

PLANNING COMMITTEE	DATE: 30/09/2024
REPORT OF ASSISTANT HEAD OF DEPARTMENT	

Number: 3

Application Number: C23/0883/43/LL

Date Registered: 20/06/2024

Application Type: Full

Community: Pistyll

Ward: Yr Eifl

Proposal: Full application to convert existing stables to residential property and erect a single-storey extension

Location: Gwynus, Llithfaen, Pwllheli, Gwynedd, LL53 6LY

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1. Full application for the conversion and extension of an existing outbuilding to create a new single-storey dwelling house with three bedrooms for an agricultural worker/tourism business. As part of the proposal, an existing adjacent detached building used as storage would be converted to provide a permanent bat roost. The buildings are adjacent to the farmyard and existing buildings and also close to part of an established caravan site.
- 1.2. The house would have a total internal floor area of approximately 148m² with an associated parking area and a separate bins/bicycle storage area. The work would entail raising the height of the roof slightly which is currently finished with corrugated sheets. This would be changed back to a slate roof to complement surrounding buildings, and the outer walls where required will use stone to match the existing building. We can see that the external finish for the extension would be a slate ridge roof and a matching stone finish. Internally it would include three bedrooms, a bathroom, an open plan kitchen/dining and living area and a cloakroom.
- 1.3 The site is located in a secluded and fairly mountainous area in open countryside and within the Llŷn Area of Outstanding Natural Beauty and the Llŷn and Enlli Landscape of Outstanding Historic Interest. The residential building nearby, namely Gwynus, is a grade II listed building. Access is gained to the site from the nearest public road along an unclassified road that veers to the north before reaching the site itself and then along a private access track. The unclassified road is also designated as a public footpath. It can be seen that the site operates as an established static and touring caravan park and is also an agricultural holding.
- 1.4 A Bat Survey, a Structural Report/Survey, an Assessment for the provision of a Rural Enterprise Dwelling and a Business Plan were submitted to support the application.
- 1.5 The application is submitted to the Planning Committee for a decision as the applicant has a close family connection with an Elected Member of the Council.
- 1.6 The application has been amended from its original submission by adding a door and changing part of the internal layout of the building.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

PS 6: Alleviating and Adapting to the Effects of Climate Change

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate enhancing the natural environment

PS 1: The Welsh Language and Culture

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 7: Conversion of traditional buildings in open countryside to residential use

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

PS 20: Preserving and where appropriate enhancing heritage assets

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 – February 2024)

Letter from the Welsh Government's Minister for Climate Change, dated 11 October 2023 announcing an update to chapter 6 of Planning Policy Wales with immediate effect.

Technical Advice Note 12: Design

Technical Advice Note 5: Planning and Nature Conservation

Technical Advice Note 6: Planning for sustainable rural communities

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3. Relevant Planning History:

3.1 There is no specific planning history relating to the building that is to be converted, but there is varying and extensive planning history relating to the caravan site nearby. A pre-application enquiry was submitted regarding the proposal with the details as follows:

Y23/0481 – Conversion of outbuilding into a permanent home – A summary of the response - Converting this building into a dwelling such as a site manager's house may be acceptable depending on a clear business justification for an additional permanent worker on the site.

4. Consultations:

Community/Town Council: Members of Pistyll Community Council expressed their support to the application.

AONB Unit: Gwynus is located in a rural area within the AONB. The building that is the subject of this application is located near other buildings and a short distance from the farmhouse which is a listed building. The building in question here is a traditional farm building made of stone, a zinc cover has been installed in place of the original slates. It is proposed to create a small extension using stones, similar to those in the original building. Slate would be laid on the roof, there would be conservation-type roof lights, and timber doors and windows. The plan and the materials seem to preserve the character of the original building and it does not appear that the development would affect the AONB.

