

Public Document Pack



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

Os yn galw gofynnwch am - If calling please ask for
Carol Johnson

Ffôn / Tel: 01597826206

Ffôn Symudol / Mobile:

Llythyru Electronig / E-mail: carol.johnson@powys.gov.uk

PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE

Thursday, 5th December, 2019

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

SUPPLEMENTARY PACK

- 1.1. **19/1578/FUL Former Livestock Market, Gorn Road, Llanidloes, Powys, SY18 6DE**

(Pages 3 - 26)

This page is intentionally left blank

4.6

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 19/1578/FUL

Grid Ref: E: 295613
N: 284312

Community Council: Llanidloes Community

Valid Date: 10.10.2019

Applicant: N/A

Location: Former Livestock Market, Gorn Road, Llanidloes, Powys, SY18 6DE

Proposal: Proposed residential development of 22 affordable dwellings and all associated works, to include some demolition

Application Type: Full Application

The reason for Committee determination

The application is submitted on behalf of Powys County Council and therefore in accordance with the Council's constitution is required to be determined by the Planning, Taxi Licensing and Rights of Way Committee.

Consultee Responses

Consultee

Received

Community Council

11th Nov 2019

Ref 19/1578/FUL Proposed residential development of 22 affordable dwellings and all associated works, to include some demolition Former Livestock Market, Gorn Road, Llanidloes, Powys SY18 6DE The Town needs these houses although we have some concerns over the entrance visibility and wish to see these houses allocated to Local people

Highway Authority

Correspondence received 7/11/2019

I have had a look at the site plan for Gorn Road in Llanidloes and just have one small amendment to request.

- Below plot 15 there is no service margin running around the adopted highway, I note the access to the rear of no. 15 makes this difficult as the extent of the highway now

sits. I would therefore recommend to pull the end of the adoption to the middle of no. 13 and 14 and then put the service margin around the turning head.

Hopefully this makes sense, but come back to me if not. Ill look out for a revised plan so I can submit a formal response in support of the application as soon as it is received.

Environmental Protection

21st Oct 2019

Thank you for the consultation in respect of this application. I note the noise assessment that has been submitted in support of the application, which concludes that as long as the necessary façade treatment and a 2m high acoustic fence is built along the bypass boundary then impact from noise on amenity will be acceptable. Subject to the mitigation within the noise report being put in place, noise would not be a cause for objection. I do however note that the acoustic barrier proposed is 1.8m on plan and this will need to be 2m as per the recommendation.

In terms of construction noise, it is important to take into account the close proximity of existing residential dwellings and I would therefore propose the following limits on site operation:-

All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

o0800-1800 hrs Monday to Friday

o0800-1300 hrs Saturday

oAt no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above

Subject to the above condition and the matters being addressed in my first paragraph I have no objection to this application

Correspondence received 4th November 2019 –

Thank you for the amendment, which is satisfactory.

Subject to the condition on construction noise being attached to any permission granted I raise no objection.

Recommendation

No Objection –

request condition regarding materials and boundary treatments both the new boundary treatment along the A470 and the existing stone wall bounding the cemetery.

Background to Recommendation

Designations

Clywedog Valley Registered Historic Landscape

Adjacent to the Llanidloes Conservation Area designated on 03/12/73 and amended on 06/03/1980 and 25/05/1995.

In proximity to listed buildings namely;

Cadw ID 8224 Former Railway Station included on the statutory list on 04/06/1974

Cadw ID 8305 Magistrates Court included on the statutory list on 10/04/1989

5- 13 High Street (9 individual listings) Included on the statutory list on 10/04/1989

Historic Environment Record

PRN 840008 Post medieval school

Adjacent to PRN 84012 post Medieval cemetery

Policy Background

The advice has been given with reference to relevant policies, guidance and legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Wales 10th edition 2018

Conservation Principles published by Cadw

TAN24

Managing Change to Listed Buildings in Wales – Annexe to TAN24

Setting of Historic Assets in Wales – Annexe to TAN24

Heritage Impact Assessments – Annexe to TAN24

Historic Environment Records

Local Development Plan

Strategic Policy SP7

DM13 Design and Resources Local Development Plan Themes and Objectives;

Theme 4 – Guardianship of natural, built and historic assets

LDP Objective 13 – Landscape and the Historic Environment

Comments

I am mindful of the advice in Sections 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development.”

