

Application Ref: NP/19/0443/FUL

Case Officer	Kate Attrill		
Applicant	Mr J Carey		
Agent	Mr K Morgan		
Proposal	Conversion of existing outbuilding/workshop to additional gallery space		
Site Location	Fernleigh, East Street, Newport, Pembrokeshire, SA42 0SY		
Grid Ref	SN05773912		
Date Valid	17-Oct-2019	Target Date	31-Jan-2020

The application has been brought to Committee due to an objection from Newport Town Council.

The Town Council's objections are listed as:

- a) Loss of privacy for neighbour
- b) Does not seem to be an extension, it is an additional and separate building
- c) The property is no longer a gallery
- d) Potential of becoming a rental accommodation

Consultee Response

PCNPA Buildings Conservation Officer: Supporting

PCNPA Park Direction: The proposal is acceptable in principle

PCC - Drainage Engineers: No objection

Trunk Road Agency: Requested further information.

PCNPA Planning Ecologist: Conditional Consent

PCC - Public Protection: No adverse comments - The asbestos roof must be removed in line with the relevant guidance by a qualified person and disposed of at a suitably licenced waste facility

PCNPA Buildings Conservation Officer: Recommend Refusal

Newport Town Council: Recommend Refusal

Public Response

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 requires that proposed developments are advertised by way of either neighbour letters or a site notice. In this case, both site notice and neighbour letters were sent.

One letter of objection was received regarding potential impacts on residential amenity and the potential for it to be used as a holiday let.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 03 - Newport Local Centre

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 11 - Protection of Biodiversity

LDP Policy 14 - Protection of Buildings of Local Importance

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 32 - Surface Water Drainage

LDP Policy 44 - Housing

LDP Policy 45 – Affordable housing

LDP Policy 52 - Sustainable Transport

LDP Policy 53 - Impacts on traffic

PPW10

SPG05 - Sustainable Design

SPG13 - Archaeology

TAN 12 - Design

TAN 23 - Economic Development

TAN 24 - The Historic Environment

Constraints

LDP Designation

Historic Landscape

Ancient Monument - within 500m

LDP Centre:70pc aff housing;30 units/ha

Recreation Character Areas

Article_4_Directions

Affordable Housing Submarkets

Seascape Character Areas

Officer's Appraisal

Site and Context

The site lies within the Conservation Area for Newport and to the rear of the property known as Fernleigh. The building, subject of this application is a single storey, part brick, part corrugated tin building with a pitched corrugated asbestos roof. The building to the frontage of East Street is stone built with timber doors and windows and a slate roof and has most recently been used as an art gallery at ground floor level. The only access to the outbuilding at the rear is through the ground floor of the gallery.

Relevant Planning History

PA/14/0135 Pre-application advice requested for opening a shop/gallery (previously a shoe shop) – Permitted development as prior use was a shoe shop

Description of Proposal

Although originally described by the agent as 'conversion of existing garage and ensuite extension at front' it has become apparent that the building is not a garage but was used as a cobblers workshop in conjunction with the ground floor of the dwelling. That use is believed to have ceased sometime in the last 50 years and has been used for storage of the cobblers equipment since then. There is no vehicular access to the rear garden in which the building is located.

The description has since been amended through discussion with the agent to read: 'conversion of workshop/outbuilding to additional gallery space'. The proposal first sought consent to convert the building to additional living space to benefit the flat above the gallery but due to concerns over privacy and amenity to adjoining neighbouring properties such a use was not considered appropriate by the case officer.

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Siting, Design and Impact upon the Special Qualities of the National Park
- Amenity and Privacy
- Access and Parking
- Biodiversity
- Other Material Considerations: Pollution

Policy:

The site lies within the town centre as defined by the Local Development Plan and Strategic Policy 3 is therefore the key policy in relation to this proposal.

Parts d and e are most relevant:

The land use priorities will be:

- d) to protect and enhance the district shopping centre and community facilities which serve the town and rural hinterland
- e) to ensure developments permitted contribute to the protection and enhancement of the town's special qualities.

The proposed development is considered to comply with both parts d and e of Policy 3 and can therefore be supported on policy grounds.

Siting, Design and Impact upon the Special Qualities of the National Park

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced.

Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria (a) and (b) resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Criteria (d) and (e) resists development that would fail to harmonise with or enhance the landform and landscape character of the National Park and/or fails to incorporate important traditional features.

