

# Cyngor Sir CEREDIGION County Council

Russell Hughes-Pickering

Swyddog Arweiniol Corfforaethol : Economi ac Adfywio  
Corporate Lead Officer : Economy and Regeneration

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron. SA46 OPA  
www.ceredigion.gov.uk



## PLANNING DECISION Town and Country Planning Act 1990 PLANNING PERMISSION

**Agent:**  
**Applicant:**  
S Davies  
2 New Road Cottage Bendish  
Hitchin  
SG4 8JD

### Part 1 - Particulars of application

**Date of application:** 12-06-2020      **Application No:** A200472

### Particulars and location of development

**Site Location:** Barn at Bwlch Mawr, Southgate, Moriah, Aberystwyth, SY23 4EA

**Proposal:** Variation of condition 2 (approved drawings) of planning permission A110976

### 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 shall begin no later than five years from the date of this decision.
  
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. - Application form, substitute elevation, floor, roof and section drawing which was received by the Local Planning Authority on the 12 th June 2020 to reflect the addition of an extension to barn 1 -Location plan, 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, or with slate as approved for use by the Local Planning Authority on 21 st December 2016. 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.

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 and the accompanying General Notes.

16. Surface water shall be trapped and disposed of so as not to flow from/on to the adjoining highway.

17. Surface water shall be trapped and disposed of so as not to flow from/on to the adjoining highway.

18. 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.

19. Provision shall be made for parking and turning vehicles in accordance with plans approved by the Local Planning Authority.

20. 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.

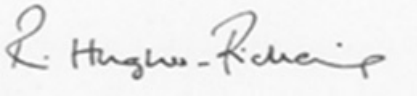
3. To ensure that the holiday accommodation is not used as a permanent unit of accommodation in accord with development plan policy.

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. In the interests of the protection of biodiversity on the site and locality.
12. In the interests of the protection of biodiversity on the site and locality.
13. 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.
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. In the interest of road safety and the freeflow of traffic
16. In the interest of road safety and the freeflow of traffic
17. In the interest of road safety and the freeflow of traffic
18. In the interest of road safety and the free flow of traffic.
19. In the interest of road safety and the freeflow of traffic
20. In the interest of road safety and the freeflow of traffic

**Informatives:**



Russell Hughes-Pickering  
Corporate Lead Officer: Economy and Regeneration  
Ceredigion County Council

**Date: 05-08-2020**

The development plan covering Ceredigion is the Local Development Plan 2007 – 2022 (LDP). The following LDP policies were relevant to the consideration of this application:

DM06 - Design and Placemaking

DM09 - Design&Movement

DM13 - SUDS

DM14 - Nature Conservation/Ecological Connectivity

DM15 - Local Biodiversity Conservation

DM17 - General Landscape

## IMPORTANT INFORMATION

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit **[www.ceredigion.gov.uk/planning](http://www.ceredigion.gov.uk/planning)** to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

## IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
2. You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
3. You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
4. If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision)
  - Planning Permission (with the exception of Minor Commercial and Householder Applications - see below) Within 6 Months
  - Householder Appeal see endnote i Within 12 Weeks
  - Minor Commercial Appeal see endnote i Within 12 Weeks
  - Listed Building or Conservation Area Consent Appeals Within 6 Months
  - Tree Preservation Order (TPO) Consent Within 28 Days
  - Advertisement Consent Within 8 Weeks
  - Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 Months
  - Hazardous Substances Consent Within 6 Months

5. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5938, or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
6. The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
7. The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
8. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a purchase notice requiring that Council purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Making an Appeal**

9. Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a “full statement of case”). You must also send a copy of the notice of appeal and full statement of case to the LPA.
10. In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
11. Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
12. Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice



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**THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:**

- BUILDING REGULATIONS – Please contact [buildingcontrol@ceredigion.gov.uk](mailto:buildingcontrol@ceredigion.gov.uk) or 01545 572 484 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION – Please contact [technical.services@ceredigion.gov.uk](mailto:technical.services@ceredigion.gov.uk) or 01545 572 405

**IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT.**

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[i] Please see the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 for appeal procedures and for full definitions of:

- “householder application” (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- “householder appeal” means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- “minor commercial application” (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.

“minor commercial appeal” means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.

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