

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: P/2017/0989 **Grid Ref:** 310567.13 306506.27

Community Council: Llanfair Caereinion **Valid Date:** 11/09/2017 **Officer:** Sara Robinson

Applicant: Powys County Council

Location: Land adjacent 14 - 19 Hafen Deg, Llanfair Caereinion, Welshpool, Powys, SY21 0RU

Proposal: Full: Formation of a car parking area

Application Type: Application for Full Planning Permission

The reason for Committee determination

The applicant is Powys County Council.

Site Location and Description

The application site is located with numbers 14 and 19 Hafen Deg located directly to the north whilst to the south is Welsley Street, C2197 County Highway. To the east and west are then residential footpaths.

The proposed parking area will provide 5 disabled parking spaces and a dropped kerb for wheelchair access onto the adjacent footpath. There will also be a formation of a reinforced wall with an English garden wall bond to the north east and south west elevation with post and rail fencing to the north west of the proposed parking area. The parking area will be approximately 6.2 metres in width and approximately 17.4 metres in length with the boundary fencing/wall reaching a height approximately 1 metre.

Consultee Response

Llanfair Caereinion Town Council

No comments were received at the time of writing this report.

Highways Department-

The County Council as Highway Authority for the County Class III Highway, C2197

Wish the following recommendations/Observations be applied
Recommendations/Observations

The Highway Authority have no objection to this application on the principle that the car parking area is designed, and works completed, to the specification outlined on drawing D-001 within 1 month from commencement of the development.

Wales & West Utilities-

Wales & West Utilities acknowledge receipt of your notice received on 19.09.2017, advising us of the proposals for:

14-19, Hafendeg, Llanfair Caereinion, Welshpool, Powys, SY21 0RU

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

Severn Trent Water

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 01902 793851.

Representations

Following display of a site notice on 03/07/2017 for a period of 21 days no public representations have been received by Development Management at the time of writing this report.

Principal Planning Policies

National Policies

Planning Policy Wales (Edition 9, November 2016)
Technical Advice Note 5 – Nature Conservation and Planning (2009)

Local Policies

Unitary Development Plan (March 2010)

SP6- Development and Transport
GP4 - Highway and Parking Requirements
ENV 2 - Safeguarding the Landscape
ENV 3 - Safeguarding Biodiversity & Natural Habitats
ENV 7 - Protected Species
T5 - New Public Parking Facilities
DC1 - Access by Disabled Persons
DC13 - Surface Water Drainage

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

Officer Appraisal

Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Principle of Development

Policy T5 states that proposals for new parking facilities as part of an integrated transport strategy for town and villages will be approved where this would reduce congestion, pollution of accidents, lessen conflict between vehicles and pedestrians, improve the local environment, or where it is vital to the local economy.

The proposal seeks to alter the existing on street parking which is currently in the form of a narrow layby with 5 disabled parking spaces. The parking area will have boundary treatment in the form of an English garden wall bond to the north east and south west elevation with post and rail fencing to the north west of the proposed parking area. The parking area will be approximately 6.2 metres in depth and approximately 17.4 metres in length and the fence will reach a height of approximately 1 metre to the north east and south west elevation and the wall to the north- west will reach a height of approximately 1 metre in height.

The Local Highway Authority is content with the proposed parking subject to appropriately worded conditions securing that development is completed in accordance with the proposed plans. This will be secured through an appropriately worded condition.

In light of the above and subject to the proposed condition it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Landscape, Design and Siting

UDP policy ENV2 requires proposals to take into account the high quality of the landscape in Powys and to be appropriate and sensitive to the landscape surroundings. In considering landscape impact, consideration should be given to the sensitivity of the particular landscape and the potential impact on its character and appearance.

The proposed development includes the formation of 5 new disabled parking spaces and the erection of boundary treatment. The wall will not exceed 1.1 metre in height and the fence will reach a height of approximately 1 metre.

It is considered that as the height of the wall will not exceed 1.1 metres that this will not affect the light afforded to 14 and 19 Hafan Deg. It is also considered that due to the boundary treatment already serving these dwellings that their privacy will not be impacted upon.

The proposed disabled parking areas are replacing existing on street parking in the form of a narrow layby and therefore it is considered that the proposal will have limited impact upon the landscape due to its locality within a built up residential area.

The proposed parking area and proposed boundary treatment is therefore considered to be acceptable and in accordance with relevant planning policy.

Other Legislative Considerations

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that there would be no unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material unacceptable effect upon the use of the Welsh language in Powys as a result of the proposed decision.

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

RECOMMENDATION

Having carefully considered the proposed development, Officers consider that the proposal complies with relevant planning policy. The recommendation is therefore one of conditional consent.

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 stamped as approved on XXXXXX (drawing no's: D-001 & D-004).

Informative Notes

Wales & West Utilities

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