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PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE Thursday, 3rd August, 2017

S U P P L E M E N T A R Y P A C K

1.	MINUTES OF THE PREVIOUS MEETING
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To authorise the Chair to sign the minutes of the previous meeting of the Committee held on 12th and 20th July as correct records.

(Pages 1 - 16)

2.	UPDATES
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Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

(Pages 17 - 24)

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MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - NEUADD MALDWYN, WELSHPOOL, POWYS ON WEDNESDAY, 12 JULY 2017

PRESENT

County Councillor D R Price (Chair)

County Councillors L George, H Hulme, E M Jones, M J Jones, H Lewis, K Lewis, P C Pritchard, D Selby, K S Silk, D A Thomas, E Vaughan, G I S Williams, D H Williams, J Williams and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillors M Barnes, L V Corfield and K Laurie-Parry who was on other Council business. County Councillor I McIntosh who had recently been elected to the Yscir Ward had been appointed to the Committee. However, as he had not yet received the relevant training for this Committee he could not participate in the meeting.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 22nd June, 2017.

Planning

3. DECLARATIONS OF INTEREST

- (a) There were no declarations of interest.
- (b) County Councillor H Lewis requested that a record be made of his membership of Llangunllo Community Council where discussion had taken place of matters for the consideration of this Committee and that he was not present at any meetings where this was discussed. County Councillor H Lewis advised that he had, prior to being a member of this Committee, made observations to Development Management about P/2016/0940 but did not support or object to the application.
- (c) The Committee noted that no Member (who is a member of the Committee) would be acting as 'local representative' in respect of any application on the agenda.
- (d) The Committee noted that County Councillor M Alexander (who is not a member of the Committee) would be speaking as the 'local representative' in respect of P/2017/0295.

4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

The Committee considered the report of the Head of Regeneration, Property and Commissioning (copies filed with the signed minutes).

4.1 Updates

The Members confirmed that they had received the update circulated the previous day and prior to the meeting. Members were given time to read the updates.

4.2 P/2017/0154 Land adjoining The Garage, Adfa, Newtown Powys SY16 3DW

Application No:	P/2016/0154
Grid Ref:	305746.64 301004.76
Valid Date:	10/02/2017
Officer:	Eddie Hrustanovic
Community Council:	Dwyriw Community Council
Applicant:	Mr T P Richards, Maenllengen, Adfa, Newtown, Powys SY16 3DL
Location:	Land adjoining The Garage, Adfa, Newtown Powys SY16 3DW
Proposal:	Outline: Residential development of up to 9 dwellings, creation of access and associated works (some matters reserved)
Application Type:	Application for Outline Planning Permission

The Committee acknowledged that applications should be considered on their own merits however, concerns were raised that two applications in Adfa, each for 9 dwellings, were for consideration at this meeting. It was noted that the report stated that Adfa, as a Large Village, could accommodate an additional 10 dwellings without exceeding the overall capacity of the settlement. Concerns were raised about the potential impact of the proposed applications on the sustainability of the village and the impact on the facilities and the cultural and linguistic heritage. The Professional Lead Development Management advised that on balance this application was a sustainable level of growth.

In response to questions regarding the level of affordable housing the Professional Lead Development Management advised that the guidance in the Unitary Development Plan [UDP] stated that a level of 30% - 35% was appropriate. However, this was based on a 2002 survey. Further evidence was available as part of the Local Development Plan [LDP] process, which states that for this area 20% affordable housing was viable and Development Management had to take this new evidence into account.

The Professional Lead Development Management advised that because there is a lack of a five year housing land supply TAN 1 must be taken into account and therefore appropriate developments outside a settlement boundary must be given considerable weight.

Concerns were raised regarding the impact of the proposed development on the Welsh language and the evidence used by officers for them to conclude that there would be no material unacceptable effect on the Welsh language as a result of the application. The Professional Lead Development Management advised that the provision of 20% affordable housing in the development supported the Welsh language.

It was proposed and seconded to defer further consideration of the application to enable a proper assessment of all aspects of the sustainability of the development in the village of Adfa.

RESOLVED:	Reason for decision:
that the application be deferred.	To enable a proper assessment of all aspects of the sustainability of the development in the village of Adfa.

County Councillor EM Jones, M.J. Jones and G Williams asked that their vote against deferment be recorded.

