

Application Ref: NP/16/0633/FUL

Case Officer	Caroline Bowen		
Applicant	Mr D Chambers		
Agent	Mr C Henderson, LS Design (Lindum Group Ltd)		
Proposal	Refurbishment of existing cattle barn to form garden room, study and WC (Retrospective).		
Site Location	1, Square Farm, Marloes, Haverfordwest, Pembrokeshire, SA62 3BD		
Grid Ref	SM79140851		
Date Valid	30-Nov-2016	Target Date	08-Feb-2017

Officer's Appraisal

Members will recollect that at the Development Management Committee meeting held on the 8th February 2017, a site visit was moved and seconded in order to allow members to view the proposal's location.

A site visit was held on Monday 27th February 2017, where Members viewed the site and the building.

The site description and main land use considerations for this proposal are referred to in last month's officer's report for this application, which is attached at Appendix B.

Previous conclusion

The proposal is considered to be an acceptable form of development within the existing setting and use of the site without causing any adverse harm to neighbouring properties; and ample private parking and amenity space is available to the property. As such, officers consider that the proposal can be supported.

Previous recommendation

The recommendation is of approval, subject to a condition that the structure is used for ancillary purposes to 1 Square Farm.

Matters arising from last month's meeting:

- **Percentage increase in volume from the original consent.**

Using a standard volume calculation of length x width x height to eaves, plus length x ½ width x height to roof ridge (all measured externally), the approximate increase in volume from the building as originally approved is 37.95%

- **Further explanation as to officer's conclusions.**
 - Officers consider that the key issue is to identify whether the increase in footprint and height has resulted in a building that is markedly

different from that originally approved. Despite the increase in width of 1 metre, the footprint of the building remains well within the curtilage of the main dwelling. This, therefore, is not considered to result in any visual or physical harm to existing properties.

- In respect of the increase in height, the building is at a sufficient distance from neighbours to ensure that no overlooking or overshadowing would result. Officers appreciate that concern is raised that the structure is taller, however, this is not considered harmful to the external appearance of the structure, and would not result in material harm to the surrounding properties.
- In respect of the retrospective nature of the development Planning Policy Wales (Edition 9 2016) Chapter 3 is clear and advises ...' *The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) responsible for the breach.*' In light of this, the fact that a development is retrospective in nature is not a material planning consideration. Each planning application is therefore to be determined strictly on its own merits and this is the approach adopted in assessing the present application.

Conclusion

Officers would reiterate the previous conclusions:

- The garden building is not overwhelming in mass, and would not have an adverse impact on the existing character of the main house.
- Adequate private amenity and parking space would be available to the property, and the extension would not have an adverse impact on issues of amenity and privacy. The development meets the policy requirements of the Pembrokeshire Coast National Park Local Development Plan.

Recommendation

That the application be approved, subject to the following condition;

1. The development hereby approved shall only be used for purposes incidental to the residential use of the dwelling house known as 1 Square Farm, and at no time be used as a self-contained residential unit or tourist accommodation of any kind.
Reason – The development would not be considered appropriate in siting and appearance as a separate dwelling. Local Development Plan – Policies 15 (Conservation of the Pembrokeshire Coast National Park) and 30 (Amenity).

Appendix B

Parc Cenedlaethol Arfordir Penfro
Pembrokeshire Coast National Park



PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY DELEGATED DECISION REPORT

Application Ref	NP/16/0633/FUL		
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Consultee Response

Marloes & St Brides Community Council: Objecting - My Council considered the above application at their December meeting and object to this application that whilst the revised plans now submitted show the increased size of the building, they still contradict the 'Design and Access Statement' dated 29th November 2016 also enclosed with the application. Their objection is that the building is a much larger development than is indicated in the 'Design and Access Statement' now received.

Having checked the 29th November 2016 version of the Design and Access Statement back to the previous one dated 27th March 2012 enclosed with the original planning application under no. NP/12/0179 apart from an opening paragraph that has been added to the November 2016 copy it is an exact match word-for-word...

To back up this objection further still, my Community Council has looked at the plans for the original building, the plans from application NP/12/0179 and the plans from this application NP/16/0633/FUL and have calculated the square meterage of each... ..the plans now submitted show that the building, as constructed is 45% greater in volume than the plans that were passed...

With the scale of this building as it now stands it is certainly having an impact on neighbouring properties and yet in the 'Design and Access Statement' under the heading, Scale, it quite clearly states 'The proposals are limited to single storey so as not to impact in any way on the neighbouring properties'.

