrance, which is coincidental to being the narrowest point of Heol Las.

The current access to the Old Barn is wholly inadequate for the proposed development as it cannot satisfy the most basic design parameters required for an access onto a 30mph highway in order to ensure public safety.

The increased traffic flows would have a negative impact on the general standard of amenity in the wider community.

6. Planning application previously refused on site opposite the development site

A planning application for three dwellings on land to the north of the access to The Barn was recently refused planning permission on the basis it comprised over-development and did not satisfy highway safety standards.

There is the potential to develop the site opposite (to the north) of the Old Barn access point which could prove catastrophic in highway safety terms.

7. Ecology/Biodiversity Impact

The area hosts a diverse range of animals and birds and the Council should take professional advice to any approval on the protection of bats which are likely to be using the application site for nesting.

The development would adversely impact the overall natural environment of the village.

8. Adverse impact of bin store

Any proposed bin store to the entrance of the development would be unsightly and would raise hygiene issues.

9. Drainage Concerns.

In light of the increase in people living at the Old Barn, assurances must be made that the development will not adversely affect the drainage of the site and neighbouring properties.

The drainage of the development needs to be appropriately considered and should any neighbouring drainage be adversely affected, remedial works should be carried out at the cost of BCBC.

10. Loss of Trees

Mature trees have been removed from the site.

11. Impact on views

The proposal would have a direct impact on what can be seen from the neighbouring properties.

Following the submission of amended plans the owners/occupiers of Ty Llan and Ivy Cottage have provided correspondence that highlight they raise no objections to the revised development proposal (on the basis bins/recycling containers are not housed at the end of the access drive which would be unsightly and any future development has regard to traffic density).

## **COMMENTS ON REPRESENTATIONS RECEIVED**

### **1. Loss of Amenity**

The planning application has been subject to pre-application discussions and negotiation through the planning stage and is not considered to raise such serious or adverse residential amenity concerns to warrant a recommendation to refuse the scheme. The proposed works and subdivision of the dwelling represent changes and alterations to an existing, established plot that is appropriately screened and offset from the nearest neighbouring plots. The plot is abutted to its immediate northern boundary by three residential plots including two new build properties (P/15/389/FUL refers) however, the changes proposed to the existing northern facade of the building would not unduly compromise or adversely overlook these neighbouring plots. Importantly an elevated walkway proposed to the north western corner of the building has been removed from the scheme and no habitable room windows would harmfully overlook any of the adjacent plots, particularly when compared to the existing situation that exists at the site.

Regard has been given to the Wellbeing of Future Generations (Wales) Act 2015 when considering the proposal and the revised planning application is considered to fully comply with the aims of this Act.

Comments raised about increased vehicle movements to the site generating increased noise and disturbance are acknowledged although this is unlikely to be so adverse to warrant a recommendation to refuse the planning application. The increased vehicle movements when comparing a single unit (with associated annexe) to three units would not be so intensive to justify the refusal of the application. When also considering the characteristics of the site including the level of screening between the nearest properties and the access driveways that includes boundary fencing and tree planting, the proposal would not raise significant noise and disturbance concerns.

The scheme to subdivide and extend the existing property is considered to comply with the key requirements of Policy SP2 and ENV7 of the LDP, and SPG02 Householder Development in terms of safeguarding levels of residential amenity currently enjoyed in the locality.

### **2. New structure to plot 3 resulting in privacy loss and unreasonable domination**

Following the submission of revised plans, the provision of an elevated, external walkway structure to the north-western corner of the building has been omitted from the proposal. No windows are proposed within the new side extension, to plot 3, that would harmfully overlook the nearest neighbouring plot (Delfryn). The new extension would also be positioned over 14 to 15 metres from the boundary with Delfryn and as such would not appear as an unreasonably dominating or overbearing feature when viewed from this neighbouring property. A new area of glazing is proposed to the western side of the existing building although, given the orientation, offset and distances between this new feature and the existing neighbouring residential property (Delfryn), no harmful or direct overlooking of this existing plot would occur.

### **3. Loss of character to the original barn building**

Following negotiation, the proposed conversion and external works to the existing dwelling building are considered to represent a compatible and appropriate residential conversion of an existing, established dwelling. The existing building occupies a relatively isolated and secluded position behind existing plots on the main road through the village of Mawdlam. The 'backland' nature of the development site results in a building that is not significantly visible from general public vantage points, particularly from the main route through the village. Whilst areas of timber cladding would be introduced to the existing building this would be to the least visible rear elevation and to the new extensions being proposed as

part of the works. The surrounding locality hosts properties with varying designs and built form with the proposals not harmfully impacting the general character of the area. The existing building is not a Listed Building and is not positioned within a Conservation Area with the subdivision of the building and the associated works considered a respectful and acceptable form of development that can be supported.