County Councillor P Pritchard took his seat in the meeting.

4.3 P/2016/0940 Dolassey Farm, Bleddfa, Knighton, Powys LD7 1PA

Application No: P/2016/0940

Grid Ref: 320592.09, 268888.89

Valid Date: 19/09/2016

Officer: Bryn Pryce

Community Council: Llangunllo Community Council

Applicant: Mr Tom Jones, Dolassey Farm, Bleddfa, Knighton, Powys LD7 1PA

Location: Dolassey Farm, Bleddfa, Knighton, Powys LD7 1PA

Proposal: Change of use of land to site 4 holiday lodges, creation of access, installation of septic tanks and associated works

Application Type: Application for Full Planning Permission

The Planning Officer advised that if the Committee was minded to approve the application the conditions were those that were contained in the Update report.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the	As officers recommendation as set out in the report which is filed with the signed minutes.

Update report which is filed with the signed minutes.	
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The Committee adjourned for a short break and on resuming the Chair with the agreement of the Committee took the applications as follows.

4.5 P/2017/0217 Plot adjoining Brynperian, Penegoes, Machynlleth, Powys, SY20 8RP

Application No: P/2017/0217

Grid Ref: 277887.52 300771.99

Valid Date: 21/02/2017

Officer: Kevin Straw

Community Council: Cadfarch Community Council

Applicant: Mr Rhys Lewis, Uwchymarreg, Blaen Llan, Machynlleth, Powys, SY20 8RP

Location: Plot adjoining Brynperian, Penegoes, Machynlleth, Powys, SY20 8RP

Proposal: Full: Erection of a dwelling, formation of vehicular access and all associated works

Application Type: Application for Full Planning Permission

The size of the proposed dwelling was noted and that if the Committee was minded to approve the application, Development Management advised that it had recommended a condition withdrawing permitted development rights.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

4.11 P/2017/0295 Land Adjacent to Ysgol Gynradd Llanerfyl, Llanerfyl, Welshpool Powys SY21 0HZ

Application No: P/2017/0295

Grid Ref: 303053.1 309313.75

Valid Date: 16/03/2017

Officer: Eddie Hrustanovic

Community Council: Llanerfyl Community Council

Applicant: Miss Melany Price, Caddis Corner, Llanerfyl, Welshpool, Powys SY21 0HZ

Location: Land Adjacent to Ysgol Gynradd Llanerfyl, Llanerfyl, Welshpool Powys SY21 0HZ

Proposal: Full: Erection of a dwelling and garage, creation of access and all associated works (part retrospective)

Application Type: Application for Full Planning Permission

County Councillor M Alexander spoke as the local representative.

The Committee noted that if the application was agreed an affordable house would be lost. The Professional Lead Development Management advised that the applicant had stated that the development was not viable as an affordable house and that removing this restriction would ensure that the dwelling could be completed thereby contributing to the five year housing land supply.

The officer's recommendation was proposed and seconded with the addition of a condition to remove permitted development rights.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and with a condition to remove permitted development rights.	As officers recommendation as set out in the report which is filed with the signed minutes. To ensure that the site does not become over developed and to ensure that adequate amenity space is maintained.

4.4 P/2016 1337 Land adj Pant-y-Ddafad, Pontrobert, Meifod, Powys, SY22 6JF

Application No: P/2016/1337

Grid Ref: 311255.28 312846.43

Valid Date: 30/12/2016

Officer: Kate Bowen

Community Council: Llangyniew Community Council

Applicant: Mr J M Evans, c/o Roger Parry and Partners

Location: Land adj Pant-y-Ddafad, Pontrobert, Meifod, Powys, SY22 6JF

Proposal: Proposed residential development comprising of up to 9 dwellings, formation of vehicular access and access road and all associated works

Application Type: Application for Outline Planning Permission

The Planning Officer advised that the developer had today offered three affordable houses, as part of the development.

In response to comments the Professional Lead Development Management advised that the provision of three affordable houses contributed to the well-being of the Welsh language. He also advised that if the Committee was minded to approve the application a condition seeking the phasing of the provision of the affordable houses was recommended.

The Highways Authority confirmed that after considering the details of the application and access to the site and negotiations with the developer to provide a footpath, the Highways Authority had no objections subject to conditions.

