

Planning, Taxi Licensing and Rights of Way Committee Report

Application No:	P/2017/0702	Grid Ref:	320901.55 328422.22
Community Council:	Llansilin	Valid Date:	Officer: 22/06/2017 Eddie Hrustanovic
Applicant:	Mr Lewis-Jones, 10b Harston, Cambridge, CB22 7BX		
Location:	Land Opposite The Old Vicarage, Llansillin, Oswestry, Powys, SY10 7PX		
Proposal:	Outline: Erection of up to 4 dwellings, formation of vehicular access, access road, and all associated works (Some matters reserved)		
Application Type:	Application for Outline Planning Permission		

The reason for Committee determination

The proposed development is a departure from the development plan and is recommended for approval.

Site Location and Description

The site subject to this application is located adjacent to the Llansillin development boundary, therefore for the purposes of the Powys Unitary Development Plan (UDP) is defined as open countryside. Powys UDP notes that Llansilin is an attractive village with a range of community services & facilities and the capacity to accommodate additional development. Llansilin has therefore been classified as a Large Village. The designated Conservation Area incorporates the Church and historic core of the settlement. Consequently, two sites have been allocated for housing development which have been partially implemented.

The village benefits from the following facilities; Church, Primary School, Public House, Garage, Shop, Play Area and Village Hall.

The site is located on the northern side of the village on land opposite the dwelling known as the Old Vicarage, and it is currently in agricultural use. To the north, west and south west the site is bounded by agricultural fields, to the south a residential dwelling known as Bronwylfa is located, while to the east the site fronts C2205 County Highway and existing properties (The Old Vicarage, Maest Teg and Vicarage).

Consent is sought in outline for the construction of up to 4 dwellings, including a provision of a single affordable dwelling (3 open market + 1 affordable unit). The scheme also includes construction of a vehicular access and provision of pedestrian footpath to the length of the site fronting the County Highway towards the village.

Consultee Response

Llansillin CC

Members have held a lengthy discussion regarding this proposed development in the Village of Llansillin. Residents are also interested in the proposal as it appears on the design and plans to build large residential properties that go against our local development needs and do not respect the village development plan boundaries.

Members were in full objection to this proposed development and we give the reasons listed below;

Currently the village has 5 properties for sale and we are awaiting the commencement of the residential development for 23 dwellings. Members do not feel that there is a need for further houses of this size or cost. There are local objections to this proposal – clarification is needed regarding section 106 and local needs. It is the wrong type of development and does it mean that more affordable social housing is not necessary on smaller developments such as this type. The proposer has cited inaccurate facts in the design and access statement, for example Llansillin does not have good transport links – in fact a limited bus service that is under threat. And we do not have a post office to name a couple. We would expect that all environmental and ecological surveys will be carried out to protect our rural countryside in conjunction with a full archaeological site survey. The road has very poor drainage and regularly floods. This creates a dangerous road especially in Winter months with ICE. The field is elevated so we would expect the houses to be high up on the land. The access to this road is limited and we would be seeing an increase in traffic – the junction visibility is poor. You need to consider that the road is narrow and the high volume of agricultural traffic along this route.

Powys Highways

Wish the following recommendations/Observations be applied
Recommendations/Observations

Prior to any other works commencing on the development site, detailed engineering drawings for a footway link along the Class III C2205 & B4580, and widening along the Class III C2205 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.

Prior to any works commencing on the development site, all Highway Improvements, referred to above, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.

HC1 Prior to the occupation of the dwelling any entrance gates shall be set constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

HC2 The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

HC3 The centre line of the first 10 metres of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

HC4 Prior to the commencement of the development the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

HC7 Prior to the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

HC8 Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

HC11 Prior to the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

HC12 The width of the access carriageway, constructed as Condition HC7 above, shall be not less than 5.5 metres for a minimum distance of 10 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

HC13 Prior to the occupation of the development a radius of 6 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.

HC29 All surface water run-off is to be collected and discharged via a piped system to a soakaway located within the site no less than 6 metres from the highway. This system shall be retained and maintained for as long as the development remains in existence.

HC30 Upon formation of the visibility splays as detailed in HC4 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

HC32 No storm water drainage from the site shall be allowed to discharge onto the county highway.

In the interests of highway safety.

Powys Building Control

Building Regulations application required.

Wales and West Utilities

Based on the information given and the address provided, Wales & West Utilities have no apparatus in the area of your enquiry. Our records show those pipes owned by Wales & West Utilities (WWU) in its role as a Licensed Gas Transporter (GT). Service pipes, valves, syphons, stub connections, etc. may not be shown but their presence should be anticipated. No warranties are therefore given in respect of it. They also provide indications of gas pipes owned by other GTs, or otherwise privately owned, which may be present in this area. This information is not information of WWU and WWU is unable to verify this information or to confirm whether it is accurate or complete.

