

DC/2016/00703

CONVERSION OF PART OF AN EXISTING BUILDING THAT CURRENTLY HAS A MIXED D2 USE AND A C3 USE INTO A SINGLE DWELLING (C3 USE)

DEWSTOW GOLF CLUB, DEWSTOW ROAD, CAERWENT NP26 5AH

RECOMMENDATION: APPROVE

Case Officer: David Wong

Date Registered: 04/07/2016

1.0 APPLICATION DETAILS

- 1.1 This application seeks planning permission for the conversion of the existing golf club house into a residential unit. The submitted supporting statement describes that the existing clubhouse for Dewstow Golf Club (DGC) includes a residential flat above. Having reviewed the planning history, the planning condition that related to the residential element states, "*The occupation of the residential flat within the clubhouse hereby approved shall be limited to a person employed in connection with the adjacent golf course or is a dependant of such a person residing with him or her.*"
- 1.2 Therefore, for clarification, this residential element was to serve the golf course use and was not a separate residential unit in its own right. Having consulted the Council's Planning Policy team about this application, they advise that Policy H4 of the Monmouthshire Local Development Plan (LDP) is applicable in this instance i.e. the conversion/rehabilitation of buildings in the open countryside for a residential use.
- 1.3 DGC used to have facilities on two separate parcels of land, physically separated by Dewstow Road. These facilities are no longer in operation. In terms of design, this change of use application proposes no alteration to the external appearance of the building. However, there would be internal alterations to enable rooms to be converted for domestic use. The existing access from the public highway will remain to provide vehicular access to the proposed dwelling.

2.0 RELEVANT PLANNING HISTORY

MB28731 - Extension to Existing Range. Approved 02/06/1988
MB30992 - Extension of 9 Holes to Existing Club. Approved 12/09/1989
MB33755 - 18 Hole Golf Course. Approved 04/03/1992
MB34317 - Alterations and Extension to Clubhouse. Approved 05/02/1992
MB35487 - Proposed Extension to Golf Club House to Provide Additional Changing Facilities. Approved 24/11/1992
MB37521 - Proposed Lounge/Bar Extension. Approved 26/08/1994
MB38875 - Proposed Golf Training Centre, Coffee Shop and Snack Bar. Approved 10/11/1995
M01675 - Proposed Ground Floor Kitchen Extension with Offices Over. Approved 29/09/1997
M03424 - Proposed Metal Fire Escape. Approved 30/04/1999
M04690 - Proposed Entrance Porch. Approved 31/05/2000
M04686 - Proposed New Golf Green And Tees. Approved 13/06/2000
M10854 - Small Extension to Reception/Shop with Office Extension Over. Approved 20/12/2004

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 - Spatial Distribution of New Housing Provision

S4 - Affordable Housing Provision

S13 - Landscape, Green Infrastructure and the Natural Environment

S15 - Minerals

S16 - Transport

S17 - Place Making and Design

Development Management Policies

DES1 - General Design Considerations

EP1 - Amenity and Environmental Protection

H4 - Conversion / Rehabilitation of Buildings in the Open Countryside for Residential Use

LC5 - Protection and Enhancement of Landscape Character

M2 - Minerals Safeguarding Areas

MV1 - Proposed Developments and Highway Considerations

MV2 - Sustainable Transport Access

4.0 REPRESENTATIONS

4.1 Consultations Replies

Caerwent Community Council – Recommend approval.

SEWBRc Search Results - No significant ecological record identified on site.

Cadw – The proposed change of use to the existing golf club building at Dewstow Golf Club to residential use is unlikely to affect the registered park and garden which is located approximately 500m to the south. The Glamorgan Gwent Archaeological Trust should be consulted as there may be undesignated historic assets that could be affected by the proposed development.

Glamorgan Gwent Archaeological Trust - There is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this department of the Trust.

MCC Highways – (comments made July 2016) No objection to the proposed change of use. One of the two 18 holes courses is already closed. Therefore, the number of golfers has already reduced as there can only be a limited number of golfers on the course. Also, golfers have historically crossed the highway between the 2 courses and facilities, without any highway issue therefore the existing situation remains unchanged. Should golfers have any safety concerns about crossing the highway, the management of the golf club should be contacted accordingly. Furthermore, there is ample parking for the proposed residential use. Given the above, there is no highway objection.

