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PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE Thursday, 2nd February, 2023

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

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

1.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS	5
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To receive for information a list of decisions made by the Head of Property, Planning and Public Protection under delegated powers.

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2.	APPEAL DECISION	6
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To receive the Planning Inspector's decision regarding an appeal.

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Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Abbey Cwm-Hir Community	Approve	03/11/2022	22/1842/CLE	Certificate of Lawfulness - Existing	24/01/2023	Application for a Lawful Development Certificate (Section 191) for the occupation of property without compliance of conditions 2 and 3 of permission P/2008/1526	Kites Nest Bwlch-Y-SarnauRhayaderPowys LD6 5ND
	Approve	16/01/2023	23/0066/NMA	Non-Material Amendment	23/01/2023	Non material amendment for the removal of condition 5 attached to planning permission 21/2210/FUL	Penbryncennau Abbey Cwm-HirLlandrindod WellsLD1 6PT
Abermule And Llandyssil Community	Approve	03/08/2022	22/1203/FUL	Full Application	16/01/2023	Erection of holiday chalet, creation of access track, car park and turning area, installation of septic tank plus drainage field, and all associated works	Land At Plas RobinLlandyssil MontgomeryPowysSY15 6LQ

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Abermule And Llandyssil Community	Approve	09/09/2022	22/1528/FUL	Full Application	12/01/2023	Relocation of access to field and erection of a fence	Bryn Derwen Motte AbermuleMontgomerySY 15 6JP
	Approve	11/10/2022	22/1579/HH	Householder	24/01/2023	Proposed first floor extension to existing bungalow.	Rogmor AbermuleMontgomerySY 15 6NA
	Approve	28/10/2022	22/1681/FUL	Full Application	05/01/2023	Formation of agricultural access to serve existing agricultural land together with change of use of land to form additional residential curtilage associated with existing adjoining property "Oaklea"	Oaklea AbermuleMontgomerySY 15 6LB
Banwy Community	Approve	09/11/2022	22/1900/HH	Householder	26/01/2023	Erection of wet room and link structure to enable former garage to be used as annexe accommodation to main dwelling (provision of disability facility)	Fron Gain FoelWelshpoolSY21 0NY

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Banwy Community	Permitted Development	05/01/2023	22/2168/AGR	Agricultural Notification	10/01/2023	Upgrading of existing forestry road	Dol Y Maen WelshpoolPowys
	Planning Permission Required	22/12/2022	22/2003/AGR	Agricultural Notification	13/01/2023	A steel portal framed agricultural building to be used for storing farmyard muck from the applicant's farming business.	Dyffryn Restaurant FoelWelshpoolSY21 0NU
Bausley With Crigfon Community	Approved	13/10/2022	22/1731/HH	Householder	25/01/2023	Proposed Orangery and associated works	Border Chase AlberburyShrewsburySY5 9AN
	Permitted Development	26/10/2022	22/1605/CLP	Certificate of Lawfulness - Proposed	24/01/2023	Section 192 application for the lawful development certificate for proposed use - Single storey rear extension	22 Maes HafrenCrew GreenShrewsburyPowys SY5 9BT

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Beguildy Community	Approve	21/11/2022	22/1967/REM	Removal or Variation of Condition	20/01/2023	Section 73 application to vary condition no. 2 attached to outline planning approval P/2017/1278 to allow an extension of time in which to submit reserved matters	Plot Adj ToCoed CeiriosHeyopeKnighton Powys
	Consent	10/01/2023	23/0054/DIS	Discharge of Condition	16/01/2023	Discharge of condition no. 3 attached to planning approval 22/1797/HH - biodiversity plan	Highfield CottageBwlch-y-plainKnightonPowysLD7 1RE
	Permitted Development	12/12/2022	22/2113/AGR	Agricultural Notification	05/01/2023	Erection of an extension to an agricultural building for the storage of fodder	The Hendre FelindreKnightonLD7 1YT

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Berriew Community	Approve	07/09/2022	22/1495/REM	Removal or Variation of Condition	20/01/2023	Application to vary conditions 12, 15, 16 and 17 from planning approval 19/1515/FUL in relation to extension of openings hours, pollution prevention, landscaping and external lighting.	Kings Nurseries GarthmylMontgomerySY15 6RT
	Approve	17/11/2022	22/1915/DIS	Discharge of Condition	19/01/2023	Discharge of conditions 4, 5, 6, and 7 of listed building consent 21/2065/LBC (Construction drawings which propose details to be approved)	Tyn Y Coed BerriewWelshpoolSY21 8QG
	Refused	11/11/2022	22/1913/FUL	Full Application	06/01/2023	Erection of an affordable dwelling, single garage, installation of a package treatment plant and all associated works (resubmission of 22/1042/FUL)	Land Adjacent To Cwm GwyntogFelindreBerriewWelshpoolPowys

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Bronllys Community	Approve	18/11/2022	22/1957/DIS	Discharge of Condition	10/01/2023	Discharge of conditions 6,7,9,10 and 11 of application P/2016/0793 in relation to Construction Management Plan, Reasonable Avoidance Measures & Biodiversity Enhancement Plan Report,Planting Plan.	Land At The Rear Of Bronllys SchoolBronllysBrecon Powys
Powys 11 Built Wells Community	Approve	16/11/2022	22/1941/FUL	Full Application	10/01/2023	Conversion of first and second floor offices to provide two residential units	Crown Buildings 11 Broad StreetBuilt WellsLD2 3DT
	Consent	30/04/2020	20/0650/FUL	Full Application	19/01/2023	Phase 2 Development of 9 residential dwellings including 3 affordable units and associated works	2 Plas NewyddBuilt WellsPowysLD2 3GG
Caersws Community	Approve	08/09/2022	22/1446/FUL	Full Application	24/01/2023	Erection of holiday chalet, access track, installation of sewage treatment plant and all associated works	Pant Y CrastyCarnoCaersws PowysSY17 5JR

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Caersws Community	Approve	26/10/2022	22/1723/HH	Householder	17/01/2023	Extension to existing dwelling	Min Y Ffyrdd Trefeglwys RoadCaerswsSY17 5HP
	Approve	01/11/2022	22/1764/HH	Householder	05/01/2023	Erection of a garage	Hill Crest PontdolgochCaerswsSY 17 5NJ
	Approve	29/11/2022	22/1487/HH	Householder	17/01/2023	Erection of a two storey extension	Coed CaeClatterCaersws PowysSY17 5NW
	Refused	21/06/2022	22/1169/NMA	Non-Material Amendment	20/01/2023	Application for non-material amendment to permission 22/0058/FUL /to removal condition 11-relating to requirement for affordable dwelling	Garthpwt FarmClatterCaersws PowysSY17 5NR
Churchstoke Community	Approve	02/12/2022	22/2063/DIS	Discharge of Condition	19/01/2023	Discharge of condition 3 of planning permission 22/0319/LBC in relation to proposed slate.	Pentre Mill PentreChurchstokeSY15 6SU
	Approve	06/12/2022	22/2138/VAR	Discharge/Modification of S106	13/01/2023	Application to discharge the S106 agreement attached to permission M18263	The GablesWeston RoadMinsterley ShrewsburyPowysSY5 0JJ

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Churchstoke Community	Approve	16/12/2022	22/2091/HH	Householder	25/01/2023	Proposed alterations to existing vehicular entrance and demolition of existing garage with lean-to	Green Lane Cottage Green Lane Churchstoke Montgomery SY15 6EN
Clyro Community	Approve	15/11/2022	22/1776/HH	Householder	06/01/2023	Erection of extensions and a replacement garage	Cock-y-Roostyn Clyro Hereford Powys HR3 5SQ
	Permitted Development	03/01/2023	22/2159/AGR	Agricultural Notification	20/01/2023	Agricultural machinery store	Stoneley Llowes Hereford HR3 5JX

