

**Application Number:** DM/2020/01077

**Proposal:** Static caravan for use as temporary residential accommodation (one year) while barn conversion is under construction at Clawdd y Parc Farm

**Address:** Clawdd-y-Parc Farm, Parc Road, Llangybi, Usk

**Applicant:** Mr Arun Patel

**Plans:** Location Plan 277.P01 - , Block Plan 277.P02 - , Elevations - Existing 277.P10 - ,

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Bingham

Date Valid: 07.08.2020

**This application is presented to Planning Committee due to there being five or more objections and at the request of Llangybi Fawr Community Council**

### **1.0 APPLICATION DETAILS**

#### 1.1 Site Description

This application relates to a group of agricultural buildings, a farm house and converted barns located near to the village of Llangybi.

#### 1.2 Proposal Description

This is a retrospective application for the retention of a static caravan and associated decked area on the site until building works converting Barn 3 to residential accommodation have been completed. This is predicted to be by March 2022. The caravan requires consent as it is outside the curtilage of Barn 3, approximately 56 metres from the building itself.

### **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2018/00675	1. External wall finish to be traditional lime render finish. 2. Addition of window to bedroom 4 at first floor. 3. Removal of oak post to study area. 4. Change window/door finish from painted wood to natural wood.	Application Returned	25.04.2018
DM/2020/00072	Proposed conversion of cattle shed to form 2no 3 bedroom holiday rental units.	Withdrawn	29.01.2021

DM/2020/00074	Conversion of 3no storage containers to form two bedroom holiday accommodation.	Withdrawn	16.10.2020
DM/2020/01076	Use of existing agricultural dutch barn for the storage of cars.	Pending Determination	
DC/2009/00783	Proposed extension to farmhouse and residential conversion of 4 barns	Approved	30.04.2010
DC/2015/00764	Revisions to existing approved scheme for barn conversion to domestic accommodation	Approved	29.06.2017
DC/2012/00062	Change of use of existing agricultural building to form stabling for up to 30 horses with the additional formation of an exercise arena for equestrian purposes	Approved	28.06.2012
DC/2017/00485	Amendments agreed with Enforcement - retaining wall to rear terrace.	Approved	28.04.2017
DC/2017/00095	Agricultural stock housing shed.	Withdrawn	27.03.2017
DC/2017/01100	Non material amendment previous application DC/2017/00614 - change from coloured cladding walling to vertical timber boarding - Agricultural stock housing shed.	Approved	26.09.2017
DC/2011/00281	New Agricultural Building	Acceptable	21.04.2011
DC/2008/00828	Two storey and single storey extensions to farmhouse. Conversion of barns to 6 no. holiday lets. Addition of building to accommodate swimming pool. Conversion of barn to home office. Relocation of dutch barn. Re-clad storage shed.	Withdrawn	21.02.2013

DC/2011/00498	New garaging and stores	Withdrawn	20.08.2014
DC/2011/00899	New access road to supply the barns and ancillary buildings at Clawdd y Parc	Withdrawn	20.08.2014
DC/2015/00524	Retrospective application for conversion of barn approved under previous applications (revised scheme).	Refused	19.06.2015
DC/2017/00614	Agricultural stock housing shed.	Approved	18.07.2017
DC/2015/00703	Retrospective application for 2 no. agricultural general stock sheds.	Withdrawn	16.11.2016
DC/2017/01358	The change of stone finish to lime render finish to the external walls on the areas stated on the drawing A14-04306 as the stone is of a poor quality and cannot within reasonable means be pointed and the introduction of a small window to the rear elevation to provide light to the approved bedroom.	Refused	04.12.2017
DC/2016/01117	Timber framed garage in association with Farmhouse. Similar construction to existing garage at the site.	Approved	03.01.2017

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design

#### **Development Management Policies**

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection

### **4.0 NATIONAL PLANNING POLICY**

#### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving

decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

## **Planning Policy Wales (PPW) Edition 11**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

### **5.0 REPRESENTATIONS**

#### **5.1 Consultation Replies**

**Llangybi Fawr Community Council** - The Council considered this application at yesterday's meeting, it was agreed that a strong objection should be submitted given the numerous retrospective applications and the apparent constant flouting of planning requirements in relation to this site. It was also noted that comments submitted to Mon CC in support of applications relating to this site, appear to come from individuals who have no connection with the local area. The activities at Clawdd y Parc continue to cause the Community Council and indeed many local residents, great concern. In relation to the caravan in particular, it is alleged that the caravan has been occupied since at least April 2019 and is therefore of little significance in relation to the barn conversion. Activities at Clawdd y Parc continue to cause the Community Council and a number of local residents, serious concern.