MCC Planning Policy – LDP Strategic Policy S1 applies. The site is located in the open countryside where planning permission will only be allowed for: acceptable conversions of rural buildings, in the circumstances set out in Policy H4; sub-divisions of existing dwellings (subject to detailed planning criteria), or dwellings necessary for agriculture, forestry or other appropriate rural enterprises, in accordance with TAN6.

Policy H4 should be considered in relation to the proposed conversion of the golf club. Policy H4 contains a number of detailed criteria relating to the conversion/rehabilitation of buildings in the open countryside for a residential use that must be considered. It is noted no external alterations are proposed, criteria a) to d) are therefore complied with. Criterion (e) relates to buildings of modern and/or utilitarian construction noting that close scrutiny will be given to proposals relating to those less than 10 years old. While the proposal relates to a modern building, it is of a traditional nature and has been used for its intended purpose for a significant period. Criterion (g) relates to buildings that are well suited for business use. No information has been provided with the application in relation to marketing the golf club for a business use, this is required in order to determine whether criterion (g) has been satisfied. The Affordable Housing Supplementary Planning Guidance was adopted in March 2016 and should also be referred to. Other policies (Policy DES1, EP1, LC5, MV1 and MV2) should be considered.

MCC Housing (affordable housing financial contribution) - It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should contribute to the provision of affordable housing in the local planning area. As this site falls below the threshold at which affordable housing is required on site, the calculation of the financial contribution that will be required is set out in the table below. The calculator does not assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full viability assessment would need to be undertaken. The amount requested in this instance is £27,685.

4.2 Neighbour Notification

Six individual objections and are summarised below:

This application contains factual errors.

The club house and the living area has never been granted a C3 use as the planning condition of that relevant permission, A27577, states that... The occupation of the residential flat within the clubhouse hereby approved shall be limited to a person employed in connection of the adjacent golf course or is a dependent of such a person residing with him or her. The reason is that... the site lies within an area where additional dwellings are not normally permitted. The local planning authority would not be prepared to approve the erection of a dwelling on the site were it not for the specific nature of the use related to the adjacent land. Therefore, it is understood that the clubhouse has never had a C3 use but a D2 with condition as stated above. Therefore, the application is factually incorrect.

To allow a change of use of the existing clubhouse to a residential dwelling will limit facilities of the DGC that will have a long-term damaging effect on the viability of the golf course. For example, chemicals are used on the golf course. Therefore, it is essential for people with allergies to have access to the shower facilities for Health and Safety reasons. The shower facilities will not be available in the alternative building attached to the driving range.

The proposed change of use from the existing clubhouse (C3 & D2) to a single dwelling (C3) is totally unacceptable in the open countryside. The proposal is a misuse of business property, which if successful would generate substantial profit for the new owners. If this application were allowed, it would set a precedent for other similar buildings to be converted to a residential use.

There is no demand for a single private residence of this size in the area.

This application has no marketing exercise information as stipulated in Policy H4 of the Monmouthshire Local Development Plan.

The submitted Design and Access Statement is factually incorrect; the area marked bedrooms 1 & 2 are being used as golf club offices and have been so for some 20

years. The only remaining residential area of the flat consists of a kitchen/dinner, lounge and bathroom, which is only a small part of the whole building.

The clubhouse has always been a focal and friendly part of the club, with a bar, restaurant and comfortable areas for the golfers. However, this facility will be taken from the members on 1st October due to the sale of the clubhouse. The members will be moved into a building without the facilities of the clubhouse. Therefore, the sale of the clubhouse is totally unacceptable.

Many jobs will be lost with the closure of this clubhouse and will impact on the whole area.

Should this change of use application be approved, it would be catastrophic to the viability of Dewstow Golf Club. The applicant has indicated that the building adjacent to the driving range would make a suitable alternative to the current clubhouse, if planning permission is granted. However, that building would not be suitable as there are essential aspects of a clubhouse that are not available i.e. no licensed bar, no formal kitchen and no showers.

There are no toilets on the 18 hole golf course. Therefore, golfers would have to cross the highway and use the facilities in the driving range area. Crossing the highway is always a hazard and having to use that building will greatly increase this risk. The highway authority should be involved in a detailed risk assessment of this planning application. In addition, there is limited disabled access to that building by the driving range with no designated disabled parking spaces. Furthermore, there is no guarantee that the golf buggies hiring facilities will be relocated to the building by the driving range to assist the golfers of the less mobile and the disabled people.