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Disserth And Trecoed Community	Approve	03/03/2022	22/0358/REM	Removal or Variation of Condition	17/01/2023	Section 73 application to vary condition 2 of outline planning permission P/2017/0450 in order to allow for an extension of the timescale within which to submit reserved matters for the scheme, although to still remain within the overall 5 year timeframe of the permission.	Greenacre Garden Centre HoweyBuilth WellsLD1 5PL
	Consent	09/11/2022	22/1833/FUL	Full Application	20/01/2023	Erection of an agricultural building for machine storage	Rhydblawd FarmDisserthBuilth WellsPowysLD2 3TL
Duhonw Community	Permitted Development	19/10/2022	22/1754/TEL	Telecommunications notification	20/01/2023	Installation of a telecommunications mast and equipment	Land Near TrawstyrMaesmynys Builth WellsPowysLD2 3HT
Dwyriw Community	Planning Permission Required	30/11/2022	22/2070/AGR	Agricultural Notification	11/01/2023	Erection of portal framed fodder and implement store.	Argae FieldsNew MillsNewtownPowysSY 16 3NG

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Erwood Community	Refused	01/12/2020	20/1811/FUL	Full Application	23/01/2023	Change of use (retrospective) of existing building from workshop to storage building, erection of a welfare building (retrospective), creation of new access and track, closing of existing access and all associated works.	Change Of Use At Land Adjacent To Court Gwenddwr Gwenddwr Builth Wells Powys
Felinfach Community	Refused	02/09/2022	22/1494/LBC	Listed Building Consent	10/01/2023	Listed building consent for erection of new timber porch to replace existing including new internal doors and windows	Glyncelyn House Llanfilo Brecon LD3 0TY
	Refused	13/09/2022	22/1493/HH	Householder	10/01/2023	Erection of a new timber porch to replace existing with new internal doors and windows	Glyncelyn House Llanfilo Brecon LD3 0TY
Forden With Leighton & Trelystan Com	Refused	01/06/2022	22/0930/FUL	Full Application	23/01/2023	Construction of a replacement slurry store	Ackley Forden Welshpool Powys SY21 8JJ

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Forden With Leighton & Trelystan Com	Refused	10/10/2022	22/1585/CLE	Certificate of Lawfulness - Existing	06/01/2023	Section 191 application for the lawful development certificate for existing use - relating to the continued use of a caravan as a residential dwelling.	CaravanDyke LandsFordenWelshpool PowysSY21 8LZ
Gladestry Community	Approve	07/11/2022	22/1870/HH	Householder	06/01/2023	Removal of the existing lean to extension and erection of rear and side extensions.	Cloggau NewchurchKingtonHR5 3QP
	Consent	05/09/2022	22/1476/REM	Removal or Variation of Condition	23/01/2023	Section 73 application to vary condition 2 attached to planning approval 21/0110/FUL (substitution of plans - design enhancement and simplification)	Grove Cottage GladestryKingtonHR5 3NS
	Consent	09/09/2022	22/1447/HH	Householder	10/01/2023	Alterations and erection of double storey side extension.	Foxglove Cottage GladestryKingtonHR5 3NY
Glantwymyn Community	Approve	20/12/2022	22/2131/NMA	Non-Material Amendment	05/01/2023	Application for non-material amendments to permission 20/0970/HH to amend approved plans	Ty CapelAbercegir MachynllethPowysSY20 8NR

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Glantwymyn Community	Refused	14/12/2022	22/2216/CLP	Certificate of Lawfulness - Proposed	06/01/2023	Section 192 application for a certificate of lawfulness for proposed use in relation to erection of a garage	Frontfelen House CorrisMachynlleth PowysSY20 9TF
Glasbury Community	Refused	05/07/2021	21/0899/LBC	Listed Building Consent	19/01/2023	Internal refurbishment works, replacement of windows, re installation of external fire escape.	Glasbury House Outdoor Pursuits Centre GlasburyHerefordHR3 5NW
Glascwm Community	Consent	15/09/2022	22/1471/FUL	Full Application	05/01/2023	Temporary change of use from local needs dwelling to holiday let for a period of 5 years.	Nant Y Glyn GlascwmLlandrindod WellsLD1 5SE
	Permitted Development	23/12/2022	22/2206/AGR	Agricultural Notification	06/01/2023	Erection of an extension to an agricultural building	Drewern FarmHundred HouseLlandrindod WellsPowysLD1 5RR
Guilsfield Community	Approve	08/08/2022	22/1264/FUL	Full Application	13/01/2023	Conversion of barn to form dwelling, installation of treatment plant & associated works	Barn Adjacent To Park Farm GroesllwydGuilsfieldSY 21 9NZ

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Guilsfield Community	Approve	08/08/2022	22/1265/LBC	Listed Building Consent	13/01/2023	Conversion of barn to form dwelling, installation of treatment plant & associated works	Barn Adjacent Park Farm GroesllwydGuilsfieldSY 21 9NZ
	Approve	23/11/2022	22/1839/HH	Householder	10/01/2023	Erection of a proposed single storey carport and store.	Holly BankGuilsfieldWelshpool SY21 9JA
Honddu Isaf Community	Permitted Development	17/11/2022	22/2007/CLP	Certificate of Lawfulness - Proposed	16/01/2023	Certificate of lawfulness for a proposed use for alterations to second floor window to form a doorway on west elevation	Tyn Y CaeCapel IsafBreconPowysLD3 9RE
Knighton Community	Approve	15/11/2022	22/1929/HH	Householder	20/01/2023	Proposed erection of a single storey extension to rear of dwelling.	17 Bridge StreetKnightonLD7 1BT
	Approve	12/12/2022	22/2125/ADV	Advertisement Consent	16/01/2023	Installation of 3 x Internally illuminated fascia signs, 1 x non illuminated free-standing double sided sign at entrance and 1 x illuminated free standing pylon in yard.	Unit 3Benson Industrial EstateLudlow RoadKnightonPowysLD7 1LP

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Llanafan-Fawr Community	Consent	15/11/2022	22/1877/HH	Householder	09/01/2023	Erection of a two storey front extension, single-storey side and rear extensions and erection of stairs and balconies	Cefnbran Llanafanfawr Built Wells LD2 3LU
Llanbadarn Fynydd Community	Approve	21/01/2022	22/0100/FUL	Full Application	20/01/2023	Siting of 2 Shepherds huts, installation of treatment plant and formation of parking	Maesllan Llananno Llandrindod Wells LD1 6TR
Llanbadarn Fynydd Community	Approve	01/09/2022	22/1408/FUL	Full Application	06/01/2023	Erection of an agricultural building and all associated works	Abergwenlas Farm Llanbadarn Fynydd Llandrindod Wells LD1 6YA
Llanbryn-mair Community	Approve	01/11/2022	22/1692/OUT	Outline planning	26/01/2023	Outline application (with all matters reserved) for erection of detached dwelling, garage, revised vehicular access, demolition of storage building and all associated works	Former Builder's Yard Opposite Llanbryn-mair County Primary School Llanbryn-mair Powys SY19 7AB
Llanddew Community	Approve	10/11/2022	22/1695/HH	Householder	06/01/2023	Installation of three (3) free-standing Monobloc Air Source Heat Pumps	Oaklands Llanddew Brecon LD3 9TD

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Llandinam Community	Approve	19/12/2022	22/2096/CLP	Certificate of Lawfulness - Proposed	20/01/2023	Section 192 application for a certificate of lawfulness for proposed use in relation to the installation of internal and external energy efficient measures.	Emporium Llandinam SY17 5BY
Llandrindod Wells Community	Approve	31/05/2022	22/0920/FUL	Full Application	25/01/2023	Conversion of public house / hotel (C1 use) to 3 dwellings (C3 use) with minor alterations to the fenestration, changing a flat roof to a pitched roof, the removal of rear flat roof extensions together with external works	Ridgebourne Inn Wellington Road Llandrindod Wells LD1 5NH
	Consent	12/10/2022	22/1722/LBC	Listed Building Consent	20/01/2023	Construction of new brickwork skin to SW elevation (gable wall)	The Automobile Palace Temple Street Llandrindod Wells LD1 5HU
	Consent	18/10/2022	22/1771/FUL	Full Application	20/01/2023	Construction of new brickwork skin to SW elevation (gable wall)	The Automobile Palace Temple Street Llandrindod Wells LD1 5HU