However, I would also refer to more recent guidance in paragraph 6.1.10 of Planning Policy Wales 10th edition 2018 which states, “ *For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.*”

Section 6.1.9 of PPW 10 advises that “ *Any decisions made through the planning system must fully consider the impact of the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place*”

Section 6.1.7 of Planning Policy Wales 10th edition requires that “ *it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset should be managed in a sensitive and sustainable way*”

In addition Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that “ special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”, which is repeated in Planning Policy Wales 10th edition 2018 and TAN24.

The proposal relates to the demolition of a building included on the Historic Environment Record (PRN 840008) a Post medieval school which is an unlisted property outside the conservation area and the erection of 22 dwellings on the site, a mixture of 1 and 2 bed bungalows and 2,3 and 4 bed roomed houses. The new dwellings will be arranged around a central access road which feeds 2 cul de sacs. The schoolmasters house which is in separate ownership will remain.

There are a number of listed buildings surrounding the site.

TAN24 addresses setting with some of the factors to consider and weigh in the assessment including

- the prominence of the historic asset
- the expected lifespan of the proposed development
- the extent of tree cover and its likely longevity
- non-visual factors affecting the setting of the historic asset

Paragraph 1.26 identifies the other factors that may affect the setting of an historic asset to include inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact. Cadw have prepared guidance on the setting of historic assets that in an annexe to TAN24 with advice on how to assess the setting of historic assets . Section 1 of the guidance on Setting of Historic Assets identifies that setting often extends beyond the property boundary of an historic asset and in to the surrounding landscape or townscape. The setting of a historic asset can include physical elements of its surroundings, for instance the setting of a listed farmhouse might be its physical agricultural surroundings, both built and landscape features such as buildings, boundaries or fields.

This section outlines the general principles that both assessors and decision makers should consider when assessing the impact of a proposed change or development on the setting of historic assets. There are four stages.

Stage 1: Identify the historic assets that might be affected by a proposed change or development and their significance.

Stage 2: Define and analyse the settings to understand how they contribute to the ways in which the historic assets are understood, appreciated and experienced.

Stage 3: Evaluate the potential impact of a proposed change or development on those settings.

Stage 4: Consider options to mitigate the potential impact of a proposed change or development on those settings.

The listed buildings are; 5- 13 High Street (9 individual listings), Cadw ID 8224 Former Railway Station and Cadw ID 8305 Magistrates Court.

5-13 High Street faces the High Street and is a terrace of Georgian properties, The site is screened from the listed building on High Street by other buildings, and as such it is not considered that the proposal would harm the setting of the listed buildings on High Street.

Cadw ID 8305 Magistrates Court is also on High Street at the junction of High Street and Mount Lane. The building faces High Street with limited oblique views up Gorn Road. It is considered that when the listed building is visible, the proposed site is not and vice versa, and as such it is not considered that the proposal would harm the setting of the Magistrates Court.

Cadw ID 8224 Former Railway Station is sited to the north of the site and although the former cemetery and allotments are between the site and the listed railway station there are views over the cemetery and allotments and as such the setting of this listed building is a consideration.

It is noted that the proposed dwellings adjacent to the cemetery are bungalows although there are houses proposed adjacent to the A470 to the east/south east of the site.

The views of the railway station from the A470 are noted as being constricted in part by the difference in levels and noting the design and especially the roof orientation it is not considered that the view of the listed railway station would be harmed by the proposal when viewed from the A470. Given the proposed layout of the site it is not considered that the setting of Cadw ID 8224 would be harmed by the proposal.

However I note that there is to be an acoustic fence adjacent to the A470, which affords a view of the former railway station. As such the treatment along the A470 should be carefully considered, and I note that the full details are to be considered. As such I would request that a condition in respect of the boundary treatment along the A470 be conditioned to be attached to any permission.

I note that the stone wall which surrounds the graveyard is to be repaired, repointed and made good up to 1500mm, screening above to be considered at a later stage. The cemetery is on the Historic Environment Record and is of significance to the history of Llanidloes, the repair of the wall from the application side is welcomed, however the cemetery lies within the Llanidloes Conservation Area and as such I would be pleased if details of the repair works to this boundary wall could be conditioned or incorporated into a boundary treatment condition.