The result of this application will alter order of the golf course and will cause an undesirable arrangement and will impact on the speed of play and the handicap systems.

The current owners will continue to manage the golf course, driving range and golf membership facilities after the future owners take ownership of the property. Therefore, the original planning condition for the clubhouse and flat will cease as the flat was conditioned to persons employed at Dewstow Golf Club or a dependent of someone working at Dewstow Golf Club. The future owners will have no connection with Dewstow Golf Club other than as Landlords of the driving range and golf course until March 2017.

If there is no catering facilities and changing facilities then members of the club would be forced to leave. As a result, the lack of income from the membership, societies and visitors would result in lack of income, and would lead to the closure of the Dewstow Golf Club.

This application should consider this planning application as an application for new building in the countryside.

The old and new owners fail to state how they would provide or compensate the loss of the essential facilities by closing the clubhouse. Without the essential facilities the club membership will decline, which will lead to DGC becoming economically unviable. There is no guarantee that the range and the golf course will remain open for the members.

A further change of use application is required for the range to operate as a shop (Use Class A2) for the past 12 years. A change of use from D2 to A1 is permitted but not vice versa.

There has been no marketing exercise and the application does not include a statement setting out whether or not it is compliance with Criterion g) of Policy H4 (SPG) of the LDP.

Other businesses in more rural areas than Dewstow which offer good quality food and surroundings are thriving and are full over weekends and during the week. So any claim by the old owners and new owners that they have made every reasonable attempt to secure continued business can be refuted and should be rejected.

The old owners asked the existing club members and past members if they would like to purchase Dewstow Golf Club for £2,000,000.00 in 2014, which was considerably over the £800,000 to £1,000,000.00 valuation obtained at that time.

The character of the surrounding curtilage will undergo extreme change if the golf course closes and there is no evidence that the golf course will remain open after April 2017.

The closure of the DGC will lose jobs; the loss of jobs in the countryside would be contrary to planning policy.

There is a discrepancy between the planning application and the area of curtilage as the information provided by the old owners who state that lower car park included in the curtilage is going to continue to be used as a car park for Dewstow Golf Club. There will be insufficient parking spaces at the range to serve the members.

The application states that building works have not commenced, yet there is evidence of works taking place at the existing clubhouse.

If the layout of the course is altered then it will have to be re-assessed for it to be played on by members who wish to play with an official handicap.

The building is of modern construction. Therefore, a change of use to residential is contrary to the planning policy.

The original golf course was agreed as it would provide local employment for over 50 staff. In addition, funding was provided for 1,000 diverse trees to be planted (giving it the colours in the autumn similar to the Masters Course in Augusta. Therefore, the form is filled incorrectly as there are over 1,000 trees and hedgerows (including some rare British Orchids) on site.

Two general observation comments received:

The recent correspondence states that the Golf Club was placed onto the "for sale market" as either a golf club or other suitable commercial site. I would like to know where such adverts or other promotional efforts were expended. As a member I was never aware that the club was being marketed as for sale as a going concern?

Building work has been taking place at Dewstow for some time now. Can you confirm if planning has been approved for the conversion?

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 Policy H4 of the LDP is relevant regarding this proposal for the conversion of the golf club and associated managers flat to residential use. Policy H4 contains a number of detailed criteria relating to the conversion/rehabilitation of buildings in the open countryside for a residential use that must be considered.

5.1.2 It is considered that criteria a) to d) of Policy H4 are met as there are no external alterations proposed. Criterion e) relates to buildings of modern and/or utilitarian construction noting that close scrutiny will be given to proposals relating to those less than 10 years old. While the proposal relates to a modern building, it is of a traditional nature and has been used for its intended purpose for a significant period of time. Therefore, the proposal meets this criterion. Criterion f) allows modest extensions and suggest the removal of normal permitted development rights. There is no extension proposed and all permitted development rights would be removed via condition to manage the future development of this property.