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion (a)).

Having consulted the Authority's Building Conservation Officer, the outbuilding is considered to be worthy of preservation as it is both part of the character of the Conservation Area and an interesting feature of the historic development of Newport.

Policy 14 (Protection of Buildings of Local Importance) states that: 'development affecting buildings which make an important contribution to the character and interest of the local area will be permitted where the distinctive appearance, architectural integrity or their settings would not be significantly adversely affected'. A structural engineers report was submitted with the application to show that the building can be converted without the need to take down and re-build.

The originally submitted plans have been re-designed to take account of the Building Conservation Officer's comments and the proposals are now considered to be in keeping with the character of the Conservation Area and to comply with Policies 8, 15 & 29.

Amenity and Privacy:

Policy 30 of the Local Development Plan refers to 'amenity' in general with criteria (a) and (b) seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties.

The originally submitted application proposed a semi-independent residential use of the outbuilding, but there is a significant difference between levels at the development site and the adjoining property which lead to concerns over potential privacy and amenity impacts on the adjoining properties.

Were this not an existing building, and one considered to contribute to the character of the Conservation Area, the proposal would have been recommended for refusal, but the building is semi-derelict and one which would benefit from preservation, so a potential alternative use was suggested which would allow for a viable economic use whilst not negatively impacting on the adjoining properties. The difference in levels and the potential increase in access by members of the public justifies a condition to ensure that an adequate boundary treatment is provided prior to the use of the outbuilding as additional gallery space.

A condition has been worded to refer to the hours of use for gallery use, as this is the use proposed in the application documents, but some consideration as to whether the condition should also refer to any other A1 use has also been given. A gallery primarily used for retail purposes falls within the A1 use class, and the main use of the gallery could be reverted back to shop use without planning permission and so whether the outbuilding is also suitable for general A1 use has been considered. Although in the same use class, a gallery use is likely to be less intensive than a generalised A1 use, and it is therefore considered prudent to ensure via imposition of a condition that any other use would be subject to future planning control.

Provided such a condition is imposed, and that the hours of use are also conditioned, there should be no detriment to residential amenity and the proposal would thereby comply with Policy 30.

Access and Parking:

The Trunk Road Agency expressed reservations about the potential increased parking requirements but did not formally object to the application. Their concern was based on the initial proposal to provide what looked like self-contained independent accommodation without any additional car parking provision. Given that the proposal has since been amended to only provide additional gallery/display space, and the town centre location, there is no objection to the proposals as amended.

Biodiversity:

Policy 11 of the Local Development Plan requires that any development which may disturb or harm protected species will only be allowed where the effects will be acceptable, minimised or mitigated through careful design, work scheduling or other measures. A protected species report was submitted with the application documents.

The PCNPA Ecologist has been consulted with the proposals and had no objection subject to the imposition of appropriate conditions to ensure biodiversity enhancement and informatives to cover construction work.

The application is therefore considered to comply with Policy 11 of the Local Development Plan.

Land Drainage:

The Drainage Engineers at Pembrokeshire County Council have been consulted with the development proposals and have raised no objection.

Other Material Considerations: Pollution

The Pollution Prevention team at Pembrokeshire County Council were consulted due to the existing asbestos roof being proposed for removal, and there was no objection subject to the asbestos being disposed of properly. An informative to ensure this has therefore been suggested.

Conclusion

The proposed development allows for a potentially viable future economic use which will secure the long-term preservation and restoration of the building within Newport's Conservation Area.

Recommendation

APPROVE, subject to the following conditions:

1. The development shall begin not later than five years from the date of this decision.
Reason: Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
2. The development shall be carried out in accordance with the following approved plans and documents:
Location and Block Plans 100 received 5th August 2019
Existing Layout 01 A received 5th August 2019
Structural Condition Report received 5th August 2019
Bat Survey by Gould Ecology received 5th August 2019
Proposed Additional Gallery Building Layout 02 C received 18th October 2019
Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).
3. The use of the building hereby approved as additional gallery space only shall not be used outside the hours of 9am-5pm Monday to Friday, 9am-2pm Saturday, and shall not be open on Sundays.
Reason: In the interests of protecting the amenity of adjoining neighbouring properties and in accordance with Policy 30 of the Pembrokeshire Coast National Park Local Development Plan.
4. Prior to the occupation of the conversion hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority.
The boundary treatment shall be completed as approved before the use is

commenced.

