



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 15/12508/CON **Case Officer:** Miss Lisa Hughes
Site Notice Posted: 20th Aug 2015 **Consultation Date:** 18th Aug 2015
Date Valid: 3rd Aug 2015 **8 Week Target:** 28th Sep 2015
Decision Type: Delegated Decision
Proposal: Removal of Condition 10 of Planning Permission 06/00334/COU so that the Holiday lets can be used for a full 12 Months
Address: Ty Mawr Farm, Ty Mawr Road, Gilwern

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Monmouthshire County Council Highways	19th Aug 2015	<p>PROPOSALS AND COMMENTS The access, passing and parking will remain a constant whether the site if for short or long term use. Those features are not proposed to be altered.</p> <p>RECOMMENDATION There are no adverse comments to make on this removing of condition 10.</p>
Llanelly Community Council	11 th Aug 2015	<p>Should the National Park Authority be minded to grant permission for the above Application. Llanelly Community Council would recommend that the following matters are controlled by means of appropriate planning conditions.</p> <p>Members would like to make one recommendation, that the property owner submits a register of lettings on a annual basis, and no one letting is let for more than three months in any one letting.</p> <p>The Llanelly Community Council wish to make No Objections as long has the Application conforms to the NPA policies.</p>

NP Head Of Strategy
Policy And Heritage

8th Sep 2015

The development plan for the area is the Brecon Beacons National Park Local Development Plan 2007-2022 (hereafter LDP) which was adopted by resolution of the National Park Authority on the 17th December 2013.

My observations relate to the proposals compliance with the strategy and policy of the LDP.

Proposal

The proposal seeks the removal of a seasonal occupancy condition from Ty Mawr Farm Holiday Lets.

LDP Policy Context

The proposal is located in an area of countryside as defined by the LDP proposals map. The LDP sets out that development in countryside locations is less sustainable and more environmentally challenging than is considered acceptable. As such it is the vision of the LDP to increase the viability and diversity of rural practice, including supporting farming practice to engender a more vital future for our countryside. As such the loss of agricultural buildings from economic generating activity to non-economic generating activity is not supported by the LDP.

This strategy position is implemented through policy CYD LPI criterion I(b) which states:- outside of defined settlements within the LDP the following forms of development will be permitted subject to all other relevant LDP Policies :- (I) Proposals that capitalise on improving the existing building stock and/or utilises previously developed land and/or re-uses redundant buildings, including (b) Proposals to re-instate redundant buildings to the following beneficial uses (i) Commercial, Sport, Tourism or Recreation use. Unrestricted residential use is not considered an acceptable use by the Authority.

The condition imposed on the existing permission (granted under 06/00334/COU) seeks the restriction of the barn for permanent residential use in accordance with the excepted policy position. Whereas it is agreed the seasonality of the condition is unnecessary, it is considered necessary to restrict the use of the barn to use as a holiday let. As such, strategy and policy have no objection to the removal of the condition, subject to the substitution of the following conditions:-

1. The building(s) which is the subject of this application shall be used for holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

2. The barn(s) shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of the lettings, including the names and main home addresses of guests, shall be kept up-to-date and made available for the Local Planning Authority to inspect at all reasonable times.

Reasons for the above conditions are as follows:

1 The National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.

2 To ensure the approved holiday accommodation is not used for permanent residential accommodation as the National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.

Recommendation:

Strategy and policy have no objection to the above application, subject to the imposition of the above conditions

As always if you have any concerns relating to the contents of my observations, or require additional clarification of any point please do not hesitate to get in contact.

CONTRIBUTORS

Mrs Tracey Bennett, 7 Oak Tree Lane, Gilwern

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

Reasons for comment: - Residential Amenity - Traffic or Highways

Comments: The holiday lets are accessed via a single vehicle lane, this lane currently has sufficient traffic using it. The main access road that adjoins oak tree lane that leads to Ty Mawr farm has a blind bend that is already a serious cause for concern and an accident waiting to happen, and further traffic will make the bad situation worse, due to previous poor planning decisions and lack of communication. If the owner of Ty Mawr farm reinstates his road through the Green field that has already been granted for the use of the holiday let's and this should be implemented as the access road to the holiday lets, oak

tree lane is a private lane that serves the house owners that live on it.

RELEVANT POLICIES

SPI-National Park Policy

Policy I- Appropriate Development in the National Park

CYD LPI – Enabling appropriate development in the Countryside.

Planning Policy Wales – (Edition 7, July 2014)

Technical Advice Note (TAN) 6 – Planning for Sustainable Rural Communities

Technical Advice Note (TAN) 13 - Tourism

PLANNING HISTORY

App Ref	Description	Decision	Date
15/12658/DISC ON	Discharge Condition 7 pursuant to Planning Permission 06/00334/COU	Application Permitted	04/09/2015
07/01207/FUL	Touring Caravan Site	Application Refused	16/09/2009
07/00831/FUL	Touring caravan site and tenting area	Application Withdrawn	27/06/2007
06/00334/COU	Convert outbuildings to holiday lets	Application Permitted	01/12/2006
06/00401/FUL	Extension of garage with 1st floor extension over	Application Permitted	17/11/2006
M21316	Extension of existing farm dwelling	Application Permitted	15/07/2006

OFFICER'S REPORT

The Seasonal occupation condition which the application seeks to remove has not been applied by the Authority for several years. Condition 10 states: *"The accommodation hereby permitted shall not be used for human habitation between 31st October and 1st March in the succeeding year. Reason: To ensure the holiday units permitted are not used as permanent residential accommodation"*.

However the demand for tourist accommodation year round is recognised, and there is an objective of increasing the supply of accommodation in the National Park which is available for occupation throughout the season. The condition subject of this application is therefore outdated. It is considered that a restriction on tourist accommodation becoming permanent residential accommodation can be monitored through the imposition of a condition restricting individual occupancy to 3 months and the maintenance of a register of lettings.

Highway Safety and Residential Amenity

The neighbour comments are noted, but the planning permission 06/00334/COU does not stipulate that the new access road must be created prior to occupation of the holiday lets. A start has been made on the access, with the carriageway tie in and entrance created some time ago. It is the applicant's intention, as money comes in from the lets to complete the roadway across the field. It is in their

interest to do so in order to create an attractive entrance to holiday lets which are being completed to a high standard.

Notwithstanding the above, Monmouthshire County Council Highways Department have stated that the access, passing and parking will remain a constant whether the site is for short or long term use and have made no adverse comments to the current application.

In conclusion therefore, it is considered that the proposal complies with policies Policy SPI, I and CYD I of the Local Development Plan, along with guidance set out in Planning Policy Wales, Technical Advice Notes 6 and 13 and Circular WGC 016/2014, and is therefore recommended for approval.

RECOMMENDATION: Permit with conditions

Conditions

1. The building(s) which is the subject of this application shall be used for holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
2. The building(s) shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of the lettings, including the names and main home addresses of guests, shall be kept up-to-date and made available for the Local Planning Authority to inspect at all reasonable times.

Reasons for the above conditions are as follows:


1. The National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.
2. To ensure the approved holiday accommodation is not used for permanent residential accommodation as the National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.

Informatives:

1. This decision only refers to the removal of condition 10 of Planning Permission 06/00334/COU, and as such all other conditions contained on planning permission 06/00334/COU remain extant.

Signed (Case Officer):

Miss Lisa Hughes
Enforcement Officer



Date: 14/09/2015

Checked (Principal Planner):



Date: 17/9/2015

**Signed (National Park
Authorised Officer):**



Date: 24/9/2015