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Llandrinio And Arddleen Community	Approve	08/11/2022	22/1924/CLE	Certificate of Lawfulness - Existing	24/01/2023	Section 191 application for lawful development certificate of existing use of land for the use of HGV haulage, distribution and storage.	Deytheur YardPen-rhosLlanymynechPowys SY22 6QG
	Approve	15/11/2022	22/1983/HH	Householder	12/01/2023	Erection of first floor extension	8 Chapel FieldArddleen LlanymynechPowysSY22 6TT
	Consent	18/08/2022	22/1004/FUL	Full Application	16/01/2023	Erection of covering to existing manure store and all associated works	Penycoed Farm House SarnauLlanymynechSY 22 6QL
	Permitted Development	13/01/2023	23/0033/AGR	Agricultural Notification	19/01/2023	Proposed agricultural building for the storage of fodder	Argae CottageLlandrinioPowys SY22 6SQ
	Refused	16/12/2022	22/1946/OUT	Outline planning	16/01/2023	Outline application for the erection of an affordable dwelling, detached garage and all associated works (all matters reserved)	Land West Of New House Farm SarnauLlanymynechSY 22 6QN



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Llandysilio Community	Permitted Development	16/12/2022	22/2098/AGR	Agricultural Notification	11/01/2023	Erection of agricultural storage building for grain and machinery and all associated works	Domgay Hall Domgay RoadFour CrossesLlanymynechSY 22 6SW
Page 33	Permitted Development	16/12/2022	22/2104/AGR	Agricultural Notification	13/01/2023	Erection of agricultural storage building to be used for grain and machinery and all associated works	Carnbwl Four CrossesLlanymynechSY 22 6SN
	Permitted Development	05/01/2023	22/2105/AGR	Agricultural Notification	12/01/2023	Erection of agricultural storage building to be used for grain and machinery and all associated works	Carnbwl Four CrossesLlanymynechSY 22 6SN
Llanelwedd Community	Permitted Development	10/01/2023	22/2174/AGR	Agricultural Notification	18/01/2023	General purpose agricultural building for storage.	Penmaenau LlanelweddBuilth WellsLD2 3RD

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Llanfair Caereinion Community	Approve	21/09/2022	22/1580/CLE	Certificate of Lawfulness - Existing	06/01/2023	Section 191 application for lawful development certificate for the occupation of dwelling without compliance of Condition 2 of permission M15063	Coed Tylissa Llanfair CaereinionWelshpoolSY21 0BX
Llanfechain Community	Approve	31/10/2022	22/1844/LBC	Listed Building Consent	25/01/2023	Repair of cellar beam and insertion of insulation between kitchen floor joists	Ty Newydd Ystryd Y CeunantLlanfechainSY22 6XQ
Llanfechain Community	Approve	10/11/2022	22/1899/FUL	Full Application	06/01/2023	Erection of storage and machinery buildings and an extension to existing equestrian building	Land At Bwlch Y DdarBwlch-y-DdarLlangedwyn LlanfechainPowysSY10 9LN
Llanfihangel Community	Refused	07/10/2022	22/1538/CLE	Certificate of Lawfulness - Existing	12/01/2023	Section 191 Certificate of Lawfulness application in relation to the occupancy of the dwelling house in breach of an agricultural tie attached to planning approval M/11716	Fron Goch Llanfihangel-yng-NgwynfaLlanfyllinSY22 5JG

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Llanfihangel Rhydithon Community	Approve	06/10/2022	22/1668/FUL	Full Application	12/01/2023	Conversion and alterations of an abandoned dwelling and adjoining barn to form a dwelling	Llysin DolauLlandrindod WellsLD1 5UN
Llanfyllin Community	Approve	12/09/2022	22/1479/FUL	Full Application	13/01/2023	Replacement dwelling and conversion of part of the former dwelling into a workshop/garage for domestic purposes	Hen Gerddi LlanfyllinSY22 5LD
Page 37	Permitted Development	10/11/2022	22/1795/CLP	Certificate of Lawfulness - Proposed	24/01/2023	Section 192 application for a Lawful Development Certificate for the proposed installation of concrete plinth	Marrill PowysFford Y CainLlanfyllinPowysSY22 5DH
	Llangamarch Community	Approve	11/11/2022	22/1902/DIS	Discharge of Condition	12/01/2023	Discharge of conditions 6 and 8 of planning permission 21/0560/FUL (21/4554/5c landscape plan and 4554 Landscape scheduleand 22/4554/6 Lighting and biodiversity plan)

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Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llangamarch Community	Approve	14/11/2022	22/1923/CLE	Certificate of Lawfulness - Existing	13/01/2023	Section 191 application for lawful development certificate for the occupation of dwelling without compliance of condition 8 of permission B1039 (agricultural & forestry occupancy)	Hill ViewCefn GorwyddLlangamarch WellsPowysLD4 4DN
Page 39	Approve	06/12/2022	22/2005/CLP	Certificate of Lawfulness - Proposed	13/01/2023	Siting of a mobile home to be used in association within existing dwelling	Oak House Farm TirabadLlangamarch WellsPowys LD4 4DU
	Consent	07/11/2022	22/1792/HH	Householder	24/01/2023	Erection of Carport and Store (part retrospective)	Cae GlasLlangamarch WellsPowysLD4 4EL
	Permitted Development	15/12/2022	22/2111/AGR	Agricultural Notification	16/01/2023	Construction of a new forestry road	Land At Crychan NorthCefn GorwyddLlangamarch WellsPowys
	Permitted Development	19/12/2022	22/2176/AGR	Agricultural Notification	12/01/2023	Erection of an agricultural building for the storage of fodder and machinery	Cwm Ffynnon Cefn GorwyddLlangamarch PowysLD4 4DW

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Llangunllo Community	Approve	16/03/2022	22/0330/LBC	Listed Building Consent	06/01/2023	Listed building consent application to apply clear or white breathable sealant to exposed external walls to prevent ingress of water in extreme and/or frequent winter weather	PenyclawddLlanbister RoadLlandrindod WellsPowysLD1 5UR
Llangurig Community	Approve	28/10/2022	22/1799/FUL	Full Application	17/01/2023	Proposed 5m lattice extension to existing telecommunications mast to result in altered mast with a maximum height of 27.5m together with 2no. 1m transmission dishes and re-fixing existing antenna onto altered mast at 26.1m	Llangurig ShfYstwyth ForestLlangurigPowysSY18 6TA
Llangyniew Community	Approve	20/10/2021	21/1571/FUL	Full Application	16/01/2023	Erection of 2 no. double bunded fuel tanks on concrete plinths with bottom loading skid delivery system	Fuel Tanks At Banwy Fuels LtdGlanvyrnwyCyfronydd WelshpoolPowysSY21 9EH

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Llangynog Community	Approve	31/10/2022	22/1682/HH	Householder	06/01/2023	Erection of a two storey side extension and rear attached garage.	Brynffynnon LlangynogOswestrySY10 0HA
Llanidloes Community	Approve	13/12/2022	22/2106/DIS	Discharge of Condition	06/01/2023	Application to discharge condition 3 from planning permission 22/1180/FUL	Dol Llys HallLlanidloesPowysSY 18 6JB
Llanidloes Community	Approve	13/12/2022	22/2133/DIS	Discharge of Condition	11/01/2023	Application to discharge conditions 17 and 18 attached to permission 21/2347/REM, in relation to land contamination	Land Adjacent To DolafonNewtown RoadLlanidloesPowys
Llanigon Community	Consent	18/12/2020	20/2095/FUL	Full Application	10/01/2023	Proposed agricultural shed for livestock	Tynllyne Ffordd LasLlanigonHR3 5QF
Llanrhaeadr-Ym-Mochant Community	Permitted Development	06/01/2023	22/2198/AGR	Agricultural Notification	19/01/2023	Proposed Agricultural Building 32m x 13.71m	Brithdir Farm (Ellis) BrithdirLlanrhaeadr-Ym-MochnantSY10 0AX

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Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llansantffraid Community	Approve	22/11/2022	22/1922/DIS	Discharge of Condition	25/01/2023	anDischarge of condition no's 5, 21, 22, 23, 24 & 25 attached to outline planning approval P/2017/0363 - (details of affordable housing, footway construction engineering drawings, foul & surface water flows and calculations, archaeological written scheme of investigation, tree & hedgerow protection plan & landscaping details)	Land Adj. CranfordBreidden ViewLlansantffraid-ym-mechainPowys
	Permitted Development	13/01/2023	23/0005/AGR	Agricultural Notification	25/01/2023	Erection of an extension to an agricultural building to be used for agricultural storage of machinery and feed and all associated works	Plas Onn Winllan LaneLlansantffraid-Ym-MechainSY22 6TP