The site is outside but adjacent to the Llanidloes Conservation Area, and as such the setting of the conservation area should be considered as part of this application.

The last use of the site is noted and it is not considered that the site at present contributes towards preserving or enhancing the character or appearance of the conservation area and as such the principle of development is not opposed.

I would refer to Local Development Plan Policy SP7 requires development proposal not to have an unacceptable adverse impact on the resource or asset (Listed Buildings), and LDP objective 13 which seeks to protect, preserve and/or enhance the distinctive historic environment heritage and cultural assets of Powys.

The layout of the proposed development is considered acceptable and the area of open space at the centre and readily viewed when viewing the site from Gorn Road is welcomed as an attractive feature although it is noted that it may have a practical use in addition to its decorative qualities.

The location of the site is noted, within the "Victorian phase" of Llanidloes where the design of buildings notably change from simple Georgian terracing) with a few examples of detached Georgian properties), to the more ornate Victorian period which have gables, and the Schoolmasters house is noted. However the more recent housing development of Glandwr is also noted.

It is considered that the proposal would protect preserve and/or enhance the historic environment as required by LDP policy SP7.

I note the materials of brick, and the use of brick is considered acceptable, however would suggest that care be taken in the choice of brick to ensure that the right choice of brick and mortar be used as Llanidloes has a distinctive brick palette especially within the historic core.

I can confirm that I would not consider that the proposal as submitted would harm the setting of listed buildings or the setting of Llanidloes Conservation Area, and as such I would raise no objections to the proposal, however would request conditions in respect of materials and boundary treatments (both the A470 and the cemetery wall) be attached to any permission

Land Drainage

Planning Department: Could the following be added as an informative for the application.

All: Having assessed the Planning Application Ref 19/1578/FUL, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m² and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email sab@powys.gov.uk

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website <https://en.powys.gov.uk/article/5578/Sustainable-DrainageApproval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement for to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW) about the above, which we received on 2019.

NRW was consulted at pre application stage, our advice on the proposed scheme has changed because new information has been provided in support of the application.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following condition to the permission. Otherwise, we would object to this planning application.

Condition 1 - Species Conservation Plan: No development, including site clearance, shall commence until a site wide species Conservation Plan and Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority.

Protected species

We note that the ecological reports/letter submitted in support of the above application (Ecological Survey report dated October 2018, Addendum report dated April 2019 and explanatory letter to NRW dated 21/08/2019 by Just Mammals) have identified that bats are present at the application site.

In this case, the bat report concludes that the proposal is likely to harm or disturb the bats or their resting places at this site and will, therefore, require a licence.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- i i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- ii ii. There is no satisfactory alternative and
- iii iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that the Local Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the

site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

NRW has made comments to the proposed demolition application of the old school house on 15/03/2019 (19/0302/DEM). In that response we expressed concerns with the proposed timing of demolition.

We acknowledge receipt of the addendum to the bat report dated April 2019 by Just Mammals. This report addresses our concerns and recommends the timing for demolition to be restricted between August and October or March to May. We agree with the recommendation, subject to pre-demolition checks being carried out by the bat ecologist.

On the basis of the above reports, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range provided all the recommendations made in the ecological submissions are secured via appropriately worded condition and implemented.

Condition 1 - Species Conservation Plan: No development, including site clearance, shall commence until a site wide species Conservation Plan and Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority

The Conservation Plan/Method Statement should be build upon the principles outlined in the Ecological Survey and Addendum to the Ecological Survey report by Just Mammals Consultancy, dated October 2018 and April 2019 and include:

- o Ecology Plans PL12 and PL14 showing bat habitat features to be retained and to be created.
- o Details of protective measures to be taken to minimise the impacts on bats in line with the 'Proposed Demolition Method Statement' document by Powys County Council.
- o Details of timing, phasing and duration of construction activities and conservation measures.
- o Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development.
- o A wildlife friendly Lighting Plan to include details of the siting and type of external lighting to be used both during construction and operation.
- o Details of initial aftercare and long-term maintenance of ecological mitigation and enhancement features.
- o Actions to be taken in the event previously unidentified protected species are found

- o o Ecological Compliance Audit, including key performance indicators
- o o Persons responsible for implementing the works

The species Conservation Plan/Method Statement shall be carried out in accordance with the approved details.

