# Planning, Taxi Licensing and Rights of Way Committee Report

## **UPDATE REPORT**

**Application No:** P/2016/0803 **Grid Ref:** 315874.33 236213.88

CommunityBronllys CValid Date:Officer:Council:29/07/2016Tamsin Law

**Applicant:** Mr & Mrs G Hopkins C/O Agent

**Location:** Beacons Edge Pontithel Brecon Powys LD3 0RY

**Proposal:** Hybrid planning application comprising the change of use from 3 no

dwellings to 1 no dwelling, the change of use of plots 1 and 4 and erection of plots 2 and 5 each becoming single holiday let units in lieu of each comprising 4 individual motel units approved under planning application B6022, the erection of a detached garage, access, parking and associated works (applied for in full), and the erection of 1 no

dwelling (applied for in outline)

**Application** 

Type:

Application for Full Planning Permission

## The reason for the update

This update has been produced to provide clarification on the Officer report.

# Officer Appraisal

#### Legal Opinion

The Officer Report makes reference to legal opinions obtained in 2008 and 2013 in relation to the site. Legal opinion was received stating that counsel advice is legally privileged and should not be published. However, as the opinions have previously been made public it is considered acceptable to attach them to this update report.

As discussion surrounding this application will look at the extant 1991 consent, Members attention is drawn to paragraph 18 of the 2008 opinion which states the following;

"By way of summary, therefore, the 1991 permission was in my opinion lawfully implemented and is still alive. The owner has the option of completing the development in accordance with the approved plans."

## Current development on site

The current development on site in the Officer report states that Motel Unit 4 has been commenced; for the purpose of clarification this unit has been completed.

# Proposed development

The report discusses the conversion of the motel units to single self-contained holiday let units. As units 2 and 5 have yet to be commenced this would not be the conversion of these building but would be the erection of holiday let units. Consent is still sought to convert units 1 and 4 to holiday self-contained holiday let units. Unit 3 already benefits from consent as a holiday let unit under planning application P/2014/0103 (APP/T6850/A/14/2221363).

#### Conclusion

Having carefully considered the proposed development and the extensive planning history, Officers consider that the proposal broadly complies with planning policy. The recommendation is therefore one of conditional approval subject to conditions outlined in the main report and a legal agreement securing the non-further implementation of the extant consent.

It is recommended that a time limit of two months is given for the legal agreement to be completed and in the event that it is not concluded within such time period, delegation is given to the Professional Lead for Development Management, to refuse the application, unless satisfied that the delay is unavoidable and that there is sufficient evidence to conclude that the matter will be concluded within a further reasonable time period.

Case Officer: Tamsin Law- Principal Planning Officer Tel: 01597 82 7230 E-mail:tamsin.law@powys.gov.uk