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Llansantffraid Community	Refused	17/05/2022	22/0818/CLP	Certificate of Lawfulness - Proposed	05/01/2023	Application for a certificate of proposed use to ascertain a technical start of the erection of an agricultural workers dwelling and septic tank following planning permissions P2010/1112 and P/2014/1070	Plot Near Cefn UchaGelli-lwyd LanePen-y-bontOswestryPowys
Llanwrtyd Wells Community	Planning Permission Required	13/01/2023	22/2141/AGR	Agricultural Notification	19/01/2023	Proposed new tracks and alteration / upgrade of farm tracks to facilitate safe & efficient management	Land Near Llwynderw AbergwesynLlanwrtyd WellsLD5 4TW
Manafon Community	Approve	06/12/2022	22/2077/HH	Householder	10/01/2023	Replacement PVC Sunroom with Oak framed Sunroom.	The Pumphouse ManafonWelshpoolSY21 8BL
Meifod Community	Approve	27/09/2022	22/1557/HH	Householder	11/01/2023	First floor extension to existing bungalow to create an improved family home	Fron Haul LlanfyllinSY22 5LZ

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Mochdre Community	Consent Section 106	28/07/2021	21/1356/FUL	Full Application	12/01/2023	Conversion of a barn to form a dwelling, alterations to existing vehicular access and installation of a sewage treatment plant	Barn At Cwmbyr NewtownPowysSY16 4JU
Montgomery Community	Refused	08/08/2022	22/1176/FUL	Full Application	13/01/2023	Proposed change of use of land from agricultural to tourism use for the erection of three holiday pods, formation of associated access track and all associated works	Court Bytake MontgomerySY15 6HG
Nantmel Community	Approve	09/08/2022	22/1355/FUL	Full Application	12/01/2023	Provision of a solar array and associated works	Cae HenfronRhayaderPowys LD6 5BL
Newtown And Llanllwchaiarn Community	Approve	27/10/2022	22/1819/FUL	Full Application	24/01/2023	Proposed agricultural building and associated works	Upper Gwestydd Upper Gwestydd LaneCefn MawrNewtownSY16 3LA

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Newtown And Llanllwchaiarn Community	Approve	22/11/2022	22/1960/DIS	Discharge of Condition	17/01/2023	Discharge of condition 18 of planning permission 19/2042/FUL in relation to external lighting layout for both street lighting and house mounted lighting	Former Red Dragon Public House & Newtown Youth Centre Plantation LaneNewtownPowys
	Approve	23/11/2022	22/1678/HH	Householder	18/01/2023	Erection of first floor extension	Rock Farm, Little Rock Rock FarmNewtownSY16 3BH
	Approve	19/12/2022	22/2170/DIS	Discharge of Condition	06/01/2023	Discharge of condition 3 of planning approval 22/1437/FUL in relation to landscaping plan.	Barford Llanidloes RoadLlanllwchaiarn NewtownSY16 1HL
	Approve	22/12/2022	22/2218/DIS	Discharge of Condition	20/01/2023	Discharge of condition 3 for planning approval 22/1693/HH in relation to biodiversity enhancement plan.	SpringfieldMiddle Dolford RoadNewtownPowysSY 16 4BG
	Consent	10/11/2022	22/1906/FUL	Full Application	13/01/2023	Erection of block of 8 no. apartments and all associated works	Land At Former Travis Perkins SiteNew RoadNewtownPowysSY 16 1AS



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Painscastle Community	Consent	11/11/2022	22/1879/FUL	Full Application	20/01/2023	Siting of a glamping pod for holiday use, installation of treatment plant and drainage field and formation of vehicular access	Land At Ty LlwydPainscastleBuilth WellsPowysLD2 3JN
Presteigne Community	Approve	14/11/2022	22/1920/HH	Householder	09/01/2023	Demolition of outside toilet & shower; Construction of rear extension to accommodate disabled shower and toilet, cloakroom, utility room and kitchen extension	9 Harper's LanePresteigneLD8 2AN
	Permitted Development	19/10/2022	22/1729/CLP	Certificate of Lawfulness - Proposed	11/01/2023	Section 192 application in respect of solar grid system installation	Unit 1 Broadaxe Business ParkPresteigneLD8 2UH
Rhayader Community	Consent	07/11/2022	22/1813/FUL	Full Application	05/01/2023	Application to render the gable end to prevent water ingress in to fluoride building in water treatment works.	Elan Valley Water Treatment WorksElan ValleyRhayaderPowys

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St. Harmon Community	Split Decision	12/12/2022	22/2180/DIS	Discharge of Condition	13/01/2023	Application to discharge conditions 10 and 12 attached to permission 20/1141/FUL, relating to external lighting and photographic survey	Green Chapel Pant-y-dwrRhayaderPowysLD6 5LL
Tawe-Uchaf Community	Approve	05/12/2022	22/1970/DIS	Discharge of Condition	26/01/2023	Discharge of conditions 12,13,14,15 and 16 of planning approval 20/0448/OUT in relation to contaminated land.	Land Adj To Colbren School Heol EglwysCoelbrenCastell-neddPowys
Trallong Community	Permitted Development	03/01/2023	22/2132/AGR	Agricultural Notification	12/01/2023	Erection of an agricultural building	Glynllwyd AberyscirBreconLD3 9LT
	Planning Permission Required	05/01/2023	23/0016/CLP	Certificate of Lawfulness - Proposed	26/01/2023	Certificate of lawfulness for a proposed use (Section 192) - for change of use of agricultural land to recreational / siting of a freestanding shepherds hut for holiday use	AbergwninSoarBrecon PowysLD3 9LT

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Trefeglwys Community	Approve	17/08/2022	22/1364/HH	Householder	26/01/2023	Erection of a replacement extension	Pen Y Ddol TrefeglwysCaerswsSY17 5QY
	Approve	23/11/2022	22/1993/HH	Householder	17/01/2023	Proposed extension and alterations to dwelling, to include some demolition, re-lay existing roof, and installation of a PV array	MadrynLlawr-y-glynCaerswsPowysSY17 5RH
	Planning Permission Required	10/01/2023	23/0029/AGR	Agricultural Notification	20/01/2023	Proposed Agricultural Building	Minffordd TrefeglwysCaerswsSY17 5QG
Tregynon Community	Approve	10/11/2022	22/1655/DIS	Discharge of Condition	05/01/2023	Application to discharge condition 6 attached to planning permission 19/1532/RES in relation to landscaping scheme.	Ty Perllan TregynonNewtownSY16 3EH
Trewern Community	Approve	01/11/2022	22/1720/FUL	Full Application	13/01/2023	Erection of extensions to existing warehouse and production area, to include the creation of a mezzanine level within existing building	Offas Dyke Business Park, Unit 3 Fisher RoadButtington WelshpoolSY21 8JF

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Trewern Community	Approve	01/11/2022	22/1746/REM	Removal or Variation of Condition	25/01/2023	Section 73 application to vary conditions 2 & 3 attached to Outline planning approval 18/1205/OUT (8 dwellings) to allow an extension of time in which to submit reserved matters	Old Coal DepotMiddletown WelshpoolPowysSY21 8EJ
Unknown	Closed	12/12/2022	22/2116/AGR	Agricultural Notification	16/01/2023	Proposed roadway / essential infrastructure for the effective management of the forest	The works are at NGR SN95215557 and NGR SN 95102 55630
Welshpool Community	Approve	29/09/2022	22/1532/FUL	Full Application	09/01/2023	The conversion, extension and change of use of chapel to residential. Demolition of existing store, installation of new sewage treatment plant and creation of vehicular access	Zion ChapelNantycelyn CloddiauWelshpool PowysSY21 9JE

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Welshpool Community	Approve	14/11/2022	22/1921/HH	Householder	05/01/2023	Erection of a two-storey side extension to replace existing partially built two-storey side extension	61 BronybuckleyWelshpool PowysSY21 7NH
Page 61	Approve	24/11/2022	22/1874/HH	Householder	05/01/2023	Extension of curtilage to be included within the boundary of Stourton (Retrospective)	Stourton BryneglwysWelshpoolSY 21 7DT
	Approve	12/12/2022	22/1939/FUL	Full Application	26/01/2023	Change of use to the siting of one portable container	Llyn Coed Y Dinas Nature Reserve WelshpoolSY21 8RP
	Refused	04/11/2022	22/1707/FUL	Full Application	24/01/2023	Erection of commercial workshop, showroom and all associated works	Charlies StoresCoed Y DinasBerriew RoadWelshpoolSY21 8RP
Whitton Community	Approve	21/10/2022	22/1768/FUL	Full Application	24/01/2023	Improved access and use of existing building for private equine purposes (part retrospective) (resubmission)	The Birches Rhos-Y-MeirchKnightonLD7 1PE
Ystradgynlais Community	Approve	06/07/2020	20/1045/DIS	Discharge of Condition	10/01/2023	Application to discharge conditions 18 & 19 of planning approval P/2018/0293	Land Adj To 22 Heol TwrchLower CwmtwrchSwanseaSA9 2TD