Natural Resources Wales: We have concerns regarding the application as submitted because insufficient information has been provided to support the proposal. To overcome these concerns, you should request more information from the applicant regarding Protected Species. If this information is not provided, we would object to this planning application.

Re-consultation

We continue to have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome if the document noted is included in the approved plans and documents condition on the decision notice.

Welsh Water: Standard conditions and advice

Public Protection Unit: It is unclear from the application that provision there will be on the site for the adequate drainage of sewage. I am not aware either whether the property benefits from a water supply from the public

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system, and if not, whether there will be adequate provision for a plentiful and safe supply to the property.

Re-consultation

No further response was received

Biodiversity Unit:

A protected species report was submitted which has been made to a good standard. It recommended undertaking a further survey to identify bat activity in the building and on the site.

Re-consultation

A further bat survey was submitted following the original recommendation. It has been undertaken to a good standard and has found traces of use by bats and sparrows. Appropriate conditions must be imposed to ensure that the mitigation measures as indicated are followed, including the conversion of an adjacent building for use solely as a roost to compensate for the loss of the existing roost within the building.

We do not object to the proposal provided the recommendations in the report are followed, the planing of native trees/hedgerow, and the existing storage shed to be used exclusively as a bat roost.

Conservation Officer:

Not received

Land Drainage Unit:

The unit has no observations to offer in terms of land drainage, local flooding risk or coastal erosion.

Archaeology Service:

Although the building is historical and seems to have retained much of the fabric of the original appearances, its fairly simple form and modern alterations mean that we have no further comments to make.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and no letter / correspondence of objection has been received.

Letters / correspondence were received supporting / providing observations on the application on grounds of:

- The development would create a home for a local young family.
- It would be a home attached to an established business
- There is a need to live on the site permanently in order to facilitate and run the farm business and the caravan park

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The application site is situated in the open countryside outside any current development boundary and any nearby village. Policy PCYFF 1 (Development Boundaries) of the LDP states that proposals outside development boundaries will be refused unless they are in accordance with local and national policies or that the proposal demonstrates that its location in the countryside is essential. In light of the need to preserve and protect the countryside, very special justification is required for allowing new housing there. Therefore new dwellings in such sites are only permitted in special circumstances. For the purposes of the LDP, those exceptional circumstances where new houses in the countryside can be approved are included in policy PS17 Settlement Strategy, which confirms that only housing developments that comply with Planning Policy Wales and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (along with the Practical Guidance document for it) will be permitted in the open countryside.
- 5.2 Paragraph 4.3.1 of TAN 6 states that one of the few circumstances in which a new isolated residential development in open countryside can be justified is when accommodation is required to enable a rural enterprise worker to live at, or close to, their workplace. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. TAN 6 also notes that Local Planning Authorities should carefully assess applications for planning permission for new rural enterprise dwellings to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence. What is somewhat unusual in this case is the applicant's role in working on the agricultural holding as well as the work associated with an established caravan site. However, the static caravan site forms part of the rural enterprise which necessitates an on-site presence and it is therefore thought possible in this particular case, to consider the role of the applicant attached to these two enterprises.
- 5.3 From the information submitted it is stated that the agricultural unit which is the subject of the application contains land extending to approximately 70 acres that is owned by the applicant in partnership with his father (who is a dormant partner) while the applicant's wife also contributes work on a daily basis as a partner on the farm. The land surrounds the Gwynus holding as it stands. There are agricultural buildings in the farmyard which has been established near the site of the current application. The farm contains sheep (160), lambs (117) and 4 rams. There are two cows present on the farm with a view to re-introducing more as was the case in the past.

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Associated work related to running the agricultural enterprise includes growing fodder for the stock. The applicant lives with his wife and two children in a terraced house that is owned by them in the village of Llithfaen approximately a mile and a half from the application site.