In line with the letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Land and Groundwater contamination

Natural Resources Wales considers that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Other Matters

Our comments above only relate specifically to matters included on our consultation topic list, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other

matters and do not rule out the potential for the proposed development to affect other environmental interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Welsh Government Highways Directorate

12th Nov 2019

I refer to your consultation of 18 October 2019 regarding the above application, and advise that the Welsh Government as highway authority for the A470 trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

The applicant must provide the following information to support this application or resubmit the application with the following details;

1.) The applicant is requested to clarify what provision is proposed in respect of a sound barrier along the eastern edge of the site boundary where it borders with the A483 trunk road.

Hafren Dyfrdwy

21st Oct 2019

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.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

Hafren Dyfrdwy advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Hafren Dyfrdwy to discuss the proposals. Hafren Dyfrdwy will seek to assist in obtaining a solution which protects both the public sewer and the building.

The developer's attention is also drawn to the legal requirement for all sites to enter into a Section 104 sewer adoption agreement with Hafren Dyfrdwy before any sewer connection can be approved, in line with the implementation Schedule 3 of the Floods and Water Management Act 2010. Full details of this are provided on our website www.hdcymru.co.uk under the 'New Site Developments' section.

To help us provide an efficient response please could you send all responses to APPlanning@hdcymru.co.uk rather than to named individuals, including the HD ref within the email/subject.

If you would like a copy of this in Welsh, please let us know.

Representations

The proposed development has been advertised by site display and within the local press. At the time of writing this report, 1 representation has been received by Development Management.

Planning History

No relevant planning history.

Principal Planning Constraints

- Conservation Area
- Historic Landscapes Register
- Tree Preservation Order
- Trunk Road

Principal Planning Policies

National Planning Policy

Planning Policy Wales (10th Edition, 2018)

Technical Advice Note 2 – Planning and affordable housing (2006)

Technical Advice Note 4 – Retail and Commercial Development (2016)

Technical Advice Note 5 – Nature, Conservation and Planning (2009)
Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010) Technical
Advice Note 12 – Design (2016)
Technical Advice Note 18 – Transport (2007)
Technical Advice Note 24 – The Historic Environment (2017)

Local Planning Policy

Powys Local Development Plan (2018)

SP1 – Housing Growth
SP5 – Settlement Hierarchy
SP6 – Distribution of Growth across the Settlement Hierarchy
SP7 – Safeguarding of Strategic Resources and Assets
DM1 – Planning Obligations
DM2 – The Natural Environment
DM3 – Public Open Space
DM4 – Landscape
DM6 – Flood Prevention Measures and Land Drainage
DM7 – Dark Skies and External Lighting
DM10 – Contaminated and Unstable Land
DM13 – Design and Resources
H1 – Housing Development Proposals
H3 – Housing Delivery
H4 – Housing Density
H5 – Affordable Housing Contributions
H6 – Affordable Housing Exception Sites
T1 – Travel, Traffic and Transport Infrastructure

Supplementary Planning Guidance (SPG)

- Affordable Housing (2018)
- Biodiversity and Geodiversity (2018)
- Landscape (2018)
- Planning Obligations (2018)

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Planning (Listed Buildings and Conservation areas) Act 1990

Officer Appraisal

Site Location and Description

The site subject to this application comprises of the former Smithfield Depot building and livestock market, located to the north east of Gorn Road within Llanidloes. The site is located to the south east of the town centre, adjacent to the A470 which runs parallel to the eastern site boundary. Llwyn Eiddew Cemetery is situated to the north whilst an electrical sub-station lies to the south west of the site, adjacent to the site access.

The application site extends to approximately 0.63 hectares and gently slopes from east to west. The site currently comprises of an assortment of abandoned highway materials and equipment, old cattle pens and the derelict remains of part of the former British School. The majority of the site is covered in hardstanding however there are some overgrown areas of vegetation. The former School building consists of the main school annex and outbuilding which is currently in a poor state of repair.