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Ystradgynlais Community	Approve	18/10/2022	22/1774/DIS	Discharge of Condition	19/01/2023	Application to discharge condition 17 attached to permission 20/1314/FUL in relation to affordable housing provision	Land At Brynagroes Farm YstradgynlaisSA9 1LF
	Consent	18/08/2022	22/1032/FUL	Full Application	23/01/2023	Change of use of garage to a hair salon including alterations involving replacement of garage door with bifolding doors	5 Heol RheolauAbercraf AbertawePowysSA9 1TB
	Consent	31/08/2022	22/1473/HH	Householder	09/01/2023	Proposed conversion of lower ground floor garage to garden room.	89 Cwmpphil RoadLower CwmtwrchSwanseaSA9 2PX
	Consent	03/10/2022	22/1685/FUL	Full Application	16/01/2023	Proposed detached dormer dwelling	Glantwrch BungalowCwmpphil RoadLower CwmtwrchSwansea PowysSA9 1DB

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Ystradgynlais Community	Consent	21/11/2022	22/1969/HH	Householder	11/01/2023	Part retrospective - completion of porch to front elevation of dwelling	1 Railway Terrace Neath Road Ystradgynlais SA9 1PT
	Consent	24/11/2022	22/1947/HH	Householder	13/01/2023	Erection of an extension and porch	17 Palleg Road Lower Cwmtwrch Swansea SA9 2QE
	Consent	28/11/2022	22/1980/REM	Removal or Variation of Condition	13/01/2023	Section 73 application to vary conditions 2 and 6 of planning permission 21/0346/HH in relation to alterations to parking and turning area	24 Heol Glanrhyd Ystradgynlais Powys SA9 1AU
Application Total		136					

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<u>Planning reference number</u>	<u>Site address</u>	<u>Appeal decision date</u>
20/1155/FUL	The Hexagon, Garth, Llangammarch Wells, Powys, LD4 4AT	16/01/23
21/1792/FUL	Land at Little London, Llandinam, Powys, SY17 5AQ	23/01/23
20/2056/HH	Street House, Llandysilio, Llanymynech, Powys, SY22 6RB	23/01/23
20/2057/LBC	Street House, Llandysilio, Llanymynech, Powys, SY22 6RB	23/01/23
21/0438/FUL	Ground Floor, Leamington House, Temple Street, Llandrindod Wells, Powys, LD1 5DU	11/01/23

Outcome of appeal

Appeal dismissed

Appeal dismissed

Appeal dismissed

Appeal dismissed

Appeal allowed in part



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/09/2022

**gan Clive Sproule BSc MSc MSc
MRTPI MEnvSci CEnv**

**Arolygydd a benodir gan Weinidogion
Cymru**

Dyddiad: 16/01/2023

Appeal Decision

Site visit made on 20/09/2022

**by Clive Sproule BSc MSc MSc
MRTPI MEnvSci CEnv**

**an Inspector appointed by the Welsh
Ministers**

Date: 16/01/2023

Appeal Ref: CAS-01468-B8H5L8

Site address: The Hexagon, Garth, Llangammarch Wells, Powys LD4 4AT

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Laurence Golding against the decision of Powys County Council.
 - The development proposed is change of use of annexe to ancillary holiday accommodation (part retrospective).
-

Decision

1. The appeal is dismissed.

Background and Procedural Matters

2. The appeal site is an existing garage, workshop and storage building that was granted planning permission in 2006, and an amended scheme was approved in 2011. In 2016, an enforcement complaint was received regarding alleged extensions to the building and people sleeping in it. A subsequent planning application is now the subject of this appeal.
3. On 09/03/2022, PEDW wrote to the main parties in this appeal noting that: the appeal proposal had been identified as potentially capable of increasing levels of phosphates discharged into the catchment of a riverine SAC; and seeking evidence to inform an assessment under The Conservation of Habitats and Species Regulations 2017.
4. The Grounds of Appeal raise a considerable number of legal arguments in relation to the law and planning process, and the actions of the local planning authority. However, these matters fall outside the jurisdiction of this appeal.

Main Issues

5. Within the scope of this appeal, the main issues are the effect of the development on 1) highway safety, and 2) biodiversity.

Reasons

Highway safety

6. The Hexagon is within a long curving plot that has a shared access from the B4519 close to its junction with the A483. The building that is the subject of this appeal was granted planning permission to provide a garage, workshop and storeroom for The Hexagon. The two storey garage building extends across the plot to provide a gated entrance into the rear of the plot where the dwelling is located. There is sufficient space in front of the garage building to park and turn vehicles, while maintaining the shared access for vehicles moving between the B4519 and a parking area behind dwellings with a frontage onto the A483.
7. The access to the B4519 is shared with the dwelling at the junction of the B4519 and A483. Vehicles from the house at the junction approach the road perpendicular to the B4519, whereas vehicles using the shared access from The Hexagon approach at an acute angle. In order to access the track to The Hexagon, as experienced by the Council's Highway Officer, drivers approaching on the B4519 from the south would need to cross over into the opposing carriageway. A hazardous manoeuvre, exacerbated by the proximity of the access to the junction with the A483. This risk would be heightened by the annexe visitors' potential unfamiliarity with the access's layout and the manoeuvres required to use it.
8. The Highway Authority has confirmed that a planning condition requiring access improvements could address the layout of the access from the B4519 to improve its safety. If such a condition were to be imposed, it would enable the safe and efficient use of the access for the appeal scheme to comply with Powys Local Development Plan 2011-2026 ("LDP") Policies DM13 and T1. However, as the landownership and/or control of the land required for the access improvements remains unclear, it is not apparent that a condition to modify the access onto the B4519 could be implemented.

Biodiversity

9. The appeal site lies within the catchment of the River Wye and its Special Area of Conservation ("SAC"). When the planning application for the change of use was determined in 2021, the Council took into account "*Natural Resources Wales ("NRW") interim advice for planning applications that have the potential to increase phosphate levels in river Special Areas of Conservation SACs*". The current NRW "*Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation*" ("the NRW advice"), which is published on the NRW website, is relevant to the determination of this appeal.
10. Research referred to within the NRW advice confirms there to have been widespread failures in water quality in the River Wye SAC catchment, including in the area around and downstream of the appeal site. The appeal proposal would introduce a use that would have the potential to increase the release of phosphorus into the River Wye SAC. Accordingly, I conclude that the proposal would be likely to significantly affect the River Wye SAC and should be "screened in" for further consideration through an appropriate assessment.
11. The recreation hall that previously stood on the appeal site is noted to have had a kitchen and two toilets. The appellant's Grounds of Appeal state that the use of the sewer continued after the recreation hall was replaced with the current garage / workshop and storeroom building.
12. However, I must consider the impact of the proposed development on the integrity of the SAC, and rather than the existence of a sewer connection, this appeal must consider the

potential for there to be a change in the sewage discharge from the appeal site. If the recreation hall was mostly used by local people, the sewage discharge into the River Wye SAC catchment, would have been largely that which would have occurred if people had been in their homes, or other local buildings. If people from outside the catchment had stayed in the building after its use as a recreation hall, there is not clear evidence of this, and it would have occurred some time ago.