Severn Trent

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

Powys Environmental Health

Provided that the development connects to the mains sewage system I have no objection to the application.

CPAT

Thank you for the consultation relating to this application. While the development plot contains no recorded archaeological sites it does lie immediately north of the medieval historic core of the village and there are two listed buildings immediately adjacent to the proposed development site. The listed buildings include the grade II Vicarage to the east and the grade II Bronwylfa House to the south.

As the setting of a listed building is a material consideration of any planning application in accordance with Planning Policy Wales (Edition 9, 2016), Tan 24: The Historic Environment and the Cadw Conservation Principles the applicant should submit a setting impact assessment to support the application. Guidance on completing a setting assessment is included in the Cadw Best Practice Guidance for Setting Assessment and a copy is attached which should be forwarded to the applicant. A copy of the setting impact assessment report should be forwarded to me for further comment when it is received. The Powys Built heritage Conservation Officer, Debra Lewis, may also wish to comment on the setting implications of this development.

Powys Built Heritage

Thank you for consulting me on the above application.

I note the proposal is adjacent to a number of designated heritage assets namely;

Bronwyfya Cadw ID 0640 included on the Statutory list on 04/01/1966

The Old Vicarage Cadw ID 81918 included on the Statutory list on 25/09/2003

Capel Salem Cadw ID 23529 included on the Statutory list on 18/07/2000

The three listed buildings are of different dates and do not appear to have a relationship with each other with the exception of their location and as such I shall describe them chronologically.

Bronwyfya Cadw ID 0640 is apparently of the C17th and is reputed to be the oldest property in the village of Llansilin. The property is a box framed house later encased in stone and originally a two unit house now of one and a half storeys with its east gable to the road. There is a small windows to the south and a much lower floor and roof level and may be the shop as recorded in 1841. The proposed development would be the field directly to the north of this property, which is open farmland for some distance to the next property. However there is development on the other side of the unclassified road on the minor road N from the B4580.

The Old Vicarage Cadw ID 81918 is sited at the junction of the B4580 and the minor road that leads northwards from the junction. A vicarage appears on this site on the 1792 map, however the current building indicates a rebuild or substantial alteration in the early C19th. The property is imposing at the head of the village at an important road junction and is a 2 storey 5 window symmetrically fronted house in the Tudor style with flanking wings and a projecting porch. The windows face south towards the village and the site has substantial grounds with many mature trees.

Capel Salem is a Baptist Chapel built in 1831. The chapel is sited to the East of the minor road N from the B4580. The chapel is simply designed with unusual windows sited on the front elevation with a blank gable to the road. The windows look South East towards the village.

The site lies outside the conservation area with; Bronwyfya, Ty Silin and Tal-ardd between the site and Conservation Area.

TAN 24 advises (section 1.10) that Conservation Principles for the Sustainable Management of the Historic Environment in Wales (Conservation Principles) were published in 2011 and provide the basis upon which Cadw discharges certain statutory duties on behalf of the Welsh Ministers. Conservation Principles should be used by others (including owners, developers and other public bodies) to assess the potential impacts of a development proposal on the significance of any historic asset/assets and to assist in decision making where the historic environment is affected by the planning process.

There are six principles.

1. Historic assets will be managed to sustain their values.
2. Understanding the significance of historic assets is vital.
3. The historic environment is a shared resource.
4. Everyone will be able to participate in sustaining the historic environment.
5. Decisions about change must be reasonable, transparent and consistent.
6. Documenting and learning from decisions is essential.

Applicants and other organisations are strongly encouraged to make use of these Conservation Principles when considering development proposals and other works to historic assets. It is important for those responsible to understand the heritage values and assess the significance of the historic assets that will be affected.

The historic environment is defined in the document as an environment made up of individual historic features, archaeological sites and historic buildings as well as the landscapes in which they are found. Any part of the historic environment to which people have given a distinctive historical association or identity is considered here to be an historic asset. The document continues with the following advice on page 15. Every reasonable effort should be made to eliminate or minimize adverse impacts on historic assets. Ultimately, however, it may be necessary to balance the benefit of the proposed change against the harm to the asset. If so, the weight given to heritage values should be proportionate to the importance of the assets and the impact of the change upon them. The historic environment is constantly changing, but each significant part of it represents a finite resource. If it is not sustained, its heritage values will be eroded or lost. In addition, its potential to give distinctiveness, meaning and quality to the places in which people live, and provide people with a sense of continuity and a source of identity will be diminished. The historic environment is a social and economic asset and a cultural resource for learning and enjoyment.

There are four heritage values which need to be understood before the significance of the asset can be assessed.

- Evidential value
- Historical value
- Aesthetic value
- Communal value

Evidential Value

This derives from those elements of an historic asset that can provide evidence about past human activity.