RESOLVED:	Reason for decision:
<p>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and that it be delegated to the Professional Lead Development Management, in consultation with the Chair and Vice Chair, to add conditions relating to the provision of three affordable dwellings, the phasing of the building and the removal of permitted development rights.</p>	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>Additional conditions required to ensure the provision of affordable housing and to ensure that the dwellings serve an affordable need in perpetuity.</p>

4.6 P/2017/0329 Land adjoining Min-y-Fford, Adfa, Newtown, Powys, SY16 3DB

Application No: P/2017/0329

Grid Ref: 306282.14 301102.68

Valid Date: 24/03/2017

Officer: Dunya Fourie

Community Council: Dwyriw Community Council

Applicant: Mr D T M Jones, Min-Y-Fford, Adfa, Newtown, Powys, SY16 3DB

Location: Land adjoining Min-y-Fford, Adfa, Newtown, Powys, SY16 3DB

Proposal: Outline: Residential development of up to 9 dwellings, including new access and all associated works (some matters reserved)

Application Type: Application for Outline Planning Permission

The Planning Officer confirmed the applicant's proposal of three affordable units in order to support the Welsh Language. The Planning Officer referred the Committee to the Update report and the response from Natural Resources Wales [NRW]. The Committee raised concerns about the cumulative impact of this development on Adfa and considered that the sustainability of the area needed to be considered.

It was proposed and duly seconded to defer consideration of the application to ensure that the sustainability of further development in Adfa could be considered.

RESOLVED:	Reason for decision:
that the application be deferred.	To enable a proper assessment of all aspects of the sustainability of the development in the village of Adfa.

The Committee adjourned for lunch break at 12.55 p.m. and reconvened at 1.35 p.m.

4.7 P/2016/1132 Church House Farm, Llandeilo Graban, Builth Wells, LD2 3YJ

Application No: P/2016/1132

Grid Ref: 309445.76 244645.34

Valid Date: 02/11/2016

Officer: Tamsin Law

Community Council: Painscastle Community Council

Applicant: Mr & Mrs B Pugh, Llandeilo Graban, Cwrt-y-Gribbin, Builth Wells LD2 3UQ

Location: Church House Farm, Llandeilo Graban, Builth Wells LD2 3YJ

Proposal: Reinstatement of a former dwelling to residential use, installation of septic tank, formation of vehicular access, change of use of agricultural land to form residential curtilage and all associated works

Application Type: Application for Full Planning Permission

The Principal Planning Officer advised that if the Committee was minded to approve the application a condition removing permitted development rights was recommended and that this be delegated to the Professional Lead Development Manager in consultation with the Chair and Vice Chair.

RESOLVED:	Reason for decision:
<p>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and that it be delegated to the Professional Lead Development Management, in consultation with the Chair and Vice Chair to add a condition withdrawing permitted development rights.</p>	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>In order to safeguard the character and appearance of the application building and surrounding area.</p>

4.8 P/2017/0498 Land to the rear of Sunnydale, Knighton Road, Presteigne, Powys, LD8 2ET

Application No: P/2017/0498

Grid Ref: 330903.98 265077.57

Valid Date: 04/05/2017

Officer: Kevin Straw

Community Council: Presteigne Town Council

Applicant: Messrs RM, C and T Layton, 1 Kings Court, Presteigne, Powys, LD8 2AJ.

Location: Land to the rear of Sunnydale, Knighton Road, Presteigne, Powys, LD8 2ET

Proposal: Outline: Erection of 2 dwellings to include improvements to the existing access. Change of use of existing business to residential

Application Type: Application for Outline Planning Permission

The Planning Officer clarified the location of the proposed development, which was along the private access track. In response to questions the Professional Lead Development Management advised that Presteigne had capacity for commercial developments and the loss of this brownfield site would not have an unacceptable impact. It was noted that development to the north of the site was unlikely due to the possibility of flooding in this area.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

The Vice Chair took the Chair as the Committee Chair had to attend to urgent business.