Consent is sought in full for the erection of 22 affordable dwellings to include an element of demolition. The residential scheme comprises of semi-detached units providing a mix of housing types ranging from 2-4 bed bungalows, dormers and two storey dwellings. Parking and turning provision is provided within the application site boundary whilst an area of on-site open space is also accommodated.

Principle of Development

Retail Policies

For the purpose of the adopted Local Development Plan, Members are advised that Llanidloes is listed as an Area Retail Centre. Within each of the Area Centres in the retail hierarchy, a defined Town Centre Area is identified. These areas are considered to be the most appropriate locations for town centre uses and the policy therefore aims to ensure a concentration of diverse town centre uses in accessible areas in order to sustain and enhance centres.

On reviewing the inset maps, it is noted that the site subject to this application is located within the defined Town Centre Area and therefore, in considering the principle of the proposed development reference is made to policies R1 and R3 of the LDP which seek to support and promote the vitality and vibrancy of existing town centres and therefore proposals that would undermine the retail hierarchy will not be permitted.

In considering the proposal, Officers do not consider that the proposed residential scheme will adversely impact the vitality and vibrancy of Llanidloes Town Centre. Indeed, the proximity, accessibility and housing type proposed, in the opinion of Officers, provides opportunities to support and promote the vitality of the town, compliant with policies R1 and R3 as mentioned above.

Housing Policies

The proposed development will occupy a brownfield site which extends to approximately 0.63 hectares. The scheme includes the provision of 22 affordable dwellings comprising of semi-detached bungalows and two storey units resulting in a housing density of 34 units per hectare.

Policy H1 identifies suitable locations for new housing within the settlement hierarchy to support the delivery of a sustainable pattern of development. The type and scale of development permitted within each tier is commensurate to a settlement's place in the sustainable settlement hierarchy. Criterion 1 of policy H1 directs housing growth in Towns and Large Villages to allocated sites and to other suitable windfall sites within the settlement's development boundary.

Thereafter, policy H3 seeks to achieve an appropriate range and mix of housing types to meet local needs, as identified in evidence such as Local Housing Market Assessment, in particular the needs of the county's ageing population and decreasing household size, affordable housing and specialist housing needs.

The proposed scheme comprises of the following;

- 2 no. three bed dormers;
- 4 no. two bed house;
- 2 no. four bed house
- 8 no. two bed bungalow
- 6 no. three bed house

On the basis of the information provided, Officers consider that the range of affordable housing units provided are capable of accommodating varied housing need within the County and therefore fulfil the requirements of policy H3 of the Powys LDP.

Whilst the scheme proposes 100% affordable housing, given that the site is located within the settlement development boundary, it is not considered reasonable or appropriate to condition the scheme to this effect. Therefore, should Members be minded to approve the development, it is recommended that the percentage of affordable housing is conditioned to reflect the relevant sub-market area, which in this instance is North Powys – 10% contribution applicable.

Design, Layout and Appearance

Policy DM13 of the Powys LDP confirms that development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources. As such, proposals will only be permitted where the scheme has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.

The character of the surrounding area is predominantly residential in nature with dwellings of various styles and periods. A 1980's development of linked two and three-storey properties (Glandwr) lies opposite the site entrance where a footway is separated from Gorn Road by a low stone wall.

As shown on the proposed layout plan, the dwellings are positioned alongside the peripheries and front onto the internal carriageway and parking areas. The proposed bungalows are to be located in the north western corner of the site, reducing the potential impact upon neighbouring properties. With regards to materials, the facades of the proposed dwellings are to comprise red brick and natural slate which are intended to aid the assimilation of the development within the site's surroundings.

On reviewing the proposed plans, it is considered that the proposed development has been designed to complement and enhance the site's surroundings. Whilst of a contemporary appearance, it is considered that the proposed scheme integrates effectively into the built environment whilst also safeguarding the amenities enjoyed by occupants of neighbouring properties, compliant with policies SP7 and DM13 of the Powys LDP.

Built Heritage

In order to safeguard strategic resources and assets within the County, policy SP7 indicates that development proposals must not have an unacceptable adverse impact on the identified resource or asset. For the purpose of policy SP7, assets include historic designations such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Historic Landscapes. This approach is reinforced within Planning Policy Wales (PPW) and Technical Advice Note 24 – The Historic Environment. Indeed, paragraph 6.1.9 of PPW advises that, 'Any decisions made through the planning system must fully consider the impact of the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place'.