5.1.3 Criterion g) relates to buildings that are well suited for business use. When the application was submitted, no information was included in relation to marketing the golf club for a business use. This information was subsequently requested. The DGC is a

unique property and Section 5 of the Policy H4 SPG acknowledges that it is difficult to be prescriptive about the definition of the marketing exercise as each case will be different. Therefore, this SPG sets out the Council's basic expectation of what a marketing exercise should comprise, the equivalent of the following...

- A minimum of three adverts at two-monthly intervals in a regional newspaper, such as *The Western Mail* or *The South Wales Argus*;
- Active marketing through a recognised and independent commercial property agent covering South and Mid Wales and bordering English regions;
- Notifying other organisations who may have an interest in promoting the site (e.g. Monmouthshire County Council Business and Enterprise Section).

- 5.1.4 The latest marketing exercise submission included three adverts with The South Wales Argus (the first aspect has thus been met); they have used Linnell's, Parry's and Zoopla to advertise the site (the second aspect has been met) and they have notified Monmouthshire County Council Business and Enterprise Section about this site (the third aspect has been met).
- 5.1.5 In terms of the asking price, the agents (Linnell's and Parry's) have priced this property based on a general business use, which is what the Welsh Government seek to promote in the countryside (PPW). This is a unique property (size and location) and there is no similar comparison against which this property can be assessed. Having discussed this element with the District Valuer, owing the uniqueness of this property and there being no similar comparison, it is not considered that there is reason to dispute this asking price.
- 5.1.6 Linnells, the commercial property estate agent, has confirmed that there were enquiries generated by the first press advert from some prospective buyers and all of those individuals were sent the marketing particulars and plans but none of those parties viewed the property or proceeded any further with their enquiry. Neither Linnell's nor Parry's have received any other tangible interests. According to the Zoopla report, this shows 111 views and 3 direct clicks for the period until 18th October 2017.
- 5.1.7 As part of the marketing exercise, Linnell's provided its views about this property; it advised that the response to the marketing has been disappointing but not unexpected for such a unique and large property within this location. At the time of the initial campaign, it was of the opinion that the property may have appealed to a number of alternative uses such as restaurants, care homes, assisted living centres and other leisure related uses together with the potential for use as office accommodation. However, the applicant is an existing care home provider and he expressed that the property would be unsuitable due to the existing design, size and layout. As to the restaurant market, it would also be difficult due to the size of the building and location with very little passing trade and the level of competition within the vicinity. Taking into account these findings, it is considered that the marketing exercise has provided reasonable information to meet the terms of the marketing exercise, as set out within the adopted SPG.
- 5.1.8 The site is located in a minerals safeguarding area as designated in Policy M2. However, the proposal is unlikely to affect any area that is considered environmentally or economically feasible for minerals extraction. In addition, the site is within an existing group of buildings with other dwellings nearby. Therefore, that there is no conflict with Policy M2.

5.2 Design

5.2.1 The proposal will not require any further alteration to the external appearance of the building and extension. Thus, there would be no conflict with Policy DES1 of the LDP.

5.3 Economic Development Implications

5.3.1 This application was submitted in the summer of 2016. However, it was later established that no marketing exercise was conducted. As a result, the applicant was requested to carry out the marketing exercise as outlined within the Policy H4 SPG retrospectively. At the time of the application, the agent suggested that the new owners would continue to allow the members of the DGC to play on the golf course and the golfing range opposite the application site will remain open. There were local objections with regard to the viability of the remaining golfing facilities if the clubhouse was lost, which provided essential facilities for the club members of the DGC. Since then, all of the DGC golfing facilities/operations have closed. It is considered that the loss of this golf club is regrettable but it is ultimately the business decision of the club owners.

5.4 Neighbour amenity

5.4.1 There is no neighbouring property within close proximity of this building. Therefore, the proposal would be in accordance with Policy EP1 of the LDP.

5.5 Highway safety

5.5.1 The Council's Highway Department was consulted and they have no objection to the proposed change of use. At the time of their response, the golf course was still in use, although since then Highways have acknowledged that all golfing facilities/operations at the DGC have ceased. Therefore, there will be no golfers crossing the road from the parking area by the clubhouse to the opposite golfing range; their stance remains unaltered i.e. no objection. The proposed use of this building would involve significantly less traffic movements in and out of the site than the previous use as a golf club.