4.9 P/2017/0473 Land adj. Hafgan, Llan, Llanbryn-mair Powys SY19 7DR

Application No: P/2017/0473

Grid Ref: 288314.13 300652.15

Valid Date: 28/04/2017

Officer: Kate Bowen

Community Council: Llanbryn-mair Community Council

Applicant: Mr Philip Pryce, Coed y Gaer Fawr, Llandinam, Powys, SY17 5AZ

Location: Land adj. Hafgan, Llan, Llanbryn-mair Powys SY19 7DR

Proposal: Full: Erection of a detached dwelling and garage, formation of vehicular access and all associated works

Application Type: Application for Full Planning Permission

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

4.10 P/2016/0719 Land adj to Dyffryn Foel, Llansantffraid, Powys, SY22 6DG

Application No: P/2016/0719

Grid Ref: 321782.49 320221.57

Valid Date: 26/07/2016

Officer: Kate Bowen

Community Council: Llansantffraid Community Council

Applicant: Mr R Roberts, Messrs Roberts, Land adj to Dyffryn Foel, Llansantffraid, Powys, SY22 6DG

Location: Land adj to Dyffryn Foel, Llansantffraid, Powys, SY22 6DG

Proposal: An outline application for the erection of 16 no. dwellings and all associated works with all matters reserved

Application Type: Application for Outline Planning Permission

The Professional Lead for Development Management advised that if the Committee was minded to approve the application, it should delegate to him in consultation with the Chair and Vice Chair, the addition of a condition regarding the provision of affordable housing and to amend condition 15 to ensure that the plans required under condition 15 be submitted to Development Management for approval.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

The Chair of Committee resumed the Chair.

4.12 AGRI/2017/0042 Land at Dyffryn, Meifod, Powys, SY22 6HL

Application No: AGRI/2017/0042

Grid Ref: 314833.69 312625.96

Valid Date: 31/05/2017

Officer: Sara Robinson

Community Council: Meifod Community Council

Applicant: J W Wilkinson, Dyffryn, Meifod, Powys, SY22 6HL

Location: Land at Dyffryn, Meifod, Powys, SY22 6HL

Proposal: AGRI: Application for prior notification for proposed erection of an agricultural building

Application Type: Application for prior Notification of Agricultural or Forestry development

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

5.	DECISIONS OF THE HEAD OF REGENERATION, PROPERTY AND COMMISSIONING ON DELEGATED APPLICATIONS
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The Committee received for information a list of decisions made by the Head of Regeneration, Property and Commissioning during the period between 15th June, 2017 and 4th July, 2017.

The Committee noted future training and meeting dates.

**County Councillor D R Price
Chair**

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MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 20 JULY 2017

PRESENT

County Councillor D R Price (Chair)

County Councillors K Lewis, M Barnes, L V Corfield, H Hulme, E M Jones, M J Jones, K Laurie-Parry, H Lewis, I McIntosh, P C Pritchard, P Roberts, D Selby, K S Silk, D A Thomas, E Vaughan, G I S Williams, D H Williams, J Williams and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillor L. George.

Planning

2. DECLARATIONS OF INTEREST

- (a) There were no declarations of interest.
- (b) The Committee noted that no Member requested that a record be made of their membership of a Community Council where discussion had taken place of matters for the consideration of this Committee.
- (c) County Councillor R. Williams (who is a member of the Committee) declared that he would be acting as 'local representative' in respect of application P/2017/0219.
- (d) The Committee noted that County Councillor D. Jones-Poston (who is not a member of the Committee) would be speaking as the 'local representative' in respect of application P/2017/0315.

3. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

The Committee considered the report of the Head of Regeneration, Property and Commissioning (copies filed with the signed minutes).

3.1 Updates

The Members confirmed that they had received and had time to read the update circulated the previous day and prior to the meeting.

3.2 P/2017/0315 Land adj to Bwlch yr Laen, Dolfach, Llanbrynmair, Powys, SY19 7AG

Application No: P/2017/0315

Grid Ref: 291351.89 301721.3

Valid Date: 23/03/2017

Officer: Eddie Hrustanovic

Community Council: Llanbrynmair Community Council

Applicant: Mr RW Morgan, Caetwpa, Dolfach, Llanbrynmair, Powys

Location: Land adj to Bwlch yr Laen, Dolfach, Llanbrynmair, Powys, SY19 7AG

Proposal: Outline - Residential development for 2 dwellings including formation of a vehicular access and associated works

Application Type: Application for Outline Planning Permission

County Councillor D. Jones-Poston spoke as the local representative.
Mr M. Thompson spoke against the application.
Mr R. Morgan spoke as the applicant.

