

# Public Document Pack



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**PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE**  
**Thursday, 20th July, 2017**

## **S U P P L E M E N T A R Y P A C K**

### 1.1. **Updates**

Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

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- ii. A RESIDENTIAL CONVERSION AS A SUBORDINATE PART OF A SCHEME FOR ECONOMIC RE-USE OR AS A RURAL WORKERS DWELLING IN ACCORDANCE WITH POLICY HP6; OR
- iii. A RESIDENTIAL DEVELOPMENT TO MEET A PROVEN LOCAL NEED FOR AFFORDABLE HOUSING AND WHERE THE APPLICANT COMPLIES WITH AFFORDABILITY CRITERIA IN UDP POLICY HP10. SATISFACTORY ARRANGEMENTS MUST BE IN PLACE TO ENSURE THE DWELLING REMAINS AFFORDABLE IN PERPETUITY AND FUTURE OCCUPANCY WILL BE LIMITED TO PERSONS COMPLYING WITH UDP POLICY HP10.

Whilst the justification statement submitted states that Highways would be unsupportive of a commercial use, not all commercial uses would significantly increase the traffic movements from the site currently benefitting from consent as a stable. Whilst a dwelling could possibly reduce the numbers of vehicle movements from the site its current use as a stable, as states within the justification statement, would generate significant traffic movements and this would need to be considered if a commercial use was proposed.

Consideration would also need to be given to the use of the building as a rural enterprise dwelling. The justification statement states that the building is clearly unsuitable as a rural worker's dwelling and there has not been any interest for such a use by the local community. It is considered that as the building has been marketed at an inappropriate level that this could dissuade individuals looking to convert a building for a rural worker's dwelling. Equally little consideration to the suitability of the building for a rural enterprise dwelling has been given. Whilst the building does not come with a considerable amount of land individuals within the local area with land holdings or agricultural contractors may consider the building appropriately located for the functional need for their enterprises. As such Officers consider that insufficient consideration to the conversion to a rural enterprise dwelling has been given.

Comments have been received regarding the scale of the building, in looking at determining conversions consideration should be given to splitting large buildings to allow for the most appropriate use. No consideration has been given within the justification report over whether the building could be suitably converted to provide two rural enterprise dwellings or affordable dwellings.

## **Conclusion**

As such, whilst a justification report has been submitted with the application, Officers consider that this has not adequately assessed the proposed development against policy GP6. Also the submission of a marketing report demonstrating that the building has been marketed at too high a level casts doubt on the validity of the justification report.

Officers have considered the additional information submitted, however this does not overcome the reason for refusal in the original report and as such the application is recommended for refusal as detailed within the original report.

## P/2017/0219 The Stables, Llandefalle, Brecon, LD3 0UN

### Application update – late information


We wish the following information to be taken into account. This has been provided to the planning officer following publication of the committee report.

We dispute the assessment that the information provided does not comply with policy GP6 for the following reasons:

- Policy GP6 requires that convincing evidence is submitted which demonstrates that re-uses within the hierarchy are impractical. We have done that. Highways are against commercial use of the building, so that removes class i and part of class ii from the hierarchy. The other part of class ii is a rural enterprise dwelling. This cannot be supported by the land attached to the building, and the building is too large to be converted to a rural worker's dwelling for financial reasons. Class iii Affordable housing is impractical as acknowledged by the affordable housing officer. The planning officer acknowledges all this evidence in the committee report and has confirmed during a telephone call that it is sufficient convincing evidence. If they are satisfied that the re-uses are impractical, *there is no need for a marketing report*.
- A marketing period was carried out as a 'belt and braces' approach. We believe the price for building is reasonable when the recent construction and limited conversion costs for commercial use are taken into account. Comparable properties are listed below. An independent valuation not been carried out, e.g. by the district valuer. The Powys County Council Valuer quotes the existing use value, i.e. as a stables, whereas GP6 requires that attempts are made to secure a re-use *in the hierarchy*. Use as a stables would not fall into any class of the hierarchy.
- Powys planning agree that the stables are redundant. Although a neighbour has submitted an objection in which it is stated that the building was not constructed as approved, no enforcement action has been taken despite 9 years elapsing since construction. An objector has suggested the building should be marketed and used as a stables. We believe this use would have a much greater impact on traffic and on the amenity of the area than a dwelling.