Reason: In the interest of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area and the amenity of adjoining neighbours. Policy: Local Development Plan – Policy 15 (Conservation of the Pembrokeshire Coast National Park) & Policy 30 (Amenity).

5. Prior to the commencement of development works, a biodiversity enhancement scheme (as recommended in the Ecological report, page 3), to include provision of at least two features for bat roosting or bird nesting, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.

Reason: To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 and the Environment (Wales) Act 2016 and Policy 11 of the Pembrokeshire Coast National Park Local Development Plan.

6. No external lighting shall be installed until an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with bat mitigation/enhancement measures and shall be implemented as approved.

Reason: To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 and the Environment (Wales) Act 2016 and Policy 11 of the Pembrokeshire Coast National Park Local Development Plan.

7. Notwithstanding the submitted plans, the doors and windows shall be timber and the soffits and barge boards shall be omitted.

Reason: In accordance with Policy 14 of the Pembrokeshire Coast National Park Local Development Plan.

8. Development shall not begin until an appropriate photographic survey of the existing building(s) has been carried out in accordance with guidelines provided by the Local Planning Authority's archaeological advisors - Dyfed Archaeological Trust- Heritage Management. The resulting photographs should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE, (Tel 01558-823121).

Reason: To protect historic environment interests whilst enabling development. Policy: Local Development Plan - Policy 8 (Special Qualities) and Planning Policy Wales (Edition 10, December 2018) – Chapter 6 (Distinctive and Natural Places).

9. The use of the building hereby permitted for conversion shall be for gallery use only, and not for any other A1 use.

Reason: In the interests of protecting the amenity of neighbouring occupiers and in accordance with Policy 30 of the Pembrokeshire Coast National Park Local Development Plan.

Informatives

The attention of the applicant is drawn to the following notes:

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales.

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

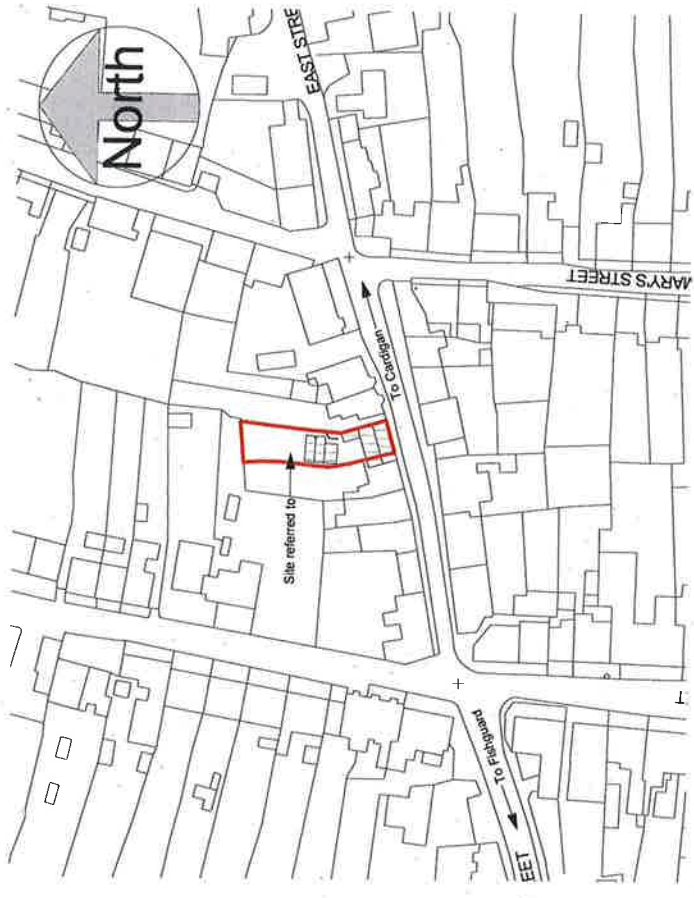
- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

If any protected species are found during construction, work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed.

Asbestos:

The asbestos roof must also be removed in line with relevant guidance by a qualified person and disposed of at a suitably licensed waste facility. Please contact wastemanagement@pembrokeshire.gov.uk for further information.