The property already has a mixture of finishes including stone and rendered elevations and uPVC window openings. Forms of cladding have also been utilised on nearby, neighbouring residential properties.

#### 4. Reduced space around buildings

Given the size of the plot, that benefits from a significant existing curtilage, the subdivision of the site to three separate plots would not result in the overdevelopment of the site with appropriate garden space and car parking provision being retained for each of the proposed dwellings.

#### 5. Increased traffic movement and highway safety concerns

The transportation and highway safety implications of the proposal have been fully considered by the Transportation Development Control Officer who has not objected to the development subject to conditions.

It is commented that the proposal seeks permission to convert a large dwelling with granny annexe into three properties. The existing dwelling is currently located at the end of a private drive that serves the application site and a nearby stable block. It is considered, in traffic generation terms, that a private drive can accommodate 5 separate dwellings and as such the proposal does not exceed this, however, to ensure that the private drive can accommodate 2 way traffic and emergency vehicles a condition is suggested for the private drive to be widened.

With regards to the access from the site, the speed limit on Heol Las is 30mph which equates to a sight stopping distance or 'Y' distance of 43m (as detailed in Manual for Streets). It is considered that an adequate vision splay can be provided in both directions to ensure that emerging vehicles can see and be seen, however, on the latest site inspection it is noted that a section of a conifer tree at the site access slightly obscures the vision splay to the northwest. To remedy this concern, a condition is requested which will result in the conifer tree being cleared from the vision splay.

The concerns of the local residents with regards to the increase in vehicular traffic into the village are noted however, it is considered by the Highway Authority that in the main, Heol Las can accommodate the traffic generated by the proposal. In addition, it is considered that the traffic generated from the existing use of the site as a large dwelling and granny annexe would not materially increase as a result of this proposal.

#### 6. Planning application previously refused on site opposite the development site

Whilst regard is given to the planning history of the site and nearby plots the planning application must be judged on its own, individual planning merits. Any future planning applications to develop in close proximity to the current application site would also need to be judged on their individual planning merits at that time.

#### 7. Ecology/Biodiversity Impact

The planning application is supported by a Preliminary Bat Survey and Ecological walkover survey that concludes the site is extremely limited in its ecological interest and does not support any flora or fauna of special note (including bats or nesting birds). The development proposals will result in a net gain for biodiversity through the provision of bat boxes, bird boxes and amenity planting that utilises native species of tree and shrubs. As

such no additional ecological survey work is required and there are no reasons for refusing planning permission on the grounds of nature conservation.

The Council's Ecologist has considered the submitted reports and has raised no objection against the planning application.

#### 8. Adverse impact of bin store

The proposed recycling and waste bins/bags are likely to be stored within the grounds of each plot that all have acceptable levels of amenity space for the storage of such waste/recyclable products. The waste bins/bags would then be presented for collection on the access drive to the site on collection days in a manner similar to other neighbouring properties, which commonly occurs throughout the Borough. Such an arrangement therefore raises no adverse visual or hygiene concerns.

#### 9. Drainage Concerns

Following consultation with the relevant drainage bodies, no objections have been raised against the application subject to the imposition of conditions should permission be granted for the development.

#### 10. Loss of Trees

The planning application site is not affected by any Tree Preservation Orders with the planning application also being accompanied by a tree plan and supporting letter that highlights that minimal tree loss would occur as a result of the proposal. The Council's Ecologist has also considered the submitted information in this regard and raised no objections against the scheme.

#### 11. Impact on views

Loss of and impact on views is not a material planning consideration.

### **APPRAISAL**

The application is reported to Committee in view of the number of objections received against the proposal.

The application seeks full planning permission for the subdivision of this large, detached residential property into three dwelling houses. As part of the proposal, a number of alterations and extension works would be undertaken to the fabric of the existing building to support the subdivision of the existing plot into three units.

The key issues to consider in the determination of this application are the principle of the development proposal, the impact on the visual and residential amenities of the area, highway safety, land drainage and ecology.

#### Principle of the Development

The application site is located within the designated settlement boundary of Mawdlam as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP). Policy COM3 of the LDP supports the re-use of land within the urban area for small-scale residential development where no other LDP Policy protects the building or land for an existing or alternative use. There is no specific or restrictive LDP policy associated with the application site. Residential properties surround the site with residential use of the site already being firmly established. The use of the site for continued residential purposes does represent a sustainable and compatible use of the plot. Residential development is therefore supported in principle on the site.

## Visual Impact

Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making. This is supported by guidelines set out in Design Guide 1: Dwellings and Domestic Scale Buildings and Supplementary Planning Guidance 2: Householder Development.