Comparable properties:

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12

Listed on 26th Feb 2016 by  
Bidmead Cook & Waldron, NP7

**£250,000**


[Commercial property for sale](#)

Llangattock, Crickhowell NP8

Detached stone built property with views over the surrounding countryside.

📍 Ebbw Vale Town (5.1 miles) 📍 Abergavenny (5.7 miles)

📞 01873 739045 \*\*    ✉ Contact    ★ Save    ⌵ Hide



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8

Listed on 24th Jan 2017 by  
James Dean Estate Agents, LD3

**£235,000**

[Commercial property for sale](#)

Ffrwdgrech Industrial Estate, Llanfaes, Brecon LD3



A large commercial building enjoying flexible accommodation suitable for a variety of businesses and built to breem standards making it extremely energy efficient. Situated in a great location on Ffrwdgrech Industrial Estate, just off the A40 (T) on ...

📍 Llangammarch (13.4 miles) 📍 Rhymney (13.7 miles)

☎ 01874 431961 \*\*    ✉ Contact    ★ Save    🚫 Hide



13

Listed on 28th Jun 2017 by  
James Dean Estate Agents, LD3

**£250,000 Guide price**

[Commercial property for sale](#)

Senni, Brecon LD3



Calling all outdoor enthusiasts and businesses. A village bunkhouse set in some stunning countryside and within the Brecon Beacons National Park. Enjoying a large garden with parking, it has L.P Gas central heating, two reception rooms, a kitchen, ...

📍 Llandovery (12.6 miles) 📍 Merthyr Tydfil (12.7 miles)

☎ 01874 431961 \*\*    ✉ Contact    ★ Save    🚫 Hide

## **POLICY GP6 - CONVERSION OF BUILDINGS IN THE COUNTRYSIDE**

A. PROPOSALS FOR THE CONVERSION OR RE-USE OF EXISTING BUILDINGS IN THE COUNTRYSIDE WILL BE ASSESSED AGAINST A HIERARCHY OF POTENTIAL AFTER-USES. UNLESS THEY PROVIDE CONVINCING EVIDENCE WITH THEIR APPLICATION THAT A CONVERSION FOR SUCH USES WOULD BE IMPRACTICAL, APPLICANTS SHOULD DEMONSTRATE THAT THEY HAVE FIRST MADE ATTEMPTS TO SECURE A REUSE FOR PURPOSES IN THE CLASSES i-iii IN THE HIERARCHY. WHERE THESE HAVE BEEN UNSUCCESSFUL FOR A PERIOD OF AT LEAST SIX MONTHS, AND A CONVERSION TO A USE UNDER CLASS iv IN THE HIERARCHY IS PROPOSED, THE APPLICATION SHOULD BE SUPPORTED BY A STATEMENT OF THE EFFORTS MADE.

THE HIERARCHY IS AS FOLLOWS:

- i. A CONVERSION FOR AN EMPLOYMENT USE PROVIDING INDUSTRIAL, OFFICE OR RESEARCH AND DEVELOPMENT PREMISES FOR USES WITHIN CLASS B1 OF THE USE CLASSES ORDER 1987, UNLESS THE PROPOSAL WOULD BE FOR A LARGE SCALE INDUSTRIAL USE MORE SUITED TO A BUSINESS PARK OR INDUSTRIAL ESTATE; OR
- ii. A RESIDENTIAL CONVERSION AS A SUBORDINATE PART OF A SCHEME FOR ECONOMIC RE-USE OR AS A RURAL WORKERS DWELLING IN ACCORDANCE WITH POLICY HP6; OR

iii. A RESIDENTIAL DEVELOPMENT TO MEET A PROVEN LOCAL NEED FOR AFFORDABLE HOUSING AND WHERE THE APPLICANT COMPLIES WITH AFFORDABILITY CRITERIA IN UDP POLICY HP10. SATISFACTORY ARRANGEMENTS MUST BE IN PLACE TO ENSURE THE DWELLING REMAINS AFFORDABLE IN PERPETUITY AND FUTURE OCCUPANCY WILL BE LIMITED TO PERSONS COMPLYING WITH UDP POLICY HP10.