5.5.2 There were local objections about the fact that this application requires a detailed risk assessment regarding traffic movements. In addition, it was suggested that there was limited disabled access to that building by the driving range with no designated parking spaces for disabled persons. It was also argued that there was no guarantee that the golf buggies hiring facilities would be relocated to the building by the driving range to assist golfers. However, all golfing facilities/operations have ceased since those representations were made. Thus, these objections are no longer applicable.

5.6 Ecology

5.6.1 No significant ecological issues have been identified by the SEWBReC report concerning this building. In addition, the bargeboard fits tight along the eaves and the internal roof of the building is well lit and was recently partly modernised. Therefore, no further ecological information is requested. However, an informative will be imposed to remind the developer that bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately.

5.6.2 In addition, no trees will be lost as a result of this application.

5.7 Landscape impact

5.7.1 The proposal will not require any further alteration to the external appearance of the building and extension. In addition, all general permitted development rights will be removed to manage the future development of the building/site. Therefore, the result of this proposal is in accordance with Policy LC5 of the LDP.

5.8 Affordable Housing Financial Contribution

5.8.1 It is a basic principle of Local Development Plan Policy S4 that all residential developments (including at the scale of a single dwelling) should contribute to the provision of affordable housing in the local planning area. As this site falls below the threshold at which affordable housing is required on site, the financial contribution that will be required is £27,685.

5.9 Other issues raised by the objectors

5.9.1 To allow a change of use of the existing clubhouse to a residential dwelling will limit facilities of the DGC that will have a long-term damaging effect on the viability of the golf course i.e. no licenced bar, no hot food and no showers at the range. All golfing facilities/operations of DGC have now ceased. Therefore, this issue is no longer applicable.

5.9.2 It was also suggested that if this application were allowed, it would set a precedent for other similar buildings to be converted to a residential use. Each case has to be treated on its merits and the proposal is considered to comply with Policy H4 of the LDP for the conversion of buildings in the countryside to residential use.

5.9.3 An objector expressed that there is no demand for a single private residence of this size in the area. This is not the case as the applicant is currently pursuing a change of use planning application of this clubhouse to a residential unit for both him and his family.

5.9.4 This application initially had no marketing exercise information as stipulated in Policy H4 of the Monmouthshire Local Development Plan. Further marketing has now been submitted for consideration.

5.9.5 An objector argued that this this planning application as an application should be considered as a new building in the countryside. Policy H4 of the LDP is applicable and relates to conversions of buildings in the countryside. In this instance, the proposal is considered acceptable having regard to the criteria in the policy.

5.9.6 One of the objections suggested that other businesses in more rural areas than Dewstow which offer good quality food and surroundings are thriving and are full over weekends and during the week. So any claim by the former and the latest owners that they have made every reasonable attempt to secure continued business could be refuted and should be rejected. In regard to this objection, a further marketing exercise has now been submitted for consideration and the submitted details are in accordance with the policy criterion and the adopted SGG.

5.9.7 The former owners asked the existing club members and past members if they would like to purchase Dewstow Golf Club for £2,000,000.00 in 2014, which was considerably over the £800,000 to £1,000,000.00 valuation obtained at that time. The marketing

exercise and the asking price is considered to be acceptable and is in accordance with the criteria as set of within the Policy H4 and the SPG.

- 5.9.8 It is argued that the character of the surrounding curtilage will undergo considerable change if the golf course closes. The result of this application will alter the use of this golf clubhouse to a residential use leading to a change to the character of this building by the nature of its use. In response to this objection, the change would not be significant and would be negligible externally. All general permitted development rights would be removed to manage the future development of the building/site if permission is granted.
- 5.9.9 Any works carried out by the applicants without planning permission are at their own risks as no planning decision has been made and the applicants are aware of this.
- 5.9.10 In respect of the significant trees and shrubs planted in recent years there are no proposals to remove these as part of this application.

5.10 Well-Being of Future Generations (Wales) Act 2015

- 5.10.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.0 RECOMMENDATION: Approve subject to a Section 106 agreement for the Affordable Housing Financial Contribution

Conditions/Reasons

1. Standard 5 years in which to commence development.
2. The development shall be carried out in accordance with the approved plans
3. Remove Part 1 and 2 permitted development rights for the dwelling house.
Reason: in the interests of visual amenity.

Informative:

Glamorgan Gwent Archaeological Trust - There is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this department of the Trust.

Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees,

hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.