...My Community Council asks that the National Park takes account of their objection in the decision process. They feel that by approving this planning application (retrospective) this council set a precedent for other applicants seeking planning permission to build structures larger than those approved;

knowing all they would have to do is seek retrospective planning after a structure has been built.

PCNPA - Ecologist: Unable to comment as works are retrospective.

Public Response

The application has been advertised in accordance with statutory requirements. One letter of objection has been received, which – in summary – raises the following issues;

- The building, as such is not a garden room and study. It is, in effect, a one bedroomed house which is erected in such a way as to make it possible to increase the living space at any future date without too much effort.
- The building does not comply with the original planning permissions and is vastly larger than originally proposed.

Policies considered

Please note that these policies can be viewed on the Policies page of Pembrokeshire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty
LDP Policy 06 - Rural Centres
LDP Policy 08 - Special Qualities
LDP Policy 11 - Protection of Biodiversity
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 30 - Amenity
LDP Policy 53 - Impacts on traffic
PPW9 Chapter 03 - Making and Enforcing Planning Decisions

Constraints

Potential for surface water flooding
LDP Centre:50pc aff housing;30 units/ha
Recreation Character Areas
Landscape Character Assessment
Seascape Character Assessment

Officer's Appraisal

This application is reported to committee as the officer recommendation is contrary to that of the Community Council.

Background.

1 Square Barn is a two storey cottage set back to the south west of a small group of dwellings at The Square, which lies to the west of the main village of Marloes. The land slopes gently upward to the west, and the application site is

bordered by mature trees and shrubs. The original shed was within the existing residential curtilage and in a slightly elevated position to the west of the main house. The structure falls just within the boundary of the Rural Centre as defined for Marloes by Policy 6 of the Pembrokeshire Coast National Park Local Development Plan.

Planning permission was originally granted in 2012 for the replacement of the dilapidated cattle shed with a new structure on the same footprint. The dimensions of the original proposal, as approved were 8.76 metres in length, 5.15 metres in depth and 4.63 metres in height to the apex of the roof ridge. (the original shed structure measured 8.9 metres in length, 6 metres in depth overall and 3.6 metres in height to the roof ridge)

In their consideration of the original proposal, officers noted that the most visible change to the design is that the roof was to be increased by one metre in height, and that the structure would be clad in horizontal timber boards (in order to be weatherproof). The use of the building would be for purposes ancillary to the residential use of the dwellinghouse, namely a garden room/study. The proposal was considered acceptable within the village setting, and was supported by officers, subject to conditions including that the structure was to be only used for purposes ancillary to the dwellinghouse.

Relevant Planning History.

- NP/12/0179/FUL - Refurbishment of Existing Cattle Barn to form garden room, study & WC. Approved May 2012.

Constraints.

- LDP Centre
- Potential for surface water flooding
- Recreation Character Area
- Landscape Character Assessment
- Seascape Character Assessment

Current proposal.

Following investigation by the Authority's enforcement officers, this planning application has been submitted in order to attempt to regularise the development, which has not been built in accordance with the 2012 permission. This relates to the height of the building to ridge, the depth of the structure, and to the insertion of 2 roof lights to the rear elevation of the building.

The dimensions of the building are, therefore, 8.76 metres in length, 6.15 metres in depth and 5.56 metres in height to the ridge. This is an increase in width of the rear wing by 1.0 metres, and an increase in the overall height by 0.93 metres.

Key issues:

- Principle of development.
- Design and external appearance.
- Privacy and amenity.
- Landscaping.
- Response to the Community Council's comments.

Principle of development.

As originally considered, ancillary buildings within existing residential curtilages are generally acceptable where they provide additional living space for households, and provided the accommodation shows a clear dependence or link to the main dwellinghouse. In considering whether a proposed use would be ancillary or otherwise, there are two main issues that can be considered - (i) severability, namely, whether the ancillary accommodation created could continue to be occupied, should the use of the main dwelling be ceased; and (ii) environmental impact, whereby it could be demonstrated that there would be a greater impact following the introduction of the ancillary use than would be expected from an ancillary use. In this instance, the level of accommodation provided is limited in scope, and the structure sits within the existing curtilage of the main house with no separate access and curtilage of its own, therefore, the ancillary use of the building for residential purposes is considered acceptable.

Design and external appearance.

The building has been constructed in accordance with the design of original permission, save for the insertion of two rooflights to the rear elevation. The external appearance is, therefore, not significantly different from that originally permitted in visual terms.

In respect of the scale, the building is taller and wider than originally approved. It is considered that this has not harmed the overall appearance of the structure, which remains acceptable in form and proportion; and the amount of increase is not considered to be overwhelming when compared to the original consent. The footprint still fits comfortably within the site, with sufficient private amenity and parking space still available to the household as a result of the development.