13. The use of the present building for holiday occupation reasonably would be expected to draw people into the area from outside the River Wye SAC catchment. The discharge created by visitors from outside the catchment would be in addition to the current normal nutrient loading in the River Wye SAC, and this current normal loading has been identified as being sufficient to be causing water quality failures in the SAC.
14. There is capacity within the existing public sewerage network to receive the foul water from the appeal scheme. However, the evidence in this case does not confirm that the sewerage system has capacity to treat the additional phosphate discharge, or that such capacity would be provided in the near future.
15. Nor are there any details of measures to mitigate the additional phosphorus that would be generated by the appeal scheme.
16. A comparison has been drawn between the potential levels of phosphorus released by the appeal scheme and other developments and agricultural operations. However, these other potential sources of phosphorous discharge are not the subject of this appeal, and it is the development proposed in this case that falls to be considered in this appropriate assessment. The proposed discharge would be small in comparison to other potential sources of phosphorus in the River Wye SAC catchment. However, its effect would be significant if it undermines the conservation objectives of the SAC.
17. The proposed additional phosphorus discharge into the catchment would occur in combination with other similar discharges, and the effect would undermine the conservation objectives of the SAC. Accordingly, I find that an adverse effect on the integrity of the River Wye SAC cannot be ruled out.
18. No alternative solutions to the proposed additional discharge have been offered, nor have imperative reasons of overriding public interest and compensatory measures been demonstrated that would enable the proposal to proceed.
19. Accordingly, the appeal scheme conflicts with: LDP Policy SP7 which seeks to safeguard the County's strategic resources; and LDP Policy DM2 which is not permissive of development that would have an unacceptable adverse effect on a SAC.
20. The Habitats Directive integrates the precautionary principle and therefore these findings are in accordance with that principle.

Other Matters

21. The appeal proposal would provide the appellant with a source of income from the accommodation, and potential occupiers with a holiday destination. These matters provide considerable weight in favour of the appeal scheme.

Conclusion

22. All matters raised in this case have been taken into account and none, including the scope of possible planning conditions, have been found to outweigh the very significant weight ascribed to the identified unacceptable adverse effect on the River Wye SAC, and the resulting policy conflict. Accordingly, the appeal should be dismissed.

23. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives of making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

Clive Sproule

Inspector



Appeal Decision

by Richard E. Jenkins BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 23/01/2023

Appeal reference: CAS-01982-H6X3Z7

Site address: Land at Little London, Llandinam, SY17 5AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Selena Clayton against the decision of Powys County Council
 - The application Ref: 21/1792/FUL, dated 1 October 2021, was refused by notice dated 29 November 2021.
 - The development proposed is the erection of a rural enterprise dwelling, installation of package treatment plant, new vehicle access and all associated works to be considered under the One Planet Development.
 - A site visit was made on 19 December 2022.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken both the site address and the description of development from the Council's Notice of Decision. As these are consistent with those outlined on the Appeal Form, I am satisfied that there is no prejudice in this respect.

Main Issues

3. Having regard to the written submissions, I consider the main issues in the determination of the appeal to be: whether the development would be acceptable in principle, having particular regard to the planning policy framework relating to One Planet Development (OPD); and whether the site would be acceptably drained.

Reasons

4. The appeal relates to a modest area of land located on the north-western flank of an unclassified highway some 3km from Caersws in Powys. The land currently comprises pastureland with a hedgerow defining its roadside boundary, with the wider landscape generally defined by agricultural use. There are however some scattered dwellings and holiday lets in the area and I have also been advised that planning permission has been granted for a poultry unit to the south of the application site. The appeal proposal seeks

planning permission to construct a rural enterprise dwelling, under the provisions of the Welsh Government's (WG) One Planet Development (hereinafter referred as OPD) policy prescribed by Planning Policy Wales (Edition 11, 2021) (PPW) and Technical Advice Note 6: *Planning for Sustainable Rural Communities* (2010) (TAN6). The development would also include the installation of a package treatment plant, new vehicular access and associated works.

Principle of Development

5. The appeal site is located some distance from the settlement boundaries defined by the adopted Powys Local Development Plan 2011- 2026 (Adopted 2018) (hereinafter referred as the LDP) and is therefore located within the countryside for the purposes of planning policy. Consistent with the general thrust of national policy, the adopted LDP seeks to strictly control development in such locations. National policy does however provide for development in such locations where it satisfies policy exemptions. These include OPD schemes. The adopted LDP does not include a specific OPD policy, although it is material to note that the LDP is generally permissive of residential development that satisfies such national policy exemptions. I shall therefore determine the appeal on the basis of its compliance, or otherwise, with the OPD policy prescribed by PPW and TAN6.
6. PPW states that OPD is development that, through its low impact, either enhances or does not significantly diminish environmental quality. It can take a number of forms and can either be single homes, cooperative communities or larger settlements and can be located within or adjacent settlements or within the open countryside. OPD in the open countryside should provide for the minimum needs of the inhabitants in terms of income, food, energy and waste assimilation over a period of no more than five years from the commencement of work on the site. This should be evidenced by a management plan produced by a competent person(s) and that document should be used as the basis of a legal agreement relating to the occupation of the site. Where this cannot be demonstrated, proposals should be considered against policies which seek to control development in the open countryside.
7. OPD should initially achieve an ecological footprint of 2.4 global hectares (gha) per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 gha over time (the global average availability of resources in 2003). They should also be zero carbon in both construction and use. TAN6 expands upon the policy position set out in PPW, specifically requiring the submitted management plan to include a business and improvement plan to identify whether there is a need to live on the site and to establish the level of the inhabitants' requirements in terms of income, food energy, and waste assimilation that can be obtained directly from the site. It should also include ecological footprint analysis, carbon analysis, biodiversity and landscape assessment, community impact assessment and a transport assessment with travel plan. That same document also goes on to state that an annual monitoring report should be submitted to the LPA to evidence compliance with the objectives of the approved management plan.
8. In this case, the development is advanced as a land based development and is supported by a '*Land Management Plan*'. However, there is no doubt that that document, and the wider evidence package, is severely lacking in detail in respect of each of the aforementioned topics. Indeed, the evidence fails to satisfactorily justify both the need to live on the site and to robustly quantify how the inhabitants' requirements in terms of income, food, energy and waste assimilation can be obtained directly from the site. The evidence also fails to demonstrate that the development would satisfy the relevant requirements in respect of carbon analysis, with little to confirm that it would be zero carbon in construction and use. Moreover, the methodology and findings of the required

ecological footprint analysis is unclear and, whilst some details in respect of biodiversity enhancement are specified, they lack sufficient detail. There is also no separate landscape assessment and there does not appear to be a robust assessment against LANDMAP classifications.

9. There is limited information to make a full assessment of waste arisings and how it would be minimised and managed, and the Council contends that there is insufficient information to fully consider the impact of the proposed development upon water quality in the surrounding area. Such concerns are consistent with the written representations submitted by Natural Resources Wales (NRW) which raise concerns regarding pollution from wastewater arisings. The appellant notes that NRW's comments were made without the benefit of seeing the '*Management Plan*' and associated evidence. However, NRW was notified of the appeal and did not make any further submissions. In any event, I have fully considered the appellant's evidence package and have not seen anything to lead me to conclude that the proposal would be acceptable in this respect.
10. It is also material to note that the submission does not appear to include a fully detailed transport assessment or travel plan that would satisfy the requirements of national policy. A robust schedule of mitigation measures and an exit strategy are also omitted from the evidence. Finally, the scheme is not supported by a planning obligation executed under Section 106 of the above Act, despite TAN6 specifying that one is necessary to tie the proposed dwelling to the wider use of the land which would, in itself, be the justification for the grant of planning permission.

Based on the foregoing, I concur with the Council's assessment that the evidence is not sufficiently robust to satisfy the stringent requirements of national policy in respect of OPD. In the absence of compliance with OPD policies, the proposal falls to be considered against wider policies that seek to strictly control development in the countryside. Indeed, it is on this basis that I conclude that the proposed development would conflict with both the development strategy promoted through the adopted LDP and the aims of national policy. The development would therefore be unacceptable in principle. Of particular relevance is the general conflict with Policies SP1, SP5, SP6, DM2, DM13, DM15 and H1 of the adopted LDP, as well as national policy set out in PPW and TAN6.