N 19 - 43

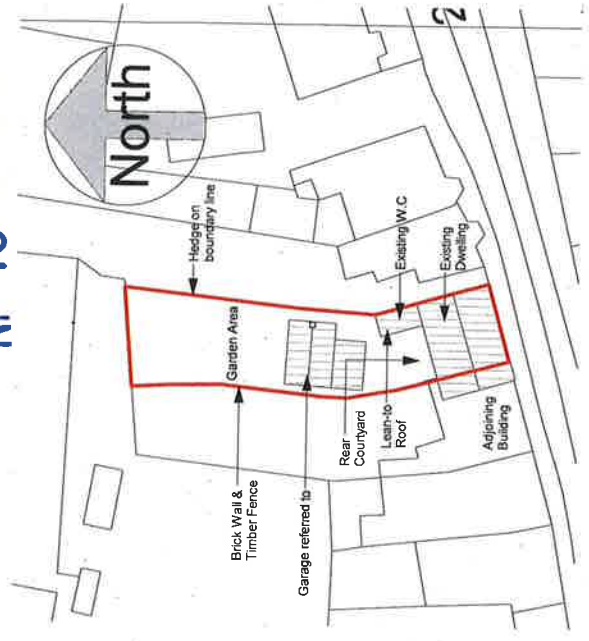


1 Site Location Plan

1 : 1250



VISUAL SCALE 1:1250



2 Block Plan

1 : 500



VISUAL SCALE 1:500

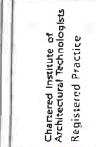


RIBA
 Royal Institute of
 British Architects

The Studio, Little Greenway, Crinow Road, Narberth,
 Pembrokeshire, SA67 8TA.
 01634 860 873
www.kennmorganarchitects.co.uk
ken@kennmorganabm.co.uk



KEN MORGAN
 Design and Building Management Ltd



No.	Description	Date
A	Planning Application Drawings	18/07/19

PROJECT
 Fernleigh, East Street, Newport,
 Pembrokeshire, SA42 0SY

CLIENT
 Mr Josef Carey

SHEET
 Location & Block Plans

Date	20/03/2019	Project number	19011H	Scale (@ A3)	AS Indicated
Drawn by	LLB	DRWAING NUMBER	100	REV	A
Checked by	A.D.				

No.	Description	Date
A	Planning Application Drawings	18/07/19

THIS DRAWING IS COPYRIGHT.
DO NOT SCALE THIS DRAWING EXCEPT FOR PLANNING PURPOSES.
KEN MORGAN DESIGN AND BUILDING MANAGEMENT TO BE NOTIFIED OF ANY DISCREPANCIES IN FIGURED DIMENSIONS.
CHECK ALL DISPLACEMENTS IN RELATION TO SITE MEASUREMENTS.