The application site adjoins the boundary of Llanidloes Conservation Area whilst there are a number of listed buildings within proximity of the proposed development. The site also lies within Clywedog Valley – a Registered Historic Landscape. Given the location of the proposed development, the submission is accompanied by a Heritage Assessment and Level 3 Building Record Survey.

Listed Buildings

In considering the impact of the development on listed buildings, Officers are mindful of the advice in Sections 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is

often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development.

A number of nearby listed buildings are referenced within the Built Heritage Officers' consultation response (see above) as being potentially impacted by the proposal however given the location of the proposed site, design and inter-visibility, it is not considered that the proposed residential scheme would harm the setting of the identified listed buildings as articulated within the said response. Whilst confirming that the proposal would not adversely affect the setting of the listed buildings, it is noted by the Built Heritage Officer that the acoustic fence adjacent to the A470 affords a view of the former railway station (grade II listed). Whilst the above would not amount to harm, the Heritage Officer has advised that careful consideration should be given to the treatment along the A470 and therefore a condition has been recommended in this respect.

Llanidloes Conservation Area

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area", which is also repeated within Planning Policy Wales and TAN24.

Whilst the site is located outside of the Conservation Area, it is noted that the site boundary adjoins the designated area and therefore, the impact of the proposal on the setting of the Conservation Area needs to be considered as part of this application.

The stone wall which surrounds the graveyard is to be repaired, repointed and made good up to 1500mm, screening above to be considered at a later stage. The cemetery is on the Historic Environment Record and is of significance to the history of Llanidloes, whilst also being located within the Conservation Area. The repair of the wall is welcomed by Officers however should Members be minded to approve the application, it is recommended that details of the repair work is secured by condition.

In considering the impact of the development on the Conservation Area, the Built Heritage Officer notes that the former use of the site did not contribute towards preserving or enhancing the character or appearance of the Conservation Area whilst the proposed development will provide an opportunity to enhance and preserve the setting of the designated area. As such and in accordance with relevant planning policy, the principle of development is not opposed from a built heritage perspective.

Highway Safety and Movement

The development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.

Access to the proposed development will be provided via the existing vehicular access off Gorn Road whilst parking and turning provision will be provided within the application site boundary. At the time of writing this report, final comments from the Highway Authorities are outstanding, however Officers are confident that a safe means of access can be provided. Members are advised that final highways comments will be provided within an update report.

Open Space

Policy DM13 requires developers to provide appropriate landscaping and planting within all new developments in addition to providing adequate amenity space, with the aim of contributing to the delivery of high quality, well-designed developments. The amenity space should provide for passive, informal recreation and should be appropriate to the scale and type of the proposal.

The Council will therefore, where appropriate, will seek planning obligations or impose planning conditions to ensure provision or improvement of public open space and recreation facilities in connection with new developments where the development meets the threshold set out in Policy DM3. For the purpose of policy DM3, the relevant threshold is 10 dwellings.

An area of Local Area of Play (LAP) has been provided on site whilst there are also areas of informal open space within the site. On the basis of the information provided, Officers are satisfied that sufficient open space provision has been provided in accordance with the requirements of policy DM13.

Ecology and Biodiversity

Policy DM2 states that all development proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site.

The application is accompanied by Ecological Survey dated October 2018 together with an addendum report dated April 2019 which have identified the presence of bats at the application site. On reviewing the submitted reports, NRW has confirmed that they are satisfied with the timing of proposed demolition (to be restricted between August and October or March to May) and thereafter agree with the recommendation, subject to pre-demolition checks being carried out by the bat ecologist.

On the basis of the above reports, NRW do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a

favourable conservation status in its natural range provided all the recommendations made in the ecological submissions are secured via appropriately worded conditions and implemented.

In light of the consultation comments received, Officers do not consider that the proposed development would adversely affect Protected Species compliant with policies SP7 and DM2 of the Powys LDP, Technical Advice Note 5 and Planning Policy Wales.

Residential Amenity

Policy DM13 of the Powys LDP seeks to safeguard the amenities of both residents of existing and proposed properties.