Site Drainage

11. The appeal proposal seeks to dispose of foul drainage to a treatment plant and the appellant now states that the outfall would be discharged to a watercourse. I have not seen anything to suggest that a connection to the main sewer is feasible and NRW has confirmed that a '*Water Discharge Exemption*' was issued in 2019. That exemption indicates that discharge should be to a British standard infiltration system/ drainage field and that there should be no overflow to surface waters, or onto land, and that the discharge should be fully contained within the infiltration system.
12. The proposed '*Site Plan*' illustrates discharge to a reed bed, instead of an infiltration system/ drainage field. NRW has advised that such an approach would not be in accordance with its exemption letter. Given the discrepancies between what is proposed and that referred within the exemption letter, I share concerns raised by both the LPA and NRW that insufficient information has been provided to demonstrate that foul drainage would be adequately drained from the site. The development would therefore conflict with the thrust of both Policy DM13 of the adopted LDP and Welsh Government (WG) Circular 008/2018: '*Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants*' (2018).

Overall Conclusions

13. For the aforementioned reasons, and having considered all matters raised, I conclude that the appeal should be dismissed. In coming to this conclusion, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Richard E. Jenkins

INSPECTOR



Penderfyniadau ar yr Apêl

Ymweliad â safle a wnaed ar 27/09/2022

gan Melissa Hall BA(Hons), BTP, MSc,
MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 23/01/2023

Appeal Decisions

Site visit made on 27/09/2022

by Melissa Hall BA(Hons), BTP, MSc,
MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 23/01/2023

Appeal A: CAS-01787-D4K5G6

Appeal B: CAS-01788-T3N4W4

Site address: Street House, Llandysilio, Llanymynech SY22 6RB

The Welsh Ministers have transferred the authority to decide these appeals to me as the appointed Inspector.

- **Appeal A** is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - **Appeal B** is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeals are made by Mr & Mrs Oritt against the decisions of Powys County Council.
 - The development and works proposed are described as the '*Removal of single storey modern conservatory and replacement with a single storey glazed extension and associated works of abutments to new extension*'.
-

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. A hybrid application form was used for the development and works proposed under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning Act 1990. As set out above, two appeals are before me which will be considered on their individual merits. Nevertheless, to avoid duplication I have dealt with the two together, except where otherwise indicated.
4. The site address given on the application form refers to 'U4908 from junction of the A483 to the junction of spur'. The Council identified the site as 'Street House, Llandysilio, Llanymynech' in its decision notices. I am satisfied that both refer to the same site and I have used the address given by the Council for the purposes of my decisions.

5. The scheme was amended during the course of the applications, replacing a part pitched, part flat roof extension with a flat roof extension. It is on the basis of the amended scheme that I have considered the appeals.

Main Issue

6. The main issue is whether the proposed works and development would preserve the listed building or its setting, or any features of special architectural or historic interest which it possesses.

Reasons

7. Street House is a Grade II listed building which dates from the first half of the 19th Century, and which is currently in use as a single dwelling. The listing description describes a three storey, double pile, brick building with dentil eaves, a slate roof and two brick ridge stacks. It has a symmetrical front with windows set towards the corners. The ground and first floor windows are tall double hung sashes and the attic windows are one-and-a-half sashes, all with glazing bars and flat arches. There is a similar window arrangement on the south gable except for a modern bay replacing the ground floor rear sash. It features a central panelled front door (now blocked) with a flat moulded canopy on carved brackets carried over a double width pilaster surround. The rear elevation has a tall, thin, three-storey high stair light with horizontal glazing bars.
8. In addition to the dwelling described in the listing, there is a substantial single storey outbuilding (of brickwork construction save for remnant rubble stone elements) which runs perpendicular to the rear elevation of the house and has discernible sections of brickwork indicating its evolution. An existing infill section annotated as an 'office' links the rear of the dwelling to the first bay of the outbuilding in which the kitchen is located. A large conservatory is sited beyond the southern side elevation of the dwelling and attaches to the outbuilding, the internal access to which is also gained via the office space. The conservatory projects out from the southern elevation in a manner which is alien and at odds with the general form and layout of the two main components described above.
9. The listing description goes on to state that Street House is listed for its group value with the listed buildings running north from Domgay House, which includes the Grade II Listed Domgay House, the Grade II Listed former Domgay Chapel and the Grade II Listed The Golden Lion.
10. The appellants' Heritage Impact Assessment asserts that '*...the building remains one of the key historic buildings in the village and is indicative of a farmer or gentlemen's residence of the early-mid C19*'. From the evidence before me, I consider that its special interest and significance is largely derived from its evidential and aesthetic value as a handsome dwelling of early-mid 19th century date, notwithstanding some unsympathetic alterations and additions over time. The building's age, vernacular, materials, polite aesthetic and a much surviving plan-form all make important contributions in this regard. Although of significant length, the outbuilding reads as subordinate to the main dwelling, not least as it retains a simplicity in its form, language and detailing. In addition, the curtilage, which provides a spatial buffer to the front and side of the building allows the dwelling's form and its principal elevation to be viewed and appreciated from an adjacent public route, despite the erection of a fence of considerable height obscuring a large part of the side garden when seen from this vantage point.
11. Whilst I also accept that the dwelling is no longer on the main thoroughfare through the village given the construction of the A483 Bypass, it nonetheless retains the '*...prominent*

position behind roadside wall referred to in the listing description and contributes to an appreciation of the small group of listed buildings in a wider village settlement context.

12. I do not dispute the appellants' contention that, notwithstanding some strong elements of symmetry, there are other features that are not balanced. Moreover, the modern 20th Century additions, including the conservatory, the missing section of the south-east corner of the outbuilding roof to facilitate the conservatory, the replacement brickwork around the window openings and use of white uPVC guttering on the outbuilding, a concrete gulley drain and other paraphernalia consisting of aerials, a satellite dish and an old alarm box, detract from the significance of the building. Similarly, these elements, some of which can be seen from the gap in the roadside fence with the A483, make little positive contribution to the setting of the building.
13. The proposed works would result in the demolition of the existing conservatory and its replacement with a larger extension of a contemporary design. I do not take issue with the principle of a contemporary addition, which can complement a historic property such as this. I also acknowledge that, overall, the architectural language of the extension would be simple and honest, with some carefully considered detailing such as the use of a frameless roof and eaves window at the juncture with the main dwelling representing minimal intervention.
14. Nevertheless, the increased size of the proposed extension would have the effect of connecting the dwelling and the outbuilding in a manner that the existing conservatory does not. Owing to its greater depth and 'sharp', modern finishes, it would have a robust appearance at odds with the more polite language of the existing dwelling and would compromise the strong linear character of the outbuilding and the understanding of its relationship with the main house. Its overtly contemporary detailing, such as a 'pop out window seat' and an elongated landscape fixed light to the front elevation, would compete with, and draw attention away from, the more ordered detailing of the dwelling's existing elevations and there would be little visual coherence between old and new elements. Whilst the fenestration would be clearly identified as new with its unapologetic and modern frameless glass system, in this case, the most visually prominent units would have a discordant relationship with the existing fenestration. Meanwhile, I am not convinced that the use of scorched larch cladding has been justified in terms of the building's context or that it constitutes an appropriate change in materials in this instance.
15. Although the extension has been designed to match both actual and inferred horizontal lines in the main dwelling and the outbuilding, in many other respects, I find there to be little sympathy in rhythm, materials, detailing or proportions. It is for these reasons that I consider the proposal would represent a dominant and distracting addition, that would detract from the integrity of the dwelling and its associated outbuilding. In all, I conclude that the proposed extension would have a jarring appearance which would harm the special architectural interest of the building. It follows that there would be additional harm to the setting of the listed building, insofar as its greater massing would elevate its presence and give it an importance that would compromise its relationship with the host building and the appreciation of the small group of listed buildings with which it has an association. In the context of the duty to have special regard to the preservation of the listed building and its setting, I am not persuaded that there are not more sensitive ways to incorporate an addition which preserves the essence of this building that contributes so much to its significance.
16. Consequently, the proposal would cause harm to the listed building and its setting, thereby engaging the duty in sections 16(2) and 66(1) of the Act to have special regard to the desirability of preserving the listed building and its setting and conflicting with Policy

SP7 of the adopted Powys Local Development Plan and the adopted Historic Environment Supplementary Planning Guidance. It would also be at odds with the advice in Planning Policy Wales, Technical Advice Note 24: The Historic Environment and Section 5.5 of its annexe Managing Change to Listed Buildings in Wales.

17. The case made by the appellants makes much of the unsympathetic nature of the existing conservatory and the benefits of its removal in the event that the proposed scheme was to be granted planning permission and listed building consent. I accept that there are elements of the scheme which represent less harmful interventions and would therefore preserve the listed building. However, in my view, there are other elements of the proposal before me that would be harmful. Hence, even though I have attached weight to the benefits that arise from the removal of the existing conservatory and associated works, it does not justify the harm, albeit of a different nature, that the proposed scheme would have on the listed building and its setting.