iv. A CONVERSION TO PERMANENT RESIDENTIAL USE, HOLIDAY ACCOMMODATION OR OTHER TOURISM, LEISURE AND RECREATION USES.

B. PROPOSALS FOR THE CONVERSION OR RE-USE OF EXISTING BUILDINGS IN THE COUNTRYSIDE THAT HAVE COMPLIED WITH PART A OF THIS POLICY WILL BE PERMITTED WHERE THEY ALSO COMPLY WITH THE FOLLOWING CRITERIA:

1. IF THE EXISTING BUILDING IS AN AGRICULTURAL OR INDUSTRIAL BUILDING IT SHALL HAVE A HISTORY OF BONA FIDE AGRICULTURAL OR INDUSTRIAL USE.
2. THE DEVELOPMENT SHOULD NOT NORMALLY LEAD TO PRESSURE FOR THE ERECTION OF REPLACEMENT BUILDINGS. WHERE A REPLACEMENT BUILDING IS REQUIRED, ITS ACCEPTABILITY IN PLANNING TERMS MAY BE TAKEN INTO ACCOUNT WHEN THE CONVERSION PROPOSAL IS UNDER CONSIDERATION. WHERE AND THERE IS CONCERN THAT THE PROLIFERATION OF AGRICULTURAL/FORESTRY BUILDINGS WOULD HAVE A SERIOUSLY DETRIMENTAL EFFECT ON THE LANDSCAPE, THE COUNCIL MAY ATTACH A CONDITION TO ANY PERMISSIONS FOR THE CONVERSION OF AN EXISTING BUILDING IN THE COUNTRYSIDE WITHDRAWING PERMITTED DEVELOPMENT RIGHTS FOR NEW BUILDINGS ON THE SAME HOLDING.
3. THE BUILDING SHALL BE A SUITABLE SIZE, STRUCTURALLY SOUND AND CAPABLE OF CONVERSION WITHOUT:
  - ☐ SIGNIFICANT REBUILDING, WHICH WOULD BE TANTAMOUNT TO THE ERECTION OF A NEW BUILDING. WHERE NECESSARY, APPLICANTS SHALL SUBMIT A DETAILED STRUCTURAL ENGINEER'S REPORT ON THE CONDITION OF THE BUILDING AND THE WORKS NECESSARY TO CONVERT IT.
  - ☐ THE NEED FOR MAJOR ALTERATIONS OR EXTENSION. PERMITTED DEVELOPMENT RIGHTS WILL NORMALLY BE REMOVED IF PERMISSION IS GRANTED.
4. THE CONVERSION SHALL BE DESIGNED AND USE MATERIALS WHICH RETAIN AND ENHANCE THE CHARACTER AND APPEARANCE OF THE BUILDING.
5. THE CONVERSION, ITS CURTILAGE AND ASSOCIATED DEVELOPMENT (E.G. ACCESS, LANDSCAPING, STORAGE, SEWAGE DISPOSAL) SHALL NOT HAVE AN UNACCEPTABLE ADVERSE EFFECT ON THE CHARACTER AND APPEARANCE OF THE LANDSCAPE AND SURROUNDING ENVIRONMENT, OR ON THE AMENITIES OF NEIGHBOURING DWELLINGS OR USES.
6. PROPOSALS AFFECTING PROTECTED OR RARE WILDLIFE SPECIES (E.G. BATS AND OWLS) SHALL COMPLY WITH POLICY ENV7.

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