The site is open farmland with 4 properties adjacent. Of the adjacent properties 2 are listed, and are of significance, Bronwylfa as a large cottage with many historical and architectural features of interest which has retained its early form and construction and acquiring an interesting C19 addition with a strong vernacular character overall, and The Old Vicarage as a fine parsonage in the Tudor architectural manner of the later Regency to early Victorian period, well restored.

Historical Value

An historic asset might illustrate a particular aspect of past life or it may be associated with a notable family, person, event or movement. These illustrative or associated values of an historic asset may be less tangible than its evidential value but will often connect past people, events and aspects of life with the present and are not so easily diminished by change as evidential values and are harmed only to the extent that adaptation has obliterated them or concealed them.

Bronwylfa is a lobby entry house with strong vernacular character representing the vernacular building tradition in Montgomeryshire at the time of its construction.

The Old Vicarage was remodelled in the C19th in the fashionable Tudor Style. The property is a fine parsonage illustrating the ecclesiastical wealth of the parish at the time of its construction and the social status afforded to its occupants.

Capel Salem is an illustration of the non-conformist movement in Wales and the Reverend John Roberts from Llansilian Anglesey the founder of the Baptist cause in the area is buried in the graveyard.

Aesthetic Value

This derives from the way in which people draw sensory and intellectual stimulation from an historic asset through its form, external appearance or setting.

The site is open farmland at the edge of Llansilin adjacent to 4 properties, 2 listed, one modern (Maes Teg) and the most recent Vicarage constructed in the late C20th.

The farmland and the older listed properties evoke a sense of the past

Communal Value

The third principle contained within Conservation Principles is that heritage assets are a shared resource, valued by people as part of their cultural and natural heritage, and gives distinctiveness, meaning and quality to the places where we live providing a sense of continuity and a source of identity. The Conservation Principles identify heritage assets as having the potential to give distinctiveness, meaning and quality to the places in which people live, and provide people with a sense of continuity and a source of identity will be diminished. The historic environment is a social and economic asset and a cultural resource for learning and enjoyment.

I am mindful of the advice in Sections 16 and 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development."

However, I would also refer to more recent guidance in paragraph 6.5.11 of Planning Policy Wales 9th edition 2016 which states, " Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses."

TAN24 which was issued and came into effect on 31 May 2017 addresses setting with some of the factors to consider and weigh in the assessment including

- the prominence of the historic asset
- the expected lifespan of the proposed development
- the extent of tree cover and its likely longevity

- non-visual factors affecting the setting of the historic asset

Paragraph 1.26 identifies the other factors that may affect the setting of an historic asset to include inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact.

Powys Unitary Plan policies reflect national legislation and guidance; Powys Unitary Development Plan Policy Env14 (Listed Buildings) states that “proposals for development unacceptably adversely affecting a listed building or its setting will be refused”. UDP Policy SP3b states that “proposals for development should seek to protect, conserve and wherever possible enhance sites and features of historic and built heritage importance including those of archaeological, architectural and heritage conservation and historic interest”. UDP Policy GP1 states “development proposals will only be permitted if they take into account the following – the design, layout, size, scale, mass and materials of the development shall complement and where possible enhance the character of the surrounding area”.

Cadw have prepared guidance on the setting of historic assets that in an annexe to TAN24 that came into effect on 31 May with advice on how to assess the setting of listed buildings. This document outlines the principles used to assess the potential impact of development or land management proposals on the settings of all historic assets but is not intended to cover the impact on the setting of the historic environment at a landscape scale.

The document advises that “Setting is the surroundings in which a historic asset is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape.....The setting of a historic asset is not fixed and can change through time as the asset and its surroundings evolve. These changes may have a negative impact on the significance of an asset; for example, the loss of the surrounding physical elements that allow an asset to be understood, or the introduction of an adjacent new development that has a major visual impact. But changes can also have a positive impact that may enhance the setting, such as the removal of traffic from part of a historic town, or the opening up of views, or the return of a sense of enclosure to sites where it has been lost”

The document provides advice on how to assess the setting

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

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

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

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

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

It is noted that section 2.2 of Managing Setting of Listed Buildings which came into effect on 31 May advises that applicants for planning permission should provide the local planning with sufficient, but proportionate, information to allow the assessment of the likely impact of proposal for development on a historic asset and its setting. It is noted that no such assessment accompanied the application nor has been referred to in the accompanying Design and Access Statement.

The heritage assets have been identified as;

Bronwylfa Cadw ID 0640 included on the Statutory list on 04/01/1966

The Old Vicarage Cadw ID 81918 included on the Statutory list on 25/09/2003

Capel Salem Cadw ID 23529 included on the Statutory list on 18/07/2000

Cadw draft document Setting of Historic Assets in Wales advises on how to consider the setting of listed buildings. "Setting is the surroundings in which a historic asset is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape. It often extends beyond the property boundary or 'curtilage' and into the surrounding landscape or townscape. Although many historic assets are visible and their settings are obvious, those that are buried also have a setting. "

"The setting of a historic asset can include physical elements of its surroundings. These may be boundary walls, adjacent fields or functional and physical relationships with other historic assets or natural features."