The Professional Lead Development Management advised that due to the location of the application site, which was in close proximity to Llanbrynmair, it was considered that this development was sustainable. He also advised that the Update report circulated prior to the meeting, recommended that the application site was also sustainable in relation to the Welsh Language.

Questions were raised regarding the layout of the site and the outline plans and the Committee noted that this was an indicative layout and all matters relating to layout, size and style of dwellings etc. would be considered at the reserved matters stage. The Professional Lead Development Management in response to questions advised that the availability of houses for sale in an area was not considered when calculating the housing land supply. He advised that the Welsh Government's guidance stated that the impact of a development on the Welsh Language should normally only be considered for large developments. In respect of the cumulative effect of developments he had discussed this issue with the Policy Team. He advised the Committee that during the hearing sessions for the Local Development Plan [LDP] the cumulative effect of developments had been raised but the Welsh Government did not consider that this should generally be taken into account.

In response to questions the Professional Lead Development Management advised that TAN1 gave considerable weight to the lack of a five year housing land supply and this carried more weight than other housing policies, such as HP9 and HP10.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

The Chair apologised for not welcoming at the start of the meeting the new member for Yscir, County Councillor I McIntosh. He also welcomed Rhian Jones who was on work experience with Development Management.

County Councillor R Williams moved to the public seating area for the next application.

3.3 P/2017/0219 The Stables, Llandefalle, Felinfach, Brecon, Powys, LD3 0UN

Application No: P/2017/0219

Grid Ref: 310392.68 235106.66

Valid Date: 03/03/2017

Officer: Thomas Goodman

Community Council: Felin Fach Community Council

Applicant: Mr & Mrs Freer Spreckley, Castle Barn, Snodhill, Hereford, HR3 6BH

Location: The Stables, Llandefalle, Felinfach, Brecon, Powys, LD3 0UN

Proposal: Full: Change of use of stables to residential dwelling to include removal of lean to, installation of solar panels and ground source heat pump

Application Type: Application for Full Planning Permission

County Councillor R Williams spoke as the local representative.
Mr Spreckley spoke as the applicant.

The Committee considered that it was extremely important that meaningful marketing of the commercial property as a whole or split into smaller units should be undertaken before the application could be granted.

RESOLVED:	Reason for decision:
that the application be refused.	Whilst marketing of the property has been undertaken, it is considered that the property has not been valued at an appropriate level during the marketing period and therefore does not confirm compliance with policy GP6 of the Powys Unitary Development Plan (2010).

County Councillor R Williams resumed his seat in the Committee.

4. DECISIONS OF THE HEAD OF REGENERATION, PROPERTY AND COMMISSIONING ON DELEGATED APPLICATIONS

The Committee received for information a list of decisions made by the Head of Regeneration, Property and Commissioning during the period between 4th and 13th July, 2017.

Rights of Way

5. DECLARATIONS OF INTEREST

In response to a question the Solicitor confirmed that the ward councillor for an area where an application was located, could consider such applications as long as they did not have a prejudicial interest.

6. PUBLIC PATH ORDERS – PROPOSED ABANDONMENT

The Committee received a report in respect of Public path creation Order, bridleway LG964(A) and public path extinguishment Order, bridleway LG964, community of Llangunllo [copy filed with signed minutes].

The Definitive Map and Commons Registration Officer advised that the landowners had installed a wireless warning system which warned anyone on the firing range if walkers or riders were using the path. This allows health and safety to be managed with the bridleway in its current location. In respect of the spur the Officer advised that if the landowner was willing to provide a link to another public path, the Authority could consider an application as there was public gain. However, if the landowner wished to pursue an extinguishment order they would have to meet the costs themselves, as there was no public gain.

RESOLVED	REASON FOR DECISION
That the creation Order for bridleway LG964(A) and extinguishment Order for bridleway LG964 as at appendices B and C be abandoned.	The route subject of the creation Order is no longer feasible due to a shooting trap that has been constructed close to it and there is no scope to provide another route, so the bridleway is best managed in its existing location.

The Committee noted that the meeting on 3rd August would now take place in County Hall.