In terms of the visual impact of the development proposal, it is acknowledged that a number of external alterations are proposed to the fabric of the existing building that would have a level of impact on the character and appearance of the existing host dwelling, however, given the site context, the acceptable design of the development and the level of negotiation undertaken with the applicant, the proposal does not raise such serious or adverse visual amenity concerns to justify the refusal of the planning application in this regard.

The application site is situated within the built up area of Mawdlam and occupies a relatively secluded and well screened position behind existing properties that front onto Heol Las, the main road through the village. Access to the plot is via a private drive that runs from Heol Las to the eastern side of the application building. The access route also provides access to a stable block positioned towards the rear, south east of the application building. Tree lines screen the access route from the neighbouring properties. The application building is therefore not readily visible from public view-points particularly the main road through the village. Properties within the immediate locality of the application site also vary significantly in their style and appearance, ranging from modest bungalow style properties to large two-storey dwellings. In light of the site context the proposed alterations to the existing dwelling, which have also been revised and modified during the planning process to better reflect and enhance the appearance of the existing building, raise no harmful visual amenity concerns.

Limited changes are proposed to the north facing elevation of the building that faces toward the existing neighbouring properties along Heol Las with a high boundary fence further adding a degree of screening to the site. Changes are proposed to the north-western corner of the building with an area of glazing and a side extension being introduced to the existing structure. However, these are considered appropriate and acceptable forms of development that would have no harmful impact on the existing character of the host building. Changes proposed to the rear (south) facing elevation of the building that include the provision of a first floor extension and a ground floor addition with amenity area above would be undertaken to the least visible elevation of the building, which has a predominantly rendered finish, with no aspect of the physical works being proposed resulting in an obtrusive or visually jarring addition to the building.

The proposed roof dormer is sympathetically designed and whilst areas of timber cladding are proposed on the building, this would not unduly harm the character of the existing building with other properties within the locality incorporating areas of external cladding. A condition is however suggested to control the exact finishing materials for the works and to further ensure the development is sympathetic to the host property and the surrounding built form of the area. On balance, whilst again acknowledging a number of alteration works are proposed, these are required to support the subdivision of the site from one to three residential dwellings. The works are considered respectful to the existing character and appearance of the surrounding locality and raise no adverse visual amenity concerns.

Furthermore, it is considered the site can accommodate three dwellings of the scale and nature proposed without leading to the overdevelopment of the site whilst also accommodating appropriate parking and amenity space for each plot. The proposed plots would be comparable in scale to other residential plots that have been developed in the area including the two new dwellings that have been developed towards the front, north of the site adjacent to Heol Las (P/15/389/FUL refers). Overall, it is considered the

subdivision of the existing plot could be appropriately undertaken without resulting in the overdevelopment of the plot.

### Residential Amenity

In terms of the impact on residential amenity and again noting the objections received against the planning application as earlier detailed, it is considered that the proposed three dwellings following the subdivision of the plot would not have a significant adverse impact on the residential amenities of the existing neighbouring properties.

The proposal does have somewhat of a backland/tandem nature, although it would be served off an existing private drive that already serves The Old Barn residential unit and a large stable block. Appropriate side boundary treatments screen the means of access from the adjacent residential properties along Heol Las, with the additional units unlikely to overly intensify the use of the access drive to an unacceptable degree. A recommended condition would also control the means of soft and hard landscaping for the site, including the additional driveway finishes, to ensure an appropriate material that is not disruptive to neighbouring unit is utilised.

The proposed dwellings which would be created primarily within the existing building, would be sited with an acceptable offset from the rear elevations and associated garden spaces of nearby properties with no habitable room windows or external amenity/balcony spaces unduly overlooking the nearby residential properties. Furthermore, existing high boundary treatments that are detailed to be retained as part of the application add a further degree of screening to the development site with no aspect of the development likely to result in any undue overlooking, overshadowing or overbearing impact on neighbouring residential properties.

Overall, the development is considered to comply with Council guidance in terms of amenity protection (SPG 02) and is considered compatible with neighbouring residential properties.

### Highway Safety

The Council's Transportation Officer has assessed the submitted scheme and raises no objections against the proposal.

As earlier detailed, the proposal seeks permission to convert a large dwelling with granny annexe into three properties. The existing dwelling is currently located at the end of a private drive that serves the application site and a nearby stable block. It is considered in traffic generation terms a private drive can accommodate 5 separate dwellings and as such the proposal would not exceed this.

With regards to the access to and from the site, it is considered that an adequate vision splay can be provided in both directions to ensure that emerging vehicles can see and be seen, however, as noted above, a condition is requested which will result in the conifer tree being cleared from the vision splay.

Furthermore, it is considered by the Highway Authority that Heol Las can accommodate the traffic generated by the proposal with it being considered that the traffic generated from the existing use of the site as a large dwelling and granny annexe would not materially increase as a result of this proposal.

