

Cyngor Sir
CEREDIGION

**ADRAN Y GWASANAETHAU
AMGYLCHEDDOL A THAI**



**DEPARTMENT OF ENVIRONMENTAL
SERVICES AND HOUSING**

**CEREDIGION
County Council**

Decision



PLANNING DECISION

Town and Country Planning Act 1990

PLANNING PERMISSION

Applicant:

Mr & Mrs E Jenkins
Pant Gwyn
Capel Seion
Aberystwyth
Ceredigion SY25 4DZ

Agent

Barry Simkin
Planning & Building Consultant
63 Bridge Street
Aberystwyth
Ceredigion SY23 1QD

Part 1 - Particulars of application

Date of application 13/12/2011

Application No. A110976

Particulars and location of development

Barn 1 Bwlch Mawr, Southgate, Aberystwyth

Conversion of barn 1 into holiday accommodation

Grid reference: 260947 279472

Part 2 - Particulars of decision

Cyngor Sir Ceredigion hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development permitted shall be begun before the expiration of five years from the date of this permission.

2. The development hereby approved shall not be carried out otherwise than in complete accordance with the following approved plans or such amendments as may be agreed, in writing, by the Local Planning Authority.

-Revised / substitute elevation, floor, roof and section drawing which was received by the Local Planning Authority on the 2nd February, 2012.

-Location plan, site plan, application forms, Design and Access Statement, Bat, Barn Owl and Breeding Bird Survey Report and Structural Report which was received by the Local Planning Authority on the 13th December, 2011.

Subject to:

- a. Unless otherwise agreed in writing by the Local Planning Authority, the roof shall be primarily covered with the existing natural slates reclaimed from the existing roof and where new slates are proposed to be used, these shall match the existing in terms of their shape, size, colour and texture. A sample of any new slate proposed to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. The development shall be carried out strictly in accordance with the approved details.
 - b. All existing natural stone walls shall be retained and shall not be covered in any way including by render or cladding. The re-pointing of the external masonry shall be carried out using a traditional lime mortar gauged to replicate the appearance and texture of the original mortar, with no cement content.
 - c. Where existing window or door openings on the building are to be partially or totally blocked up in the conversion scheme, all new stone walling shall be carried out using either new or second hand local stone with matching colour, texture, shape and weathering characteristics. Details of the source and samples of the new stone shall be submitted to and approved in writing by the Local Planning Authority prior to its use in the scheme. The re-pointing of the external masonry shall be carried out using a traditional lime mortar gauged to replicate the appearance and texture of the original mortar, with no cement content. The development shall be carried out strictly in accordance with the approved details.
 - d. All new windows and doors shall be of timber and painted, unless otherwise approved in writing by the Local Planning Authority.
 - e. All windows and doors shall be set back from the face of the building to ensure a 100mm reveal.
3. The holiday unit(s) hereby granted full planning permission shall not be occupied by the same person(s) for more than 28 consecutive days, and that/those person(s) shall not return to the unit(s) within 3 months of the last date of occupation.
 4. The holiday unit(s) hereby granted full planning permission shall be used for holiday purposes only and shall not be used as a full-time self contained unit of accommodation.
 5. The holiday unit(s) hereby granted full planning permission shall not at any time be occupied by any person(s) occupying the same as his or her only main residence.

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6. A statutory declaration shall be submitted annually to the Local Planning Authority not later than the 31st January in each successive year stating that the unit has not been used for permanent residential accommodation annexed to which shall be a list of names and addresses of guests and the dates they have stayed in the unit.
7. A soakaway shall be provided to cater for the surface water drainage from this development.
8. The method indicated for foul drainage must be in accordance with the details specified on the application form. Any material change in the details must be submitted to and approved by the Local Planning Authority prior to commencement of any site works.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the buildings shall not be enlarged, or altered externally in anyway unless planning permission is granted by the Local Planning Authority by means of a planning application. (Apart from the alterations shown on the approved plans).
10. The permission hereby authorises the conversion of the buildings only and does not grant approval for any demolition or re-building works, other than as shown on the approved plans.
11. Unless otherwise agreed in writing by the Local Planning Authority, the extent of existing hedgerow to be removed as part of the conversion scheme shall be confined to the point of vehicular access to the site and at the locations of the proposed new vehicular passing places as shown on the approved plans.
12. Replacement hedgebanks shall be created along the boundaries of the proposed new vehicular passing places, in place of the existing sections of hedge bank which are to be removed. Full details of the proposed replacement hedgebanks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved and the development shall thereafter be carried out strictly in accordance with the approved details prior to the holiday units being first brought into use or in accordance with a programme to be agreed in writing by the Local Planning Authority.
13. All site preparation and building works shall be undertaken outside of the bird breeding season, which runs from March to August.
14. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out strictly in accordance with the mitigation and enhancement recommendations as set out on pages 16-19 (Section: Protecting, Enhancing and Creating Features for Birds and Bats) of the report entitled "Bat, Barn Owl and Breeding Bird Survey Report", dated 7th September, 2011, by Neil Taylor (Consultant Ecologist). The holiday units hereby approved shall not be occupied or brought into use unless and until the mitigation and enhancement recommendations have been completed.
15. The proposed means of access shall be laid out and constructed in accordance with Typical Layout No. 6A.(attached) and the accompanying General Notes.
16. The access shall be constructed and drained to the satisfaction of the Local Planning Authority before any other operations commence.
17. Surface water shall be trapped and disposed of so as not to flow from/on to the adjoining highway.
18. No surface water from any part of the development shall be connected into the existing highway surface water drain.