SEWBRc Search Results - No significant ecological record identified.

#### **5.2 Neighbour Notification**

Five objections received:

The applicant installed the static caravan on 23rd April 2019. Currently, and for most of time since then it has been rented out to a gentleman who works at a hotel in Raglan, and has no connection with any barn conversion or other building works at the site.

It is entirely misleading to make this application under the guise of needing the caravan as somewhere to live while building of a main residence is completed: the applicant owns several houses including Bonnie Barn on the site which he chooses to rent out to holidaymakers the majority of the time.

It is wrong to allow a retrospective application 17 months after the caravan was installed, in clear breach of planning guidelines; its unauthorised use should be stopped immediately and the caravan removed from the site.

The building of barn 3 is nearing completion.

The caravan has been in situation for 22 months and never used as the application suggests.

The residents on Clawdd y Parc Farm are fed up with the flagrant disregard of the planning system.

All applications for planning should sign a declaration of truthful intent. Deviations from the truth should be liable to prosecution.

Very disappointed in the knowledge someone is prepared to give false information to deceive especially if permission is granted.

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The siting of a static caravan for the duration of building works on the same site as where the works are being undertaken does not require the benefit of planning permission. However, in this case the caravan is sited some distance from the barn which is being worked on but within the same land ownership. As such planning permission is required. Neighbours have raised concerns that the person occupying the caravan does not have anything to do with the building works. However, the applicant has stated that the occupier will be Mr Marcos Morillas, who is the site foreman and project manager for the build. Work on the barn has been delayed by COVID but the applicant hopes to finish by spring of next year. As such a condition requiring the removal of the caravan by March 2022 is deemed appropriate should Members be minded to approve the application.

### **6.2 Impact on Residential Amenity**

6.2.1 The continued use of the caravan for a temporary period will not have any impact on the residential amenity of any neighbouring occupiers and it is noted that no objections on this basis have been received from local residents. The caravan is sited approximately 64 metres away from the nearest neighbouring occupier. The caravan would be closer to neighbours had it been sited within the curtilage of Barn 3. As such, the proposal is considered to meet the requirements of LDP Policy EP1.

### **6.3 Access / Highway Safety**

6.3.1 No changes to access or parking are proposed as part of this application.

### **6.4 Drainage**

6.4.1 The site is located outside the Phosphate Sensitive Catchment areas of both the Rivers Usk and Wye and the associated SACs. As such no further information or action in relation to drainage is required.

### **6.5 Visual Impact**

6.5.1 The caravan and decking is sited to the south-west corner of the site, approximately 48 metres away from the barn which is being converted. The location of the caravan is further away from neighbouring properties than if it were sited within the curtilage and has no more harmful impact on the appearance of the area than if it were sited adjacent to Barn 3. It should also be noted that this is recommended as a temporary consent and once works are completed the caravan will be removed and the land restored. As such there are no long term visual impacts. The application is therefore considered to meet the requirements of LDP Policy DES1.

### **6.6 Response to the Representations of Third Parties and/or Community Council**

6.6.1 The fact that this is a retrospective application is not a material planning consideration. Reports that the caravan is being rented as a holiday let is a matter for enforcement but the applicant has offered information on how the occupier would be involved in the associated build.

### **6.7 Well-Being of Future Generations (Wales) Act 2015**

6.7.1 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.

## **6.8 Conclusion**

6.8.1 The use of the caravan for a temporary period while building works are being undertaken by the site project foreman is considered to be acceptable and will not harm the amenity of the local residents or have any long term impact on the character or appearance of the area.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2 The use hereby permitted shall cease and the caravan, decking and any other domestic paraphernalia shall be removed from the site on or before 31st March 2022 and shall not be brought back to site thereafter.

REASON: Planning permission is granted for a temporary period only having regard to the particular circumstances of the site.

### **INFORMATIVES**

1 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.