Bordering the east of the site is the A470 which has the potential to adversely affect residents of the proposed properties by reasons of noise. In order to inform appropriate mitigation, a noise survey accompanies the application. The report confirms that the provision of a two metre high solid boundary fence would provide suitable noise mitigation at this location.

On reviewing the information submitted and following a minor amendment, Environmental Health has confirmed no objection to the proposed development on the grounds of noise subject to a suitable condition relating to construction noise being attached to any grant of consent.

In light of the comments received, it is not considered that the proposed development will adversely affect the amenities enjoyed by existing residents or future occupiers of the development in accordance with policy DM13.

RECOMMENDATION

Having carefully considered the scheme, Officers are satisfied that the proposed residential development is in accordance with the listed planning policies. The proposed development proposes the redevelopment of an otherwise redundant site in a sustainable location whilst also contributing to the supply of affordable housing to meet the varied housing needs within the County. As such, the recommendation is one of approval subject to the conditions detailed below.

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: PL01 G, PL03, PL04, PL05, PL06 A, PL07, PL08, PL09, PL12, PL14, PL15, PL16, PL17, PCC_PL_01, PCC_PL_02, PL14 - Ecology Plan, 01 B - Planting Plan

and documents (Permeability Test Report, Noise Assessment, Geo-Environmental Desk Study, Geo-Environmental and Geotechnical Assessment Executive Summary, Ecological Survey Report and Addendum, Aboricultural Report, CBR Value Test Results, Level Three Building Survey, Demolition Method Statement) approved on xxxx.

3. No development shall begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include: i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces; ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing; iii) the arrangements for the transfer of the affordable housing to an affordable housing provider; iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
4. The affordable dwellings shall have a maximum gross floor area of 115 square metres (measured internally and including garages where designed as an integral part of the dwelling) and notwithstanding the provisions of schedule 2, part 1, classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), the affordable dwellings shall not be subject to extensions, roof alterations and buildings other than those expressly authorised by the reserved matters approval.
5. In the event of the site no longer being in the ownership of the Affordable Housing Provider a scheme for the management and maintenance of the Local Area of Play as identified on PL01 G shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented within 3 months of the date of sale or transfer of the land.
6. 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 Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above

7. Prior to the commencement of development, a detailed scheme identifying the repair works to the Church boundary (stone wall) to include a time period for completion shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken strictly in accordance with the details as approved.

8. No development, including site clearance, shall commence until a site wide species Conservation Plan and Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken strictly in accordance with the Conservation Plan and Method Statement as approved.

9. Prior to the commencement of development, a detailed drainage scheme for the disposal of foul and surface water flows shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken strictly in accordance with the details as approved and implemented prior to the first beneficial use of the development hereby approved.

