

Planning, Taxi Licensing and Rights of Way Committee Report

UPDATE REPORT

Application Number: 19/1241/FUL

Grid Ref: E: 310393
N: 235107

Community Council: Felin-Fach Community

Valid Date: 02.08.2019

Applicant: Mr Freer Spreckley

Location: The Stables, Upper Dan Y Parc, Llandefalle, Brecon, Powys LD3 0UN

Proposal: Change of use of stables to one residential three-bedroom dwelling and two one-bedroom holiday units, and associated works

Application Type: Full Application

The reason for the update

Since the publishing of the report further third party comment has been received and is appended to this update.

Dear Sirs,

The Stables, Llandefalle Planning Application 19/1241FUL

As the nearest neighbour to the above property, I have the following comments on the planning application (to which I have lodged an objection):-

(1) TAN 23 sets out a number of conditions for the “re-use and adaptation of existing rural buildings”.

One of them is that “their form, bulk and general design are in keeping with their surroundings”. I think it is fairly obvious that the Stables fails on all three of these counts, particularly its massive vertical and horizontal bulk.

Paragraph 3.2.3 states that if the building is unsuitable for conversion without extensive alteration.....the same considerations relating to new house building in the open countryside

will apply. Given that only the outside shell of the building will remain (and even that would be subject to major changes) under the proposed plans the application falls within this paragraph.

(2) TAN 6, at paragraph 3.2.1., states as follows:-

“In circumstances when planning authorities have reasonable cause to believe that an applicant has attempted to abuse the system by constructing a new farm building with the benefit of permitted development rights, with the intention of early conversion to another use, it will be appropriate to investigate the history of the building to establish whether it was ever used for the purpose for which it was claimed to have been built”.

I appreciate that the “applicant” here referred to is the previous owner, but nevertheless it seems that there has been an abuse of the planning system. It is clear from the design of the building that it was intended from the outset to be eventually converted into a house.

As for whether the building was ever used as stables, Mr and Mrs Jenkins, who have lived

opposite the Stables for many years (and before the construction of the present building) will confirm that the building has never been used as stables. This is contrary to the view of the planning department who seem to have just accepted the assertion by the previous owner that the building was so used). A cursory inspection of the inside will confirm that the property has never been so used.

Although the present application is not quite on all fours with the construction of a new building “with the benefit of permitted development rights” the principal seems to be the same.

(3) Para 4.2.29 of the LDP states that “all development proposals will be required to

demonstrate good quality design that complements and/or enhances the character of the surrounding area in terms of siting, appearance, scale, height, massing and design details". See my comments above.

- (4) Policy TD1 - Tourist Development – states that “accommodation shall not be used for permanent residential accommodation”. The proposed split use of the Stables seems to contravene this.
- (5) On a general point, it seems quite wrong to me that permission should be granted for any sort of residential use for a building that was claimed to be a stable but which was never used as such and was clearly designed so as to be able to be converted into a house at some future point.

Our personal objections to the development are as follows:-

- (I) When we purchased our house in February 2013 the authorised use of the Stables was a stable. This was a situation we were perfectly happy with, but we are now faced with the possibility of a multi-occupancy residence very close to us. This will inevitably have an adverse effect on our privacy and the general noise levels. It is likely that visiting tourists in particular will make extensive use of the exterior of the property for barbecues, games and other outdoor activities, thus exacerbating the noise levels and lack of privacy.
- (II) The Stables has a very large upper storey window opening (currently boarded up). This directly overlooks our house and garden and detracts from our privacy.