

Planning, Taxi Licensing and Rights of Way Committee Report

Application No:	P/2017/0225	Grid Ref:	306077.19 262785.72
Community Council:	Llandrindod Wells	Valid Date:	Officer: 01/03/2017 Thomas Goodman
Applicant:	Powys County Council		
Location:	Unit 29, Ddole Industrial Estate Road, Llandrindod Wells, Powys, LD1 6DF		
Proposal:	Section 73 application for variation of condition 2 of P/2015/1211 in relation to alterations of approved plans (retrospective)		
Application Type:	Application for Removal or Variation of a Condition		

The reason for Committee determination

The proposed development has been submitted by Powys County Council.

Site Location and Description

The proposed development is located within the settlement development boundary of Llandrindod Wells as defined by the Powys Unitary Development Plan (2010). The proposed development is located within the Ddole Industrial Estate. The site is bounded by additional industrial units and associated car parking to serve those units, a private road serving the industrial estate provides the access from the east.

Consent is sought to vary condition 2 of the P/2015/1211 planning application. Condition 2 of the P/2015/1211 permission states that:

“The development shall be carried out strictly in accordance with the plans received 5th January 2016 stamped as approved.”

The proposed development seeks to amend the consented plans. The amended plans include solar panels to the eastern and western elevations roof and a small extension to each of the north and south elevations. New roof cladding to be RAL 8012 - Red Brown in colour, new brickwork to match the existing building in locations along the existing walls where there is currently no brickwork, a new 2 metre high powder coated galvanized steel security fence to be finished in green, additional cladding to the walls to be finished in RAL 8012 - Red Brown and to brick up the windows to the western elevation. The small extension to the north will measure approximately 8.8 metres in length by 8.8 metres in width and take the form of an 'L' shape wrapping around the existing corner of the building. The extension to the south of the unit will measure approximately 5.3 metres in length by 4.5 metres in width. The extensions will tie in with the existing roof line and square off the two corners and therefore the height to the eaves will measure 2.9 metres.

Consultee Response

Llandrindod Wells Community Council

No objections were made.

PCC - Highways

Does not wish to comment on the application.

Wales and West Utilities

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Welsh Water

We have no comments in relation to this application.

Representations

Following the display of a site notice, there has been no public representations received at the time of writing this report.

Planning History

P/2010/0337 – Erection of an 8ft high galvanized steel security fence.

P/2015/1211 – Change of use from unit (B2 use) to Powys Modern Records & Archives (sui generis use) including alterations and extensions, erection of bin store and all associated works. Conditional Consent

Principal Planning Constraints

None as per GIS

Principal Planning Policies

National planning policy

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 18: Transport (2007)

Technical Advice Note (TAN) 23: Economic Development (2014)

Local planning policies

Powys Unitary Development Plan (2010)

SP2 – Strategic Settlement Hierarchy
SP4 – Economic and Employment Developments
GP1 – Development Control
GP3 – Design and Energy Conservation
GP4 – Highway and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV7 – Protected Species
EC1 – Business, Industrial and Commercial Developments
EC2 – Business Sites Hierarchy
EC4 – Local Employment Sites within or adjoining settlements
EC5 – Expansion of Existing Employment Sites
DC10 – Mains Sewage Treatment
DC13 – Surface Water Drainage
DC15 – Development on Unstable or Contaminated Land
HP4 - Settlement Development Boundaries and Capacities

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

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

Planning permission has been granted for the change of use from a B2 use unit to the current Powys Modern Records & Archives (sui generis use) under the reference number P/2015/1211. The principle of development has therefore already been established and seeks to vary the consented plans only.

The amended plans include solar panels to the eastern and western elevations of the roof and a small extension to each of the north and south elevations. New roof cladding to be added and finished in RAL 8012 - Red Brown, new brickwork to match the existing building in locations along the existing walls where there is currently no brickwork, a new 2 metre high powder coated galvanized steel security fence to be finished in green, additional cladding to the walls to be finished in RAL 8012 - Red Brown and to brick up the windows to the western elevation. The small extension to the north will measure approximately 8.8 metres in length by 8.8 metres in width and take the form of an 'L' shape wrapping around the existing corner of the building. The extension to the south of the unit will measure approximately 5.3 metres in length by 4.5 metres in width. The extensions will tie in with the existing roof line and square off the two corners and therefore the height to the eaves will measure 2.9 metres.

Landscape & Design

With respect to design, appearance and location specific reference is made to UDP policies GP1 and EC1. 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.

The proposed development seeks to alter the external appearance of the consented building. The proposed development will, however, remain in-keeping with the character of the surrounding area and landscape of the Ddole Road Industrial Estate. Several of the walls will be finished to match the materials previously consented. The materials to be used upon the roof have been altered and is now metal cladding finished in a Red Brown colour. The solar panels that have been included on the amended plans do not have a detrimental impact upon the buildings design or a negative impact upon the landscape and are frequently seen upon industrial type buildings.

In light of the above it is considered that with regard to landscape and design the development fundamentally complies with policies GP1 and EC1 of the Powys Unitary Development Plan.

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 relevant planning policy and the recommendation is therefore one of consent.

Conditions

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XX/XX/XX.

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.