The Studio, Little Greenway,
Crinow Road, Narberth,
Pembrokeshire, SA67 8TA

01834 860 873

www.kenmorganarchitects.co.uk

ken@kenmorgandbm.co.uk



KEN MORGAN
Design and Building Management Ltd

PROJECT

Femleigh, East Street,
Newport, Pembrokeshire,
SA42 0SY

TITLE

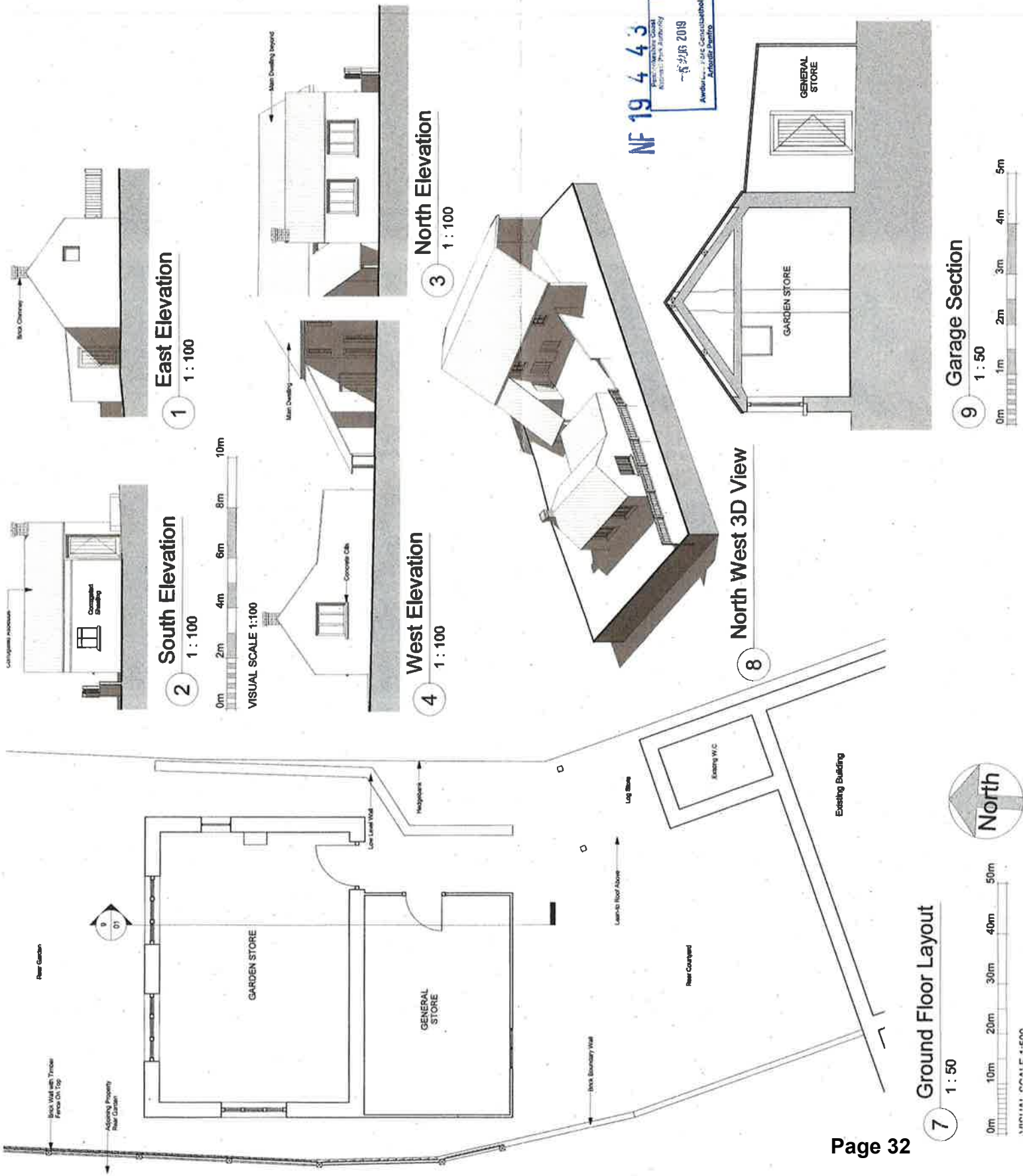
Existing Layout

CLIENT

Mr Josef Carey

DRAWN BY	CHECKED BY	DATE
LLB	A.D	14/03/19
SCALE (B/A)	PROJECT NUMBER	REV
As indicated	19011H	A
DRAWING NUMBER	REV	
01		

RIBA #
Royal Institute of British Architects
Chartered Institute of Architectural Technicians
Registered Practice



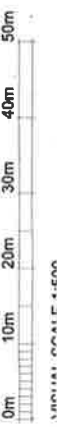
NF 19 4 4 3
Permitted Development
Approved 2018
Architectural Practice
Architects



9 1 : 50



7 1 : 50



No.	Description	Date
A	Planning Application drawings	18/07/19
B	Planning Drawings Amended	05/09/19
C	Planning Drawings Amended	17/10/19

THIS DRAWING IS COPYRIGHT
 DO NOT SCALE THIS DRAWING EXCEPT FOR PLANNING PURPOSES!
 KEN MORGAN DESIGN AND BUILDING MANAGEMENT TO BE NOTIFIED OF ANY DISCREPANCIES IN FIGURED DIMENSIONS.
 CHECK ALL DISPLACEMENTS IN RELATION TO SITE MEASUREMENTS.

The Studio, Little Greenway,
 Crown Road, Narberth,
 Pembrokeshire, SA67 8TA.
 01834 860 873
www.kenmorganarchitects.co.uk
ken@kenmorgandbm.co.uk



PROJECT
**Fernleigh, East Street,
 Newport, Pembrokeshire,
 SA42 0SY**

TITLE
Proposed Additional Gallery Building Layout.

CLIENT
Mr Josef Carey

DRAWN BY
 LLB A.D.

CHECKED BY
 A.D.

DATE
 14/03/19

SCALE @ A2
 As indicated

PROJECT NUMBER
 19011H

DRAWING NUMBER
02

REV
C

RIBA #
 Royal Institute of Architectural Technicians
 Diploma Architectural Technicians

