

The Council supports the application, subject to the following condition being met:
That the floorspace should be a maximum gross area of 130 square metres, as per HP10 below.

Policy HP10 - Affordability Criteria

A. The floorspace of affordable houses should respond to the identified extent and type of local need, subject to a maximum gross area of 130 square metres (measured internally and including garages where designed as an integral part of the dwelling).

The revised full size plans have been received from the architect and the floorspace still scales the same as the original drawings sent in October, 2015 (which is well over the 130 square metre limit and was pointed out in the Council's original observations). The drawing has to be scaled as there are no dimensions on it!

The Council trusts that you will take the above into consideration during your deliberations.

Welsh Water

Sewerage

As the applicant intends utilising a septic tank facility we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Severn Trent

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

PCC - Environmental Health

Thank you for your consultation in respect of this application. If my reading of this application is correct then the reserved matters appear to relate to the design of the building which is not a matter for Environmental Protection to comment upon.

I therefore have no comment to make in respect of this application.

Representations

Following display of a site notice on 31/01/2017 there have been no public representations made.

Planning History

P/2016/0245 – Reserved Matters: Erection of an affordable dwelling, formation of vehicular access, installation of septic tank and associated works – Withdrawn.

P/2014/0165 – Erection of a dwelling (outline), formation of vehicular access, installation of a septic tank and associated works – Conditional Consent.

Principal Planning Policies

National planning policy

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 1: Joint Housing Land Availability Study (2015)

Technical Advice Note 2: Planning and Affordable Housing (2006)

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 11: Noise (1997)

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 23: Economic Development (2014)

Local planning policies

SP1 – Social, Community and Cultural Sustainability

SP2 – Strategic Settlement Hierarchy

SP5 – Housing Developments

SP6 - Development and Transport

SP9 - Local Community Services and Facilities

GP1 – Development Control

GP2 - Planning Obligations

GP3 – Design and Energy Conservation

GP4 – Highway and Parking Requirements

ENV1 - Agricultural Land

ENV2 - Safeguarding the Landscape

ENV3 - Safeguarding Biodiversity and Natural Habitats

ENV7 - Protected Species

HP3 - Housing Land Availability

HP5 - Residential Development

HP7 - Affordable Housing within Settlements

HP9 - Affordable Housing in Rural Settlements

HP10 - Affordability Criteria

CS3 - Additional Demand for Community Facilities

DC1 - Access by Disabled Persons

DC3 - External Lighting

DC8 - Public Water Supply

DC9 - Protection of Water Resources

DC11 - Non-Mains Sewage Treatment
DC13 - Surface Water Drainage
TR2 – Tourist Attractions and Development Areas

Affordable Housing for Local Needs Supplementary Planning Guidance (SPG) (July 2011)

Residential Design Guide (October 2004)

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

Officer Appraisal

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

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

Principle of Development

UDP Policy HP9 states that as an exception to normal housing policies, the development of single dwellings within rural settlements which provide affordable housing for local need will be permitted where they comply with the following criteria: The dwelling would be sensitively located and designed and would be capable of being integrated into the settlement without unacceptably adversely affecting the amenity and character of the area.

The principle of development has already been established under the outline consent which was granted consent under the reference number P/2014/0165. This application seeks consent for the detailed reserved matters for access, appearance, landscaping, layout, scale and design.

Design

With respect to design, appearance and location specific reference is made to UDP policies GP1 and HP5. The respective policies indicate that development proposals will only be permitted where the design, scale, mass and materials used complement and wherever possible enhance the character and appearance of the surrounding area.

Whilst considered to be a modern design it is considered that the overall scale and appearance of the proposed dwelling is acceptable in this setting. The use of a combination of materials including timber cladding, stone and a slated roof, although not detailed as to the exact nature within this submission, are considered to be acceptable materials, consistent with developments such as this. It is noted that within the previously approved P/2014/0165 application condition 5 required details as to the materials to be used externally on walls and roof, including fenestration to be submitted and approved by the local planning authority, prior to their first use; as such it is considered that this condition is still applicable and requires to

be met prior to the first use of any materials involved in the external finish of the proposed dwelling.

It is noted that condition 8 attached to the previously approved outline application P/2014/0165 indicated that; "The gross internal floor space of the dwelling hereby permitted (excluding any detached garage) shall not exceed 130 square metres." Initial submitted plans indicated the proposed dwelling to be in excess of this floor space size and amended plans were therefore provided. The amended plans are now considered to be in compliance with this condition and the gross internal floor space is just below the 130 square metre requirements.

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

Highway Safety

Policy GP4 of the Powys Unitary Development Plan (2010) requires a safe access, parking and visibility splays which are a fundamental requirement of any development.

Powys County Council's Highway Officers have been consulted on the proposed development; however no comments have been received in response. Having considered that this application seeks approval for the reserved matters in relation to a previously approved outline application (P/2014/0165) for the site, it is considered that the previously attached conditions (condition 9 – condition 14) address the required aspects relating to the interaction of the proposed development and the local county highway; as such no further conditions are considered necessary at this time.

In light of the above it is considered that the proposed development fundamentally complies with policy GP4 of the Powys Unitary Development Plan (2010).

Amenities enjoyed by occupiers of neighbouring properties

In considering the amenities enjoyed by occupiers of neighbouring properties consideration has been given to the Powys Residential Design Guide (October 2004).

Consideration must be given to the amenities enjoyed by the occupiers of neighbouring dwellings. Neighbouring dwellings are located to the west, north-west, north-east and south-east. It is considered that the closest neighbouring dwelling to the immediate north-west will not be adversely impacted upon in terms of loss of daylight or impacts upon loss of privacy. This is due to the approximate separation distance of the dwellings being in excess of 34 metres and the fact that the dwellings are also separated by a C' class road. This neighbouring dwelling is also afforded some level of screening by way of existing mature roadside hedges from the proposed development site. It is also considered that any views from the upper floor windows of the proposed dwelling towards this nearest neighbouring dwelling are already available from roadside currently and as such no new views which could be considered to impact upon loss of privacy are considered to be available from the proposed development.

The other neighbouring dwellings are considered not to be adversely impacted upon either as they are considered to be sufficiently separated to be unaffected by the proposed

development being erected. In particular the dwelling to the west of the site is afforded screening by existing mature hedges and also separation by the C' class road.

In light of the above it is considered that the proposed development would not have a detrimental impact upon the amenities enjoyed by the occupiers of neighbouring properties.

Foul Drainage

Matters relating to the foul drainage have been addressed within the outline application P/2014/0165 and as such comments received from Welsh Water indicate that the applicant should make contact with NRW who may have an input in the regulation of this method of drainage disposal. As such this comment will be included as an informative with any decision notice issued. It was also noted that Severn Trent had no comment to make in respect of the application submission.

In light of the above it is considered that the proposed development fundamentally complies with relevant planning policy.

Other Legislative Considerations

Crime and Disorder Act 1998

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

Equality Act 2010

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

Having due regard to advancing equality involves:

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

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

Planning (Wales) Act 2015 (Welsh language)

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

Wellbeing of Future Generations (Wales) Act 2015

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

Recommendation

In light of the above it is therefore considered that the proposed development fundamentally complies with the relevant planning policy and the recommendation is one of conditional consent.

Conditions

1. The development hereby granted approval of reserved matters shall be begun before the expiration of two years from the date of this approval, or before the expiration of five years from the date of the outline planning permission whichever is the longer.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XX/XX/XX (drawing no's. PL-001, PL-002 Rev B and PL-003 Rev B).

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.

Informative Notes

Welsh Water

Sewerage

As the applicant intends utilising a septic tank facility we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

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