Privacy and amenity.

The structure is not intended to be used with the same intensity as that of a residential dwelling, and - being approximately 22 metres from the rear elevation of the nearest neighbour (The Old Post Office) - would have enough of a separation to ensure that existing levels of amenity and privacy to that property would be retained. There are no windows proposed in the elevation facing that neighbour. The larger windows in the southern side elevation look over an area of private garden associated with the main dwelling.

Response to the consultation responses.

Officers have carefully considered the responses received from the Community Council, and from the neighbour. It is noted that the neighbour is located to the south east of the application site, with the main dwelling at 1 Square Farm lying between them and the ancillary structure. Whilst officers recognise the concerns expressed, the building does not lie adjacent to the neighbour, and it is, therefore, considered that the structure does not have a material impact on the amenity and privacy of that property (Cri y Wylan). Having checked the Authority's records, there have been no reports that the building is being used as a separate structure, and the building remains subject to a condition that its use is ancillary to 1 Square Farm.

The Community Council comments are – in summary – concerned with the inaccuracy of the Design and Access Statement submitted with the application, the increase in the volume of the structure, as built, and that the approval of this proposal would set a precedent for other applicants seeking planning permission to build structures larger than those approved; knowing all they would have to do is seek retrospective planning after a structure has been built.

Officers would advise that Design and Access Statements are no longer required to be submitted with planning applications unless the proposal is a major development or relates to a listed building. In light of this, whilst the applicant submitted a Statement which omitted to update the dimensions of the structure, officers do not consider this prejudicial to the determination of the application, as the dimensions are clearly shown on the submitted drawings.

In respect of the proposed increase in volume, the key issue is to consider whether the increase in footprint and height has resulted in a building that is markedly different from that originally approved. The increase in width of 1 metre to the rear 'wing' is sited away from any neighbouring property, and the footprint remains well within the curtilage of the main dwelling. This, therefore, is not considered to result in any visual or physical harm to existing properties. In respect of the increase in height, the building is at a sufficient distance from neighbours to ensure that no overlooking or overshadowing would result. Officers appreciate that concern is raised that the structure is taller, however, this is not considered harmful to the external appearance of the structure, and would not result in material harm to the surrounding properties.

In respect of the retrospective nature of the development – Planning Policy Wales (Edition 9) advises in Chapter 3 that ...' The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) responsible for the breach.' In light of this, the fact that a development is retrospective in nature is not a material planning consideration. Each planning application is therefore to be determined strictly on its own merits. Accordingly, the approval of a particular application is not considered to create a precedent, as developments are rarely identical in nature and location.

Conclusion.

The proposal is considered to be an acceptable form of development within the existing setting and use of the site; and ample private parking and amenity space is available to the property. As such, officers consider that the proposal can be supported.