Conclusions

18. For the reasons I have given, the proposal would fail to preserve the historic character and special interest of the listed building and its setting. I have taken into account all other material considerations that have been put to me, including the benefits associated with the removal of existing unsympathetic additions and works. However, in view of the special regard to be given to the desirability of preserving the listed building and its setting, these are not considerations that outweigh the harm I have identified. Furthermore, the grant of planning permission would conflict with both national planning policy advice and the development plan. I therefore conclude that both appeals should be dismissed.

19. In reaching my decisions, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that these decisions are in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Melissa Hall

Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/09/2022

gan Clive Sproule BSc MSc MSc
MRTPI MIEEnvSci CEnv

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 11/01/2023

Appeal Decision

Site visit made on 20/09/2022

by Clive Sproule BSc MSc MSc
MRTPI MIEEnvSci CEnv

an Inspector appointed by the Welsh
Ministers

Date: 11/01/2023

Appeal Ref: CAS-01827-F2V1Z2

Site address: Ground floor, Leamington House, Temple Street, Llandrindod
Wells LD1 5DU

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Fay Jones MP against the decision of Powys County Council.
 - The development is described as 'to replace a rotting wooden door and window frame with similarly coloured UPVC and add Use Class B1(a) (Business, offices) to consent'.
-

Decision

1. The appeal is allowed insofar as it relates to add Use Class B1(a) (Business, offices) to consent at Ground Floor, Leamington House, Temple Street, Llandrindod Wells LD1 5DU, in accordance with the terms of the application, Ref: 21/0438/FUL, dated 09/03/2021, subject to the following condition:

Unless within 1 month of the date of this decision a scheme to maintain and enhance biodiversity is submitted in writing to the local planning authority for its written approval, and unless the approved scheme is implemented within 3 months of the local planning authority's written approval, the use of the site for Use Class B1(a) (Business, offices) shall cease until such time as a scheme is approved in writing and implemented. If no scheme in accordance with this condition is approved within 12 months of the date of this decision, the use of the site for Use Class B1(a) (Business, offices) shall cease until such time as a scheme approved in writing by the local planning authority is implemented.

Reason: In the interests of biodiversity in accordance with LDP Policy DM2, Future Wales and section 6 of the Environment (Wales) Act 2016.

2. The appeal is dismissed insofar as it relates to replace a rotting wooden door and window frame with similarly coloured UPVC.

Procedural matter

3. It has been suggested that the need for planning permission in this case may fall into a “grey area”. Nevertheless, this is not a matter for jurisdiction in this appeal.

Main Issue

4. This is the whether the development preserves or enhances the character or appearance of the Llandrindod Wells Conservation Area.

Reasons

5. Leamington House lies within the Llandrindod Wells Conservation Area (“the Conservation Area”). Paragraph 4.2 of the Powys Local Development Plan 2011-2026 (“LDP”) Conservation Areas Supplementary Planning Guidance (“SPG”) highlights the relevance of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
6. LDP Policy DM13 requires development proposals to demonstrate good quality design and to have regard to the qualities and amenity of the surrounding area. It seeks development within conservation areas to be designed in accordance with any relevant Conservation Area Character Appraisal, Management Plan or any other relevant detailed assessment or guidance adopted by the Council. A Llandrindod Wells “Town Character Appraisal” has been supplied, but its character appraisal is not limited to the Conservation Area which is a smaller area within the town. The information it contains is not specific to the particular context of the appeal site, and it therefore has little usefulness for the purposes of this appeal.
7. In any event, it is for the decision-maker to come a view on the character and appearance of a conservation area. It was apparent during my site visit that the Conservation Area has a strong character derived from the historic architecture within it, and the great extent to which these buildings have retained original features and design details. Many of the buildings appear to date from the 19th and early 20th century.
8. Parts of the Conservation Area have characteristic buildings with a business office use in circumstances similar to those of Leamington House. Consequently, the business office use on the ground floor of Leamington House preserves the character of the Conservation Area.
9. I now turn to the part of the appeal scheme regarding the works on the front door and window frame. The ground floor of Leamington House is currently used as a Member of Parliament’s constituency office. The wooden door and window frame have been replaced with UPVC. Fanlight/transom windows in the Conservation Area often include the building name, and this has been omitted from the new Leamington House frontage. However, it is the materials, lack of characteristic detailing and bulky form of the UPVC units at Leamington House that most conspicuously erode the appearance of the Conservation Area by reducing the prevalence of characteristic wood framed doors and windows.
10. The architectural features of the Leamington House frontage that have been retained around the new door and window are characteristic of the Conservation Area. They highlight the contrast between the traditional construction materials and their detailing and the unsympathetic appearance of the UPVC units installed at the appeal site.
11. There is a building very close to the appeal site that has a glazed shop front with a metal frame, and there are other examples of UPVC/metal doors and windows that have been installed within the Conservation Area. Nevertheless, Temple Street, in common with

other areas of the Conservation Area, typically has business premises and other buildings with wood framed doors and windows. The Conservation Area contains many buildings with wooden doors, windows and glazing bars that, through their profile, proportions and designs, are clearly characteristic of the designation. The presence of other modern materials is not therefore determinative of the area's character or appearance, and where they exist, they are not good examples to follow.

12. Accordingly, the installation of the UPVC front door and window on the appeal site failed to preserve or enhance the appearance of the Llandrindod Wells Conservation Area, which conflicts with LDP Policies DM13 and SP7. However, the business office use of the ground floor of Leamington House preserves the character of the Llandrindod Wells Conservation Area and complies with LDP Policy SP7.
13. A suggested condition would require the removal of the frontage after Leamington House is used as a Member of Parliament's office. However, the failure to preserve the appearance of the Conservation Area would continue, it would be conspicuous, and under such a condition it could continue for many years. Consequently, the suggested condition would not prevent or mitigate the identified failure.

Other Matters

14. If the ground floor of Leamington House were not to be occupied, it would be an additional vacant shop front within the Conservation Area. Nevertheless, the shop fronts next to the appeal site that appear vacant (or not to have obvious occupation) still preserve the appearance of the Conservation Area through their characteristic wooden doors and windows, and the appeal site would do so if it had a characteristic shopfront. The absence of a business / office occupier at Leamington House would erode the vitality of the town centre. However, I have little conclusive evidence that the unit would remain empty for a long period of time if it were to be vacated.
15. In reaching my decision, and having regard to paragraph 6.1.15 of Planning Policy Wales (Edition 11) ("PPW"), I have considered whether there are public interest grounds that make an exceptional case for overriding the strong presumption against granting planning permission for developments which damage the character or appearance of a conservation area. In doing so I have attached considerable importance to the need to protect the personal safety of politicians and their staff and I have had regard to the specific requirements of parliamentary security teams when vetting constituency offices.
16. The costs to the public purse of the potential relocation of the constituency office have also been raised. However, there is no tangible information to indicate that other less damaging security options have been properly explored. Neither is there any cogent evidence that timber replacement frames would provide significantly less security than UPVC. In these circumstances, it has not been demonstrated that an exceptional case on public interest grounds exists to justify the impacts of the development on the Conservation Area.
17. It is apparent, that the two parts of the appeal scheme are physically and functionally separate, and a split decision could be made in this case.

Condition

18. Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities, in carrying out their functions, to seek to maintain and enhance biodiversity. Given the nature of the decision and development in this case, a condition is necessary to maintain and enhance biodiversity.

Conclusion

19. All matters raised in this case have been taken into account. For the reasons given above, I conclude that the appeal should succeed in part only. In relation to the part of the appeal scheme for the B1(a) business office use, no matters have been found to outweigh the use's conformity with the LDP, and the appeal should be allowed.
20. In relation to the part of the appeal scheme for the replacement of the wooden door and window frame with similarly coloured UPVC, no matters, including the scope of possible planning conditions, have been found to outweigh its failure to preserve or enhance the appearance of the Llandrindod Wells Conservation Area and the resulting conflict with LDP policy. Accordingly, the part of the appeal scheme for the replacement of the wooden door and window frame with similarly coloured UPVC should be dismissed.
21. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Clive Sproule

Inspector