5.4 Section 4.5 of TAN 6 relates to second dwellings on established farms. It states that the Assembly Government wishes to encourage younger people to manage farm businesses and promote diversification on established farms, and to support this policy objective it may be appropriate to allow a second dwelling on established farms that are financially sustainable where the criteria set out in paragraph 4.4.1 cannot be fully satisfied. The two exceptions to the policy are:-

- Where there are secure and legally binding arrangements in place to demonstrate that management of the farm business has been transferred to a person younger than the person currently responsible for management, or, that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should be responsible for the majority of the farm business and be the decision maker for the farm business; **or**
- There is an existing functional need for an additional 0.5 or more of a full time worker and that person obtains at least 50% of a Grade 2 Standard Worker salary, (as defined by the latest version of the Agricultural Wages Order), from the farm business.

5.5 In the context of this current application the evidence shows that the proposal is able to satisfy parts of the two exceptions stated above but also paragraphs 4.4.1. Evidence was obtained to show that 1.95 of an agricultural worker is needed on the holding and it is understood that the son already has the main responsibilities for running the farm. It is considered that the proposal would be acceptable in respect of the above, and that there are arrangements already in place for the younger person to run the business.

5.6 In addition to the above the proposal must satisfy the criteria noted in paragraph 4.4.1 c-e which states:-

- The enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so.
- The functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned.
- Other normal planning requirements, for example siting and access, are satisfied

5.7 The assessment and the details submitted with the application state that the current farm business is viable. The business has been established soundly and is considered to be financially sound, with the likelihood of remaining so. We understand that the business does not have alternative houses available and that there is no suitable accommodation in the local area for the applicant considering his role as the main agricultural worker on the holding. In relation to the third point, the usual planning considerations will be covered in the remainder of the report.

5.8 The proposed dwelling offers three bedrooms which corresponds to the applicant's family situation. It is acknowledged that the proposed dwelling is slightly larger than what is stated as the standard size for an affordable property. Nevertheless, this is an application for converting an existing building with only a fairly small extension, and compared to normal residential dwellings there is a different need for including a space to wash and to store dirty clothes and footwear, which is considered reasonable for an agricultural dwelling. We therefore consider that the size of the dwelling reflects the need by the agricultural holding.

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- 5.9 Based on this, it is considered that the proposal is acceptable in terms of principle and that it complies with the relevant requirements of Technical Advice Note 6, policies PCYFF 1 and PS17 of the LDP, and the Supplementary Planning Guidance: Affordable Housing.

Visual, general and residential amenities

- 5.10 Policies PCYFF 2, PCYFF 3 and PCYFF 4 of the LDP are relevant to this application and relate to: design, finishes, elevations, landscaping and visual and general amenities.
- 5.11 Matters of size and location in respect of the enterprise have already been assessed above. The site is located within the existing agricultural farmyard and close to a part of the existing caravan site. The landscape and nearby buildings vary in height, therefore we believe its location is in a fairly concealed position. In addition, we see that it is proposed to replace the existing roof which is covered with corrugated sheets for a natural slate roof which would blend in better with the surrounding buildings and return it to what would have been its original finish.
- 5.12 It is considered that the location, size, design and finish of the proposed dwelling are acceptable considering its location in the countryside, and that it would not adversely affect the landscape. The property's location in the countryside is essential. There is no other property (that is not a part of the holding) that is directly nearby, therefore we do not consider that the proposal is likely to have an adverse impact on the amenities of any local resident. A standard condition is to be included to agree on landscaping measures along the edge of the site in order to secure an additional cover of natural growth to what already exists.
- 5.13 Based on the above assessment, the proposal is considered to comply with the requirements of policies PS5, PCYFF 2, PCYFF 3, and PCYFF 4.
- 5.14 The application site is located within the Llŷn AONB. The AONB Unit did not highlight any concerns about its design and the effect of converting this traditional building into residential use. Therefore, we do not believe in this case that there would be clear harm to this designation based on the location, type and size of the development, thus we do not believe that the application is unacceptable based on the requirements of policy AMG 1 nor in respect of the historic landscape and policy AT 1.
- 5.15 The ancient Gwynus farmhouse is a grade II listed building and is located around 30m to the north-west of the application site. Although no observations were received from the Conservation Officer at the time of writing this report, it is not believed that the building to be converted forms an ancient part of the site nor that it is located within the defined curtilage of the listed building. We do not believe there is an impact on the listed designation of Gwynus, and as a result it is acceptable based on the requirements of policy PS 20.