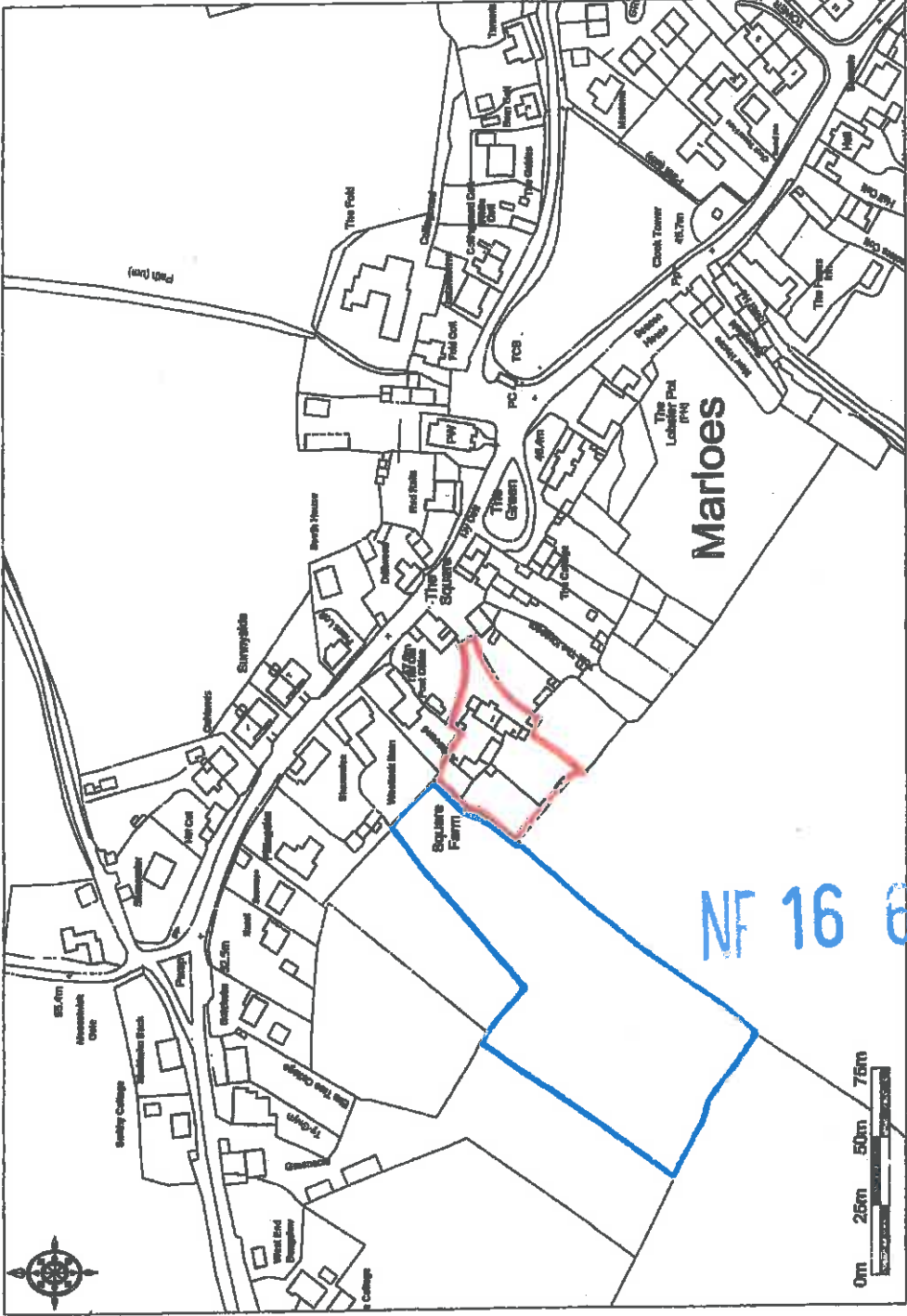
Recommendation

The recommendation is of approval, subject to a condition that the structure is used for ancillary purposes to 1 Square Farm.

1. The garden room/study hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Square Farm.

Reason: In order to be clear on the type of accommodation sought and approved as the development will not be approved as a separate dwelling in the countryside. Policy- Local Development Plan Policies 15 (Conservation of the Pembrokeshire Coast National Park) and 30 (Amenity).