Planning, Taxi Licensing and Rights of Way Committee Report

UPDATE REPORT

Application No:	P/2017/0078	Grid Ref:	315770.54 253230.59
Community Council:	Glascwm	Valid Date:	Officer: 31/01/2017 Tamsin Law
Applicant:	Sheila Powell c/o Agent		
Location:	Land at Glascwm, Glascwm, Powys		
Proposal:	Full: Erection of a single dwelling, creation of access, installation of septic tanks and all associated works		
Application Type:	Application for Full Planning Permission		

The reason for the update

Additional correspondence has been received from a third party and the Local Member and to provide further clarification on the development.

Representations

Additional correspondence has been received opposing the proposed development as is summarised below;

- The change from two dwellings to one dwelling does not alter any previous objections.
- The number of houses does not change the fact that an approval would be contrary the UDP.
- The design of the building would negatively impact the character of the settlement.
- Any approval could be used as a precedent for future development not only in Glascwm but anywhere in the County.
- Concerns over future development of the site.

Correspondence received from Councillor Maureen Mackenzie has been appended to this report.

Planning History

Further clarification regarding the history of the site is provided below.

In 2004 outline planning permission was granted at appeal for the development of four dwellings. In 2007 an application for reserved matters was submitted and subsequently refused by the Council. The applicant then submitted an appeal which was dismissed by the Planning Inspectorate.

In 2008 an application was submitted to allow further time for reserved matters to be submitted for approval. Planning application P/2008/1792 was refused on the 16th December 2008 as the application site fell within an area of open countryside. The applicant appealed the decision which was then dismissed by the Planning Inspectorate due to the development being outside the development boundary.

A further application to extend the time for reserved matters to be submitted was received in 2009. Planning application P/2009/0522 was refused on the 30th September 2009 on the basis that the site was located within an area of open countryside and would be detrimental to the visual amenity and rural character of the area.

Officer Appraisal

Visual Amenity

Officers consider that the proposed development, being a full planning application, provides sufficient detail to ensure that the development assimilates well into the surrounding landscape and does not have a detrimental impact on the character and appearance of the area. The use of stone walls, slate roof and timber windows and doors will echo materials used in existing dwellings in the settlement. Whilst concerns have been raised over the design of the dwelling the dwelling would be set at a lower level than surrounding properties, other dwellings within Glascwm are large and detached, some being three storey, and more recent developments are of a similar design. As such it is considered that the proposed dwelling would not have a detrimental impact on the character and appearance of the area.

As the site slopes down away from the adjoining road it is considered appropriate to require existing and proposed site levels to ensure that the completed dwelling does not have any detrimental impact on the surrounding area or amenity.

Highway Safety

For clarification in relation to highways comments regarding third party land, confirmation was received from the adjoining landowner that nothing will be built or planted in the line of the visibility and they are aware of the application as submitted. Following receipt of this information Powys Highways were consulted and had no further comment to make on the application.

Listed Buildings

Policy ENV14 states that proposals for development unacceptably adversely affecting a listed building or its setting will be refused. Technical Advice Note 24: The Historic Environment (2017) provides further guidance on Listed Buildings.

The application site lies approximately 35 metres to the east of a listed telephone box and approximately 185 metres to the east of a listed church. The phone box is located within a triangular parcel of land in the centre of Glascwm. Between the site and the phone box lies a residential garage and mature trees which screen the development from the telephone box and it is considered that the development would not be visible from the telephone box. Due to the topography of the land the church lies at a higher level than the application site and mature trees surround the listed church, screening the building from the proposed development. It is considered that the distance maintained from the listed buildings, the existing screening and that the proposed dwelling will be seen in the setting of existing residential dwellings.

It is considered that the proposed materials used in the development, timber, slate, stone and render are traditional and will complement the listed structures in the area.

As such it is considered that the proposed development does not have an unacceptable impact on the setting of nearby listed buildings and is in accordance with policy ENV14 and Technical Advice Note 24 (2017).

RECOMMENDATION

Whilst a departure from the development plan, in this instance, the provision of housing is considered to outweigh the plan and therefore justifies the grant of consent as an exception to normal housing policies. The recommendation is therefore one of conditional approval subject to conditions outline in the update report.

