

OVERVIEW OF THE HISTORY AND PLANNING MATTERS OF PLAS PISTYLL AND FARM (OCTOBER 2018)

CONTEXT

1. The attached document includes a table with the chronology of the site's relevant planning history which dates back to 2007, and confirms the description of the application and decision, the type of decision (Delegated / Committee) and the local / public consultation. The document also includes further observations against some applications only, where further clarification is required. The document also includes appendices highlighting the most relevant planning applications, with some relevant plans, planning reports, planning decisions and Planning Committee minutes.
2. As a background to this, prior to 2007, it is noted that the relevant area to the site's planning history includes Plas Pistyll, which was a former hotel, a farmhouse with associated farm buildings and a static caravan site used to be located nearby with 29 static caravans.
3. Since the use of Plas Pistyll as a hotel came to an end (not sure when - but this was some years ago), it is noted that the building's condition had seriously deteriorated. Indeed, the building's condition had deteriorated to such an extent that residents had concerns that it was an eyesore and was having an unacceptable impact on the area. The building was the subject of a planning enforcement investigation, where enforcement action was considered on the grounds that the building was unkempt. Therefore, it can be seen that a history of holiday use had been established on site for many years prior to the planning applications that date back to 2007.

THE PLANNING HISTORY

4. It is likely that the most relevant planning history to the site is involved with five planning applications, namely:

Application number: C16/0976/43/LL registered on 23/8/16 and approved on 14/10/16 - Vary conditions 2 (in accordance with plans) and 7 (number of units) on planning permission C11/0661/43/LL in order to amend the development design and reduce the number of holiday units to 19, together with the deletion of conditions 8, 9, 10 (Code for Sustainable Homes).

The main element that was approved here is the amendment to the main extant planning permission (C11/0661/43/LL), which reduces the number of holiday units on the site of the Plas from 20 to 19 - which leaves a total of 35 holiday units (including 16 that were approved on the site of the Farm under reference C11/0661/43/LL).

Plans can be found in Appendices 1 and 2 with the delegated report for this application in Appendix 3, and it is noted that there was no objection to the application from the Community Council, the Local Member or local residents.

Application Number: C11/0661/43/LL - registered on 18/8/11 and approved on 23/8/12 - Demolish Plas Pistyll and construct 20 self-contained holiday units together with the construction of 16 self-contained holiday units in lieu of the static caravan site.

This was determined by the Planning Committee and plans can be seen in Appendices 1 and 2, the Committee report in Appendix 4, minutes of the Committee meeting in Appendix 5 and the decision in Appendix 6.

In essence, the application changed the materials of land/holiday units which left a total of 36 holiday units, in lieu of the 29 wooden double unit chalets (near the Farm) and the 14 holiday flats within the former Plas Pistyll hotel.

Application number: C08D/0422/43/LL – registered on 13/11/08 and approved on 16/2/09

Convert the former hotel into 14 flats for holiday use.

This application was determined by the Planning Committee but it has now been superseded in light of more recent permissions.

Application number: C07D/0635/43/LL – registered on 5/12/07 and approved on 29/04/09

- Leisure building for swimming pool, replace 29 static caravans with 29 wooden double unit chalets, amended layout for the site.

This was determined by the Committee - and this permission was abolished by means of a 106 agreement - when application C11/0661/43/LL was approved.

Application number: C07D/0309/43/LL - Convert and extend external buildings into eight self-contained holiday units, and one unit for staff accommodation. **Registered on 25/5/07 and approved on appeal 9/4/08** by the Planning Committee on 18/09/17. It was appealed to abolish the planning condition that restricted use to 28 days within any period of 12 months and the appeal was granted 9/4/08.

At a later stage, an application (application C16/1595/43/LL) was also approved to convert staff accommodation into a holiday unit.

5. Between the permissions that have been granted in terms of the former Plas Pistyll hotel site, the former static caravan site and Pistyll farm's agricultural buildings, we are going to mention:
 - 16 holiday units (that were in lieu of the 29 static caravans that had also been granted permission to be converted to wooden double unit chalets)
 - 19 holiday units in lieu of the former Plas Pistyll hotel (that had permission to be 14 holiday flats)
 - 10 holiday units in Pistyll farm's external buildings (this includes the converted staff accommodation unit and the original farmhouse which is let as a holiday unit).
6. Therefore, there is a total of 45 holiday units and the farmhouse is also let for holiday use. In terms of planning history prior to 2007, it was a static caravan site with 29 static caravans and the former Plas Pistyll hotel. It is also noted that permissions granted under C08D/0422/43/LL, C07D/0635/43/LL, and C07D/0309/43/LL meant a permission at the time for 51 holiday units, one manager's flat, the original farmhouse and associated leisure building.

PUBLIC CONSULTATION

7. Relevant applications were consulted upon in accordance with statutory requirements and attention is drawn to application C16/0976/43/LL, where the local consultation included sending letters to residents, a notice on site, consultation with the Community Council and the Local Member. No objection was received to the application locally following a public consultation. A consultation was also held with statutory consultees and other relevant bodies and these have been documented in the report on the application in Appendix 3.

THE DECISION PROCEDURE

8. An allegation has been received that the C16/0976/43/LL application should have been reported to the Planning Committee, but the Legal Unit has confirmed the Service was right in dealing with the application under the delegated rights procedure which was in operation at the time.
9. If three or more objections to the application had been received, the application would have been reported to the Planning Committee in accordance with the requirements of the delegated rights procedure at the time. Similarly, if the Local Member had requested for the application to be referred to the Planning Committee, and support this with planning reasons, then the application would have been reported to the Committee. No objection was received and the application was not referred to the Committee by the Local Member or by any other two Members.

ASSESSING THE PLANNING APPLICATIONS

10. The planning applications have been considered in accordance with local and national planning policy context that was relevant at the time. The delegated report for application C16/0976/43/LL in Appendix 3 and the Committee report in Appendix 4 gives consideration to all relevant planning matters and they are assessed against the planning policy context at the time. It is also noted that a site's planning history is a material planning consideration when dealing with planning applications of which is very relevant to this site. In terms of existing local planning policies at the time, it is noted that those policies for this type of developments, generally, are consistent with planning policies that are in the current Local Development Plan.

NUMBER OF APPLICATIONS ON THE SITE

11. The site has an extensive planning history but it is also noted that it is not uncommon for developers to request amendments for approved plans, and the planning system is flexible in order to facilitate this, with the type of application depending on the nature of any amendments / changes. It is also noted that every planning permission more or less is subject to planning conditions, which usually involves the need for developers to submit information to agree on external materials for example, and there is no statutory requirement for a public consultation on these.