Cattle Barn Refurbishment, Square Farm, Marloes, Pembrokeshire

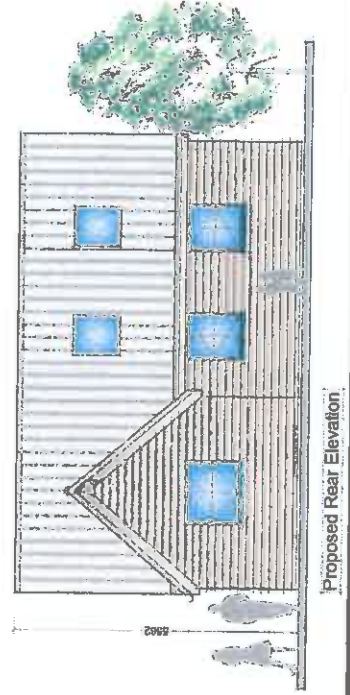
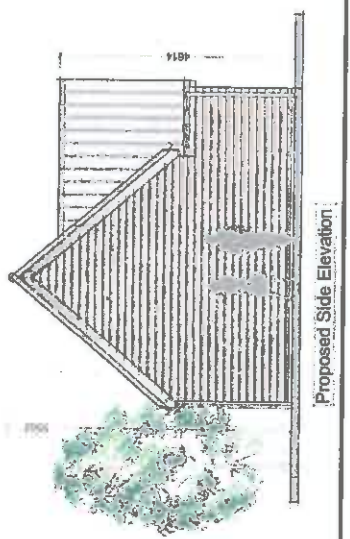
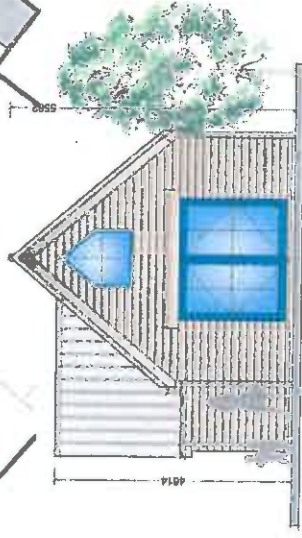
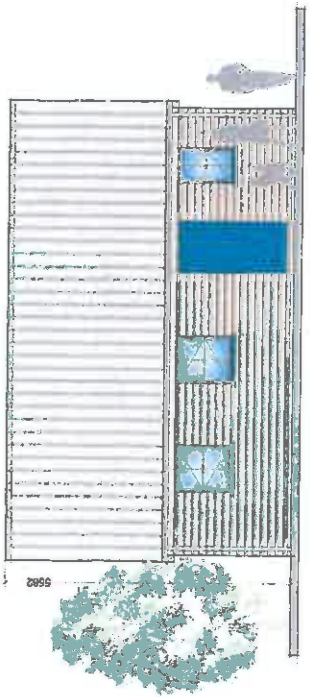
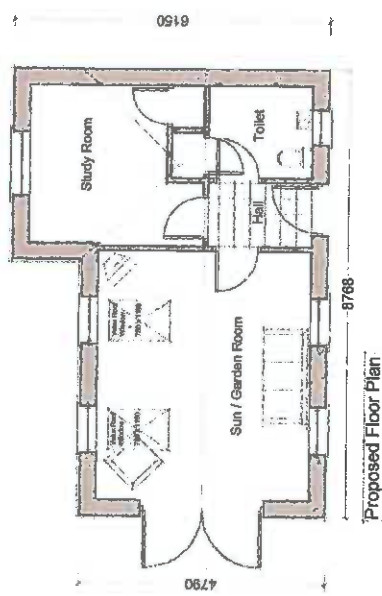
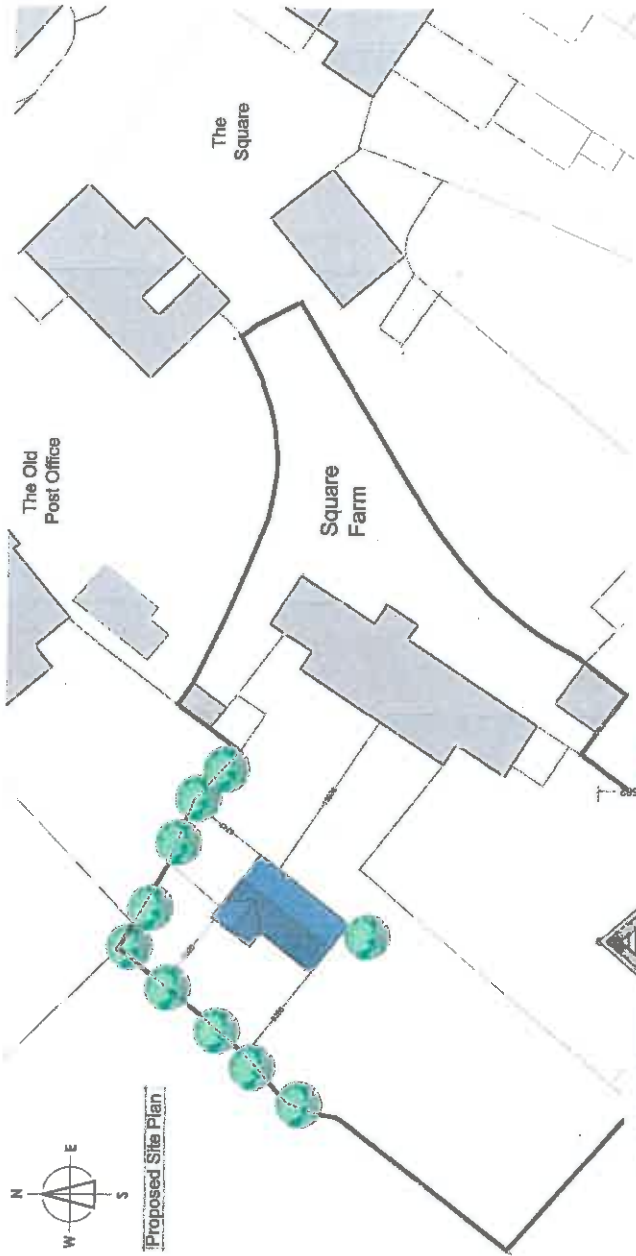


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NF 16 8 33



Site Location Plan
Scale 1:2500 @ A4



NF 16 6 33

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Name Mr & Mrs D. Chambers	Address Castle Barn Rebuildment, Square Farm Pentonville, Pentonville,
Drawing No. Proposed Site Plan, Floor Plan & Elevations	Date October 2011 Drawing No. 1100 & 1200 @ A1 Drawing No. 0211
Drawing No. LS / 4766 / 103	Revision C