

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT ON APPEALS

The following appeals have been lodged with the Authority and the current position of each is as follows:-

NP/08/434 Enlargement of existing hay barn, erection of cattle shed, yard and pigsties and formation of hedgebanks and provision of slurry tanks - Llethyr, Cwm Gwaun
Type Hearing
Current Position The initial paperwork has been forwarded to the Inspector and a Hearing has been arranged for 8th November, 2012

NP/11/497 Outline application for erection of 3-bedroomed house with approval sought for access and layout - Land Adjacent to 7 Walton Hill, Little Haven, Haverfordwest.
Type Hearing
Current Position The initial paperwork has been forwarded to the Inspector .and a Hearing has been arranged for the 13th November, 2012.

NP/11/531 Demolition of building, ground and first floor flats, & replacing with two houses - Ground and First Floor Flats, 6, Panteg Road, Solva,
Type Written Representation
Current Position The initial paperwork has been forwarded to the Inspector.

NP/12/0134 Change of use to residential - Natural Healthcare Centre, 17 Long Street, Newport
Type Written Representations
Current Position The appeal has been dismissed and a copy of the decision notice is attached for your information.

NP/12/0209 Agricultural workshop/store associated with the Long Barn units & smallholding(retrospective) – Garden/Paddock area of The Long Barns, Lochvane
Type Written Representations
Current Position The initial paperwork has been forwarded to the Inspector.

NP/12/0230 Low Impact Development on 6 hectares to include dwelling, an agricultural barn, an education room, a polytunnel and volunteer sleeping space
Type Hearing
Current Position The initial paperwork has been forwarded to the Inspector.

EC06/137 Siting of two shipping containers - Blaenafon, Mill Lane, Newport
Type Written Representation
Current Position Awaiting Inspectors Decision.



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 10/09/12

gan **A D Poulter BA BArch RIBA**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 12/10/12

Appeal Decision

Site visit made on 10/09/12

by **A D Poulter BA BArch RIBA**

an Inspector appointed by the Welsh Ministers

Date: 12/10/12

Appeal Ref: APP/L9503/A/12/2178541

Site address: The Natural Healthcare Centre, 17 Long Street, Newport, Pembrokeshire, SA42 0TJ.

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Rhona Edmonds against the decision of the Pembrokeshire Coast National Park Authority.
- The application Ref NP/12/0134, dated 12 March 2012, was refused by notice dated 10 May 2012.
- The development proposed is: *Change of use of premises – from commercial to residential.*

Decision

1. I dismiss the appeal.

Main Issue

2. This is the effect of the proposed change of use on the vitality, viability and attractiveness of the Newport district shopping centre.

Reasons

3. The appeal relates to a self-contained commercial unit, which is currently used as a natural healthcare centre. It has a retail/dispensary and waiting area, two consulting rooms, and ancillary facilities. The upper floor is a separate two-bedroom apartment. It is proposed to change the ground floor to residential use.
4. Long Street is within the Newport Conservation Area and contains a mix of residential and commercial properties. There is no dispute that the appeal property is within Newport's District Shopping Area. Policies to protect and enhance the shopping centre therefore apply. These include Policies 3 and 50 of the adopted Pembrokeshire Coast National Park Local Development Plan (LDP). Policy 3 designates Newport as a 'Local Centre', where land use priorities include the protection and enhancement of the district shopping centre and facilities which serve the town and hinterland. Policy 50 permits changes of use within shopping centres where the proposal falls within Class A1, A2, A3, B1, C1, D1 or D2 of the use classes order, or is a 'sui generis' use normally found in such shopping centres. The accompanying text to Policy 50 records that it is intended to ensure that the vitality, viability and diversity of shopping centres is maintained and enhanced. LDP Policy 42 protects employment sites for employment use, though it recognises that existing uses may be unviable. When

considering new uses for a redundant employment site priority is given to community facilities or affordable housing.

5. By adding to the mix and diversity of retail, commercial and business uses that can be found within Newport's shopping centre, the existing ground floor use attracts customers who would be likely to make linked trips to other business in the vicinity. It therefore adds to the vitality, viability and attractiveness of the centre. Other uses that fall within the use classes permitted by LDP Policy 50 would have a similar effect. The proposed residential use, which would fall within use class C3, would however not attract shoppers or visitors to other facilities within Newport. The proposed change of use would therefore be harmful to the vitality, viability and attractiveness of the centre. It would conflict in this respect with the land use priorities identified in LDP Policy 3(d), and the intent and specific requirements of LDP Policy 50(a). These policies are consistent with national development control policies set out in Section 10 of Planning Policy Wales (PPW).
6. The appellant has been trying to sell the business as a going concern through advertisements in specialist journals since at least July 2010. A firm of Estate Agents have also been marketing the business and premises since the summer of 2011 without success. I accept that the commercial market during this period has been very depressed and there are other commercial properties in Newport that have not sold. However, on the limited information provided to me the marketing appears to have been focussed largely on the existing business. The premises do not appear to have been well promoted for other suitable uses that would be permitted by Policy 50. Nor do they appear to have been offered on a rental or leasehold basis. Whilst I understand the appellant's need to realise the capital investment in the property to fund an impending move abroad, on the basis of the limited marketing exercise that has been undertaken I do not consider that it has been demonstrated that commercial use is not viable. As the proposed change of use would also result in the loss of employment opportunities, I further conclude that the proposed development would also conflict with LDP Policy 42.
7. The proposed change of use would be in keeping with the character and appearance of the Conservation Area. There would therefore be no conflict with planning policy in this respect, but the effect would be broadly neutral. The proposal would add to the amount of market housing in the area, but I give little weight to the argument that there would be benefits in terms of affordable housing elsewhere, as financial contributions cannot be required by conditions and no legally binding undertaking to make such a contribution is offered. On the evidence before me I do not consider that there would be benefits to matters of public interest that would outweigh the harm and conflict with planning policy that I have identified. Nor do I consider that the proposed a change of use has been justified.
8. I have taken into account all other material considerations that have been raised, but find nothing to turn me from the conclusion that the proposed development would conflict with the development plan for the area, or that would indicate that the appeal should be determined other than in accordance with the development plan. I conclude that the appeal should be dismissed.

A D Poulter

INSPECTOR