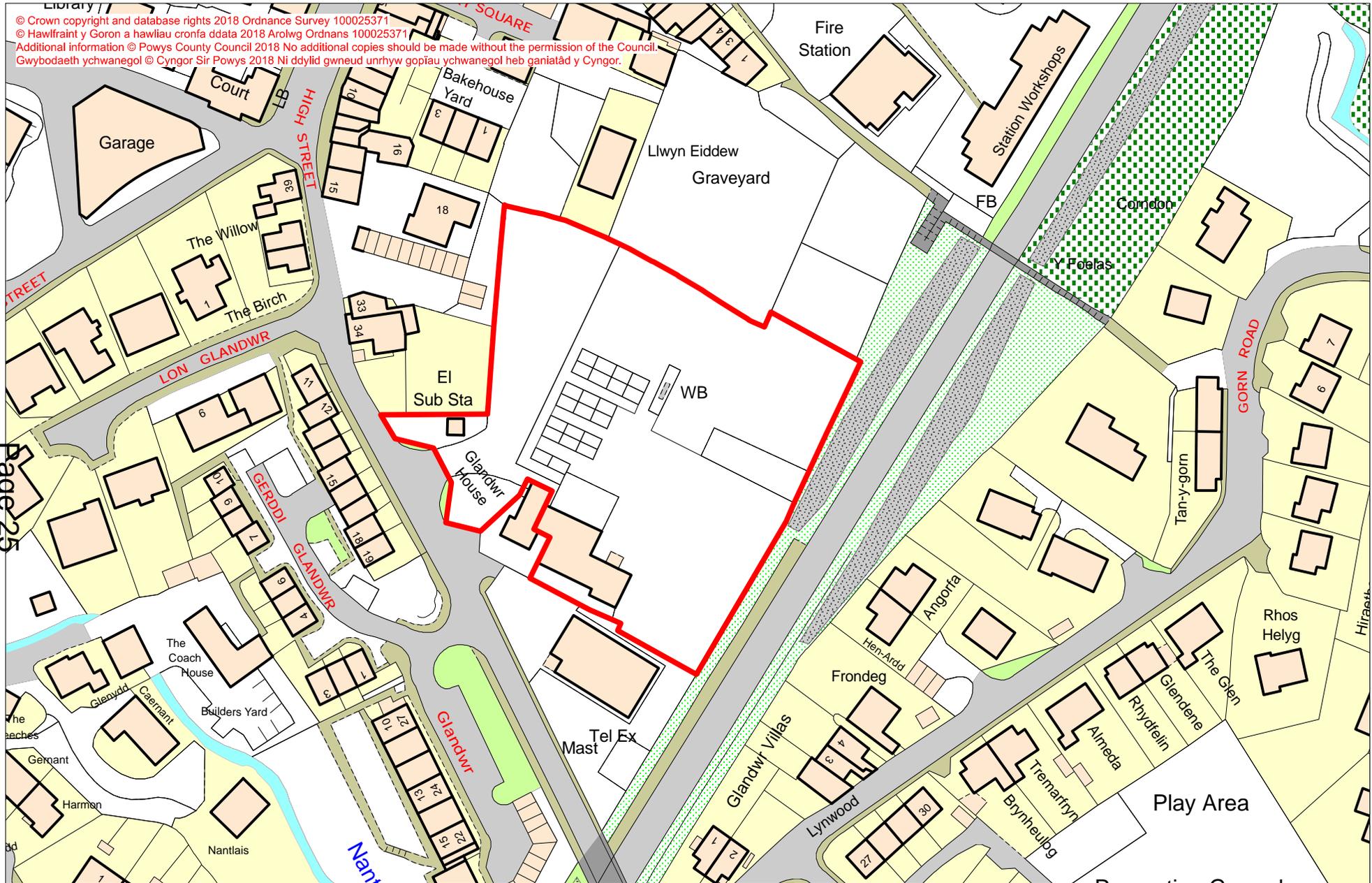
Reasons

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. To ensure that affordable housing is secured in accordance with policies SP3 and H6 of the Powys Local Development Plan (2018).
4. To ensure that affordable housing is secured in accordance with policies SP3 and H6 of the Powys Local Development Plan (2018).
5. In order to secure adequate amenity space in accordance with policy GP1 of the Powys Unitary Development Plan (2010).
6. In order to ensure that there is no harm to the amenity of neighbouring properties during the construction of the development in accordance with policy DM13 of the LDP.

7. In order to secure sufficient detail of the proposed works in accordance with policy SP7 of the Powys Local Development Plan (2018), Technical Advice Note 24 (2018) and Planning Policy Wales (2018).
8. In order to safeguard protected species and biodiversity in accordance with policies SP7 and DM2 of the Powys Local Development Plan (2018), Technical Advice Note 5 (2009) and Planning Policy Wales (2018).
9. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution in accordance with policies DM2, DM5 and DM6 of the Powys Local Development Plan (2018), Technical Advice Note 5 (2009) and Planning Policy Wales (2018).

Case Officer: Holly Wilkinson, Principal Planning Officer
Tel: 01597 827319 E-mail: holly.hobbs@powys.gov.uk

© Crown copyright and database rights 2018 Ordnance Survey 100025371
© Hawlfraint y Goron a hawliau cronfa ddata 2018 Arolwg Ordans 100025371
Additional information © Powys County Council 2018 No additional copies should be made without the permission of the Council.
Gwybodaeth ychwanegol © Cyngor Sir Powys 2018 Ni ddylid gwneud unrhyw gopiau ychwanegol heb ganiatâd y Cyngor.



Page 25

This page is intentionally left blank