Transport and access matters

- 5.16 The Transportation Unit was not consulted in this case due to the isolated location of the site far from the local area's public roads network. The proposal is not believed to affect matters relating to access and transport in general and therefore, on this basis, the proposal is considered to comply with the requirements of policy TRA 2, which ensures adequate parking standards; and policy TRA 4 which ensures road safety.

Biodiversity Matters

- 5.17 As part of the proposal it can be seen that specific ecological measures have been included as part of the conversion of the building in the form of bat boxes. However, the biodiversity unit noted that a further survey was required to detect bat activity in the building and on the site.

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- 5.18 Whilst carrying out an assessment of the application site, traces of use by bats and sparrows were found in the building and it is recommended that an adjacent outbuilding be converted and used as a roost to compensate for the loss of an existing roost within the building. The Biodiversity Unit and Natural Resources Wales (NRW) confirmed that the development would be acceptable as long as all mitigation measures and improvements as highlighted in the ecological assessment are placed as conditions on the permission, in the interest of the site's biodiversity. Because the proposed development is likely to harm or disrupt the bats or their breeding sites and resting places at this site, NRW advises that a permit would be required for work that could affect protected species on any site.
- 5.19 It is therefore believed that the proposal is acceptable as submitted and is consequently acceptable based on the relevant requirements of policy AMG 5 together with the update to chapter 6 of Planning Policy Wales relating to the green infrastructure and the phased approach.

Archaeological Matters

- 5.20 As has already been noted, the wider site contains the ancient Gwynus farmhouse. The Archaeological Service's response to the application was received which confirmed that although the building is historical and seems to have retained much of the fabric of the original appearances, its relatively simple form and modern alterations mean that there were no further comments to make in respect of archeology considerations. Consequently, it is believed that the proposal is acceptable in terms of the relevant requirements of policy PS 20.

Language Matters

- 5.21 In this case, it is not believed that the proposal reaches the threshold requirements of PS1 in relation to the need to submit a Welsh Language Statement. In particular, considering the scale and type of the proposed development, the proposal would not apply to the categories as defined within criteria 1a, 1b and 1c, and therefore a statement will not be required based on these requirements within Policy PS 1.
- 5.22 Because of the type and size of the proposal, a Language Assessment will not be required under criterion (2) of Policy PS 1.
- 5.23 If a Language Statement is not required, consideration should be given to the Welsh language in accordance with the arrangements for screening applications within Annex 5 of the SPG 'Maintaining and Creating Distinctive and Sustainable Communities'. It is well known that it is a local young family who will be residing in the new unit, their commitment to living on the site has been outlined and there is no doubt that a long-term intention of creating a permanent home lies behind the proposal. Observing the guidance as outlined in the SPG, and based on a full assessment of the relevant requirements, it is not believed that the scale of the proposal is entirely contrary to the specific categories as outlined within the SPG screening system. It is considered appropriate to include a standard condition to ensure that the building is given a Welsh name.

6. Conclusions:

- 6.1 Having considered the above and all the material planning matters fully including local and national policies and guidance, it is deemed that this proposal is acceptable and that it complies with the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve the application subject to:

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Conditions

1. Time
2. Compliance with plans
3. Exterior materials/finishes
4. Restrict occupation to rural enterprise
5. Removal of permitted development rights
6. Land drainage scheme
7. Landscaping
8. Biodiversity Matters
9. A Welsh name for the property

Notes:

Welsh Water/NRW drainage issues.

Protected species licence