Notwithstanding the above, it is considered that the proposal has the potential to increase pedestrians wanting to access public transport links (bus stop) or the public house, both located at the entrance to the village and the lack of a contiguous footway within the village raises some concern. In order to overcome this concern, promote active travel,



encourage walking for short journeys from the new development and also to warn other road users that there is the potential for pedestrians in the road, a condition is requested for a scheme of pedestrian warning signs and coloured surface treatment to extend along Heol Las from the end of the footway adjacent to the church (St Mary Magdalen's Church) to the re-commencement of the footway adjacent to the residential property known as Delfryn (that fronts the application site).

Overall and subject to the imposition of conditions, the Highway Authority raises no objection against the application.

### Land Drainage

On the basis of the comments received from the various drainage bodies in regard to the proposal, the scheme is considered acceptable subject to the use of standard drainage conditions.

### Ecology

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21<sup>st</sup> March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs 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:

1. 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".
2. That there is "no satisfactory alternative"
3. 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"

The planning application has been supported by a Preliminary Bat Survey and an initial ecology survey that has been fully considered by the Council's Ecologist who raises no objections against the planning application. On this basis and given the nature of the proposal and the characteristics of the application site, it is considered that overall, there will be no significant adverse residual impacts on biodiversity. The proposal is, therefore, considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

## **CONCLUSION**

Having regard to the above, the proposal is recommended for approval because the development complies with Council policy and guidelines. It is considered that the scheme would not have an unacceptable impact on the visual amenities of the locality, would not harm privacy or neighbours' amenities or highway safety and would not unduly compromise land drainage or ecology.

The issues raised by local residents have been taken into account during the determination of the application however, it is considered that on balance, the scheme does not raise such adverse material planning concerns to warrant the refusal of the application, with the proposal representing an appropriate and compatible form of residential development within settlement limits.

## **RECOMMENDATION**

(R02) That permission be GRANTED subject to the following conditions:-

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

Ground Floor Plan - Proposed, Draw.No. 1813-P04, received 15 February 2019  
First and Loft Floor Plans - Proposed, Draw.No. 1813-P05, received 15 February 2019  
Elevations - Proposed, Draw.No. 1813-P06, received 15 February 2019  
Preliminary Bat Survey & Ecological Walkover Survey (Ecology Services), received 15 February 2019

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding the requirements of condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

3. Notwithstanding the requirements of condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable and retained in perpetuity.

Reason: To ensure that the general amenities of the area are protected.

4. Notwithstanding the requirements of condition 1, no development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial use of any of the dwellings commencing.

Reason: To ensure that effective drainage facilities are provided for the development and that flood risk is not increased.

5. No development shall take place until full details of both hard and soft landscaping works have been submitted to and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include all proposed planting and landscaping

such as schedule of plants/trees, species and number/densities, hard surfacing materials and implementation programme. Thereafter, all landscaping works shall be implemented in accordance with the approved details.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, to promote nature conservation and to safeguard residential amenities.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

7. Notwithstanding the provisions of the Town & 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 development which would be permitted under Article 3 and Classes A, B, C, D or E of Part 1 of Schedule 2 of the Order shall be carried out within the curtilage of the dwellings hereby permitted without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenities.

8. No development shall commence until a scheme for the provision of signage indicating that pedestrians are walking in the road and a scheme for a change of colour treatment of the carriageway surface from the Church to Delfryn on Heol Las, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in permanent materials before the development is brought into beneficial use and thereafter retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

9. The carriageway of the existing access road shall be widened to no less than 4.5 metres from the junction with Heol Las to serve the proposed development, prior to the development being brought into beneficial use.

Reason: In the interests of highway and pedestrian safety.

10. The proposed means of access shall be laid out with vision splays of 2.4m x 43m in both directions before the development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of highway and pedestrian safety.

11. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway and pedestrian safety.

12. Any entrance gates located on the access to plot 3 shall be set back not less than 5 metres from the south eastern boundary wall of plot 1 to enable vehicles to turn and access and egress in a forward gear.

Reason: In the interests of highway and pedestrian safety.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy, highway safety or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.
- b. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- c. The applicant may need to apply to Dwr Cymru/Welsh Water (DCWW) for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- d. The applicant is also advised that some public sewers and lateral drains may not be recorded on the 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 DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- e. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing within 2 days to the Public Protection Section, all associated works should stop and no further development should take place until a scheme to deal with the contamination found has been approved.
- f. Any topsoil [natural or manufactured] or subsoil to be imported, should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- g. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- h. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however, the responsibility for the safe development and secure occupancy of the site rests with the developer.

**JONATHAN PARSONS**  
**GROUP MANAGER PLANNING & DEVELOPMENT SERVICES**

**Background Papers**

None