Conditions

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans (drawing no's: 1157-004 and 1157-002) stamped as approved on xxxxx.
3. Prior to the occupation of the dwelling any entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
4. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 5.5 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
5. No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 45 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
6. Before any other work commences the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 5.5 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

7. Prior to the occupation of the dwelling, provision shall be made within the curtilage of the site for the parking of not less than 3 cars per dwelling together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
8. Before any other work commences provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.35 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
9. Prior to the occupation of the dwellings the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,
10. Upon formation of the visibility splays as detailed in 5 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
11. No storm water drainage from the site shall be allowed to discharge onto the county highway.
12. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

0800 - 1800 hrs Monday to Friday
0800 – 1300 hrs Saturday
At no time on Sunday and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste, including soil, from the site must also only take place within the permitted hours detailed above.
13. During construction (including soil movement and landscaping activities) the contractor shall take all reasonable steps to prevent dust formation from dusty activities and any dust formed shall be prevented leaving the site by continuous watering down.
14. The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeological contractor. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670). After approval by the Local

Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

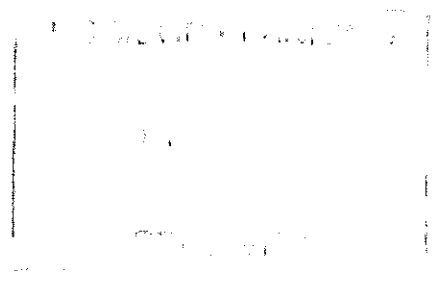
15. No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
4. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
5. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
6. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
7. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
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9. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
10. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
11. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
12. In order to control development which has the potential to have adversely affect the amenity of the area in contradiction to policy GP1 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (2016).
13. In order to control development which has the potential to have adversely affect the amenity of the area in contradiction to policy GP1 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (2016).
14. To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.
15. In the interest of the amenity of the area in accordance with Policy GP1 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (2016).

rechecked ✓

✓ U



PENARTH,
Cregina,
Llandrindod Wells,
LD1 5SF.

23/07/17.

Dear Tamsin Law,

Re : P/2017/0172

Please give my apologies to the planning committee for my absence,

I feel it is appropriate that I give a sense of my position in respect of this application.

Historically, I was not directly involved with any application on this site as it overlapped Council elections, and therefore my new role as the local Member. I know the area quite well, living within 2/3 miles just outside the adjacent village of Cregina, in a well established farmhouse surrounded by open farmland.

Our family have taken part in church, village and wider community events in Glascwm over the last 20 years, but I consider I have neither a personal nor a prejudicial interest in this matter. I have been the County Councilor for the Llanelwedd Ward since May 2008.

I was present at the Community Council meeting when this application was initially discussed, and also at a meeting of the Glascwm Housing Action Group by request and at the invitation of some local constituents.

In respect of the application on this site I am aware of the past issues, prior to the present application, which have left a 'bad taste' and an unsightly old metal portacabin which served as a reminder until very recently.

Glascwm has been designated as a "rural settlement" within the UDP. It is an attractive rural settlement with a Medieval Church, a Rectory and some traditional Welsh farm cottages. It is however relatively distant from amenities; the journey to the towns of of Builth Wells and Llandrindod Wells definitely requires vehicles and parents. School transport is limited to school journeys and there is no longer a bus service. Younger residents therefore are restricted unless they have additional resources such as parents who have flexible work patterns.

There was no local consultation by the Applicant about this proposed development, whether for two houses or one. This, I believe, is why members of the Glascwm Housing Action group have sought my support. I am aware that some members of the surrounding community members do not have the

same reservations but this conflict of views is not the issue. The issue is that of the Powys County Council Development plan in which development in a rural settlement is outwith the UDP.

There may a case to be made for more housing in this rural locality and in particular for more affordable housing – whether for purchase or rental – but this case has not been made to date and is not a part of the Council's current Policy. Unless and until this has been agreed, I think it important that the Council respects and is seen to respect its own already agreed Policy, and only gives consideration to applications which would breach these Policies in the most exceptional circumstances.

I cannot myself see that this application presents any such exceptional circumstances and I trust that the Committee will take its responsibilities to respect the Council's agreed Policy with due seriousness and not risk undermining public confidence in the Council's integrity with any casual or poorly thought through decision.

Maureen Mackenzie.
County Councillor.

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