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19. Unless otherwise agreed in writing by the Local Planning Authority, the proposed vehicular passing places as shown on the approved plans shall be created and completed prior to the holiday units hereby approved being first brought into use.
20. Provision shall be made for parking and turning vehicles in accordance with plans approved by the Local Planning Authority.
21. The proposed parking facilities shall be completed before the development is brought into use.

Reasons:

1. To ensure compliance with Section 91 of the Town and Country Planning Act 1990.
2. To ensure compliance with the approved plans and to ensure a satisfactory form of development which retains the character and appearance of the buildings.
3. To ensure that the holiday accommodation is not used as a permanent unit of accommodation in accord with development plan policy.
4. To ensure that the unit is used for holiday purposes only.
5. To ensure that the unit is not used as a permanent unit of accommodation in accord with development plan policy.
6. To ensure that the unit is occupied for holiday purposes and not as a permanent dwellinghouse.
7. To ensure protection of existing services.
8. To ensure an adequate means of foul sewage disposal.
9. In order to safeguard the character and appearance of the building in the long-term.
10. To enable the Local Planning Authority to retain control of the development and to ensure the development complies with planning policies.
- 11, 12. In the interests of the protection of biodiversity on the site and locality.
- 13, 14. The conversion of the buildings will remove known nest sites for swallow and wren and a roost for Tawny Owl and it is an illegal act to disturb nesting birds.
- 15, 16, 17, 18, 20, 21. In the interest of road safety and the freeflow of traffic.
19. In the interest of road safety and the free flow of traffic.

Informatives:

- Soakaways should not be located within 6 metres of a road or building.
- The Local Authority recommends the use of a sustainable drainage system (SUDS) to reduce the impact of the development on the natural water environment in response to Government guidance.
- The Local Authority advises the use of permeable paving or gravel / pebble to the proposed drive, turning & parking area, patios and garden paths to reduce the impact of the development on the natural environment in response to Technical Advice Note 15: Development and Flood Risk (July 2004).
- Comments from Dwr Cymru / Welsh Water - The proposed development is crossed by a trunk / distribution watermain, the approximate position being shown on the attached plan. In order to perform our Statutory Duty we have rights of access to our apparatus at all times. Enclosed are the Conditions for Development near

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Watermains. It may be possible for this watermain to be diverted under section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer.

-The developer should contact our New Connections Department, Players Industrial Estate, Clydach, Swansea, SA6 5BQ. Telephone 0800 9172652 for further information on this matter.

ENCLOSURES:

-Dwr Cymru Welsh Water's Conditions for Development near Water Mains & associated map, which were received with their consultation response dated the 24th January, 2012.

- Environment Agency Wales "standard advice" guidance note for developers.



Date 03 February 2012

Neuadd Cyngor Ceredigion,
Penmorfa, Aberaeron, Ceredigion,
SA46 0PA

Bryan Thomas
Cyfarwyddwr Adran Amgylcheddol a Thai
Director of Environmental Services and
Housing

The development plan covering Ceredigion is the Dyfed Structure Plan. The following Structure Plan policies were relevant to the consideration of this application.

EN13

TR11

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment byelaw, order or regulation.

Appeals to The National Assembly for Wales

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the National Assembly for Wales under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Cathays Park, Cardiff. CF1 3NQ.

The National Assembly for Wales can allow a longer period for giving notice of appeal, but it will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The National Assembly for Wales need not consider an appeal if it seems to it that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order and to any other directions given under a development order. In practice, the National Assembly for Wales does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by it.

Purchase notices

Application number A110976 continued: -

If either the local planning authority or the National Assembly for Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the County Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.