The Cadw document advises on steps to be undertaken to define and analyse the setting with a series of questions.

"•How do the present surroundings contribute to our understanding and appreciation of the historic asset today?

- Thinking about when the historic asset was first built and developed:
- What were its physical, functional and visual relationships with other structures/historic assets and natural features?
- What topographic features influenced its location?
- What was its relationship to the surrounding landscape?
- Was it constructed to take advantage of significant views? Although there may be a 360 degree view, some areas of the view may be more significant than others.

- Thinking about changes since the historic asset was built:
- Has its function changed?
- What changes have happened to the surrounding landscape?
- Have changes happened because of changes to the historic asset?
- Has the presence of the historic asset influenced changes to the landscape, for example, where a monument has been used as a marker in the layout of a field enclosure?
- Have historic and designed views to and from the historic asset changed?

- Thinking about the original layout of the historic asset and its relationship to its associated landscape:
- Were these relationships designed or accidental?
- How did these relationships change over time?

- How do these relationships appear in the current landscape; are they visual or buried features?
- Are there other significant factors, such as historical, artistic, literary, place name or scenic associations, intellectual relationships (for example, to a theory, plan or design), or sensory factors that can be vital to understand the historic asset and its setting?

Stage 2 should also identify the viewpoints from which the impact of the proposed change or development should be assessed, taking into account, for example:

- views that were designed and developed to overlook the historic asset and its setting
- incidental views to and from the historic asset which contribute(d) to its significance
- important modern views to and from the historic asset
- important modern views over and across the historic asset.”

Bronwylfa Cadw ID 0640 is now of one and a half storeys with its east gable to the road and a rear single storey lean to extension to the rear. Its principal windows appeared originally to be to the south overlooking the village with fenestration in the gable. There is some mature tree cover to the rear of the property. The property appears to have always faced towards Llansilin.

The Old Vicarage Cadw ID 81918 is imposing with the symmetrical front face south towards the village with some windows on the west elevation facing the site; namely a dining room and kitchen on the ground floor, although the kitchen also has a window facing north to the rear garden, and one bedroom on the first floor with no other windows. .

Capel Salem has windows facing South East towards the village.

The orientation of the properties all appear to be facing towards the village and not over the application site.

Both The Old Vicarage and Bronwylfa were both designed to be at the edge of the village with their principal views being towards the village. More recent development has been of the traditional form of principal views looking towards the road. It is noted that this traditional form of development is proposed which is considered appropriate and would follow the form of Maes Teg and The Vicarage.

Given the distance from and the orientation of Capel Salem, it is not considered that the proposal would have an impact on the setting of Capel Salem.

The Old Vicarage has its principal windows looking south and not over the farmland possibly depicting its original status as a large house overlooking the village, or possibly reflecting the fact that the Vicarage looked over the occupants of Llansilin and looked towards the church as is common in Vicarage construction albeit no views of the church were afforded as other development in Llansilin obscured the view of the church. The property is large and set in large grounds with large mature trees screening the property from both the B4580 and the minor road leading north from the B4580. I would not consider that the proposal would have an impact on the setting on the listed building The Old Vicarage.

Whilst the principal windows facing southwards there is still the potential for the proposed development to have a limited impact on the setting of Bronwylfa. I note that the proposed field access immediately to the north of Bronwylfa is to be removed, which will ensure that the existing tree cover can be maintained. Whilst the application is made in outline there is an indicative block

plan which illustrates the houses set back from the road with the outer 2 properties (plot 1 and plot 4 having detached garaging).

It is noted that Plot 1 is sited as far away from Bronwylfa as possible with a detached garage (presumably single storey) the closes development to Bronwylfa.

Whilst the application is made in outline with all matters except access being reserved, the indicative block plan does illustrate that there is scope for mitigation to alleviate any impact on the setting of Bronwylfa. Plot 1 is the largest plot, the location of the house is shown some distance from the listed building. Whilst the height of the house and garage are not indicated on the block plan, the Design and Access Statement does provide some minimum and maximum dimensions. Given the low height of Bronwylfa the height of the proposed dwellings could potentially have an impact on the setting of the listed building if poorly sited and designed without thought to the adjacent listed building. However the application is made in outline and given the size of the plots there is also the opportunity for the development to have no adverse affects on the setting of Bronwylfa, given the orientation of the windows, the aspects in which Bronwylfa sits and its relationship with the village and not the application site.

I would therefore not consider that the proposal would have such an impact on Bronwylfa to warrant an objection in terms of setting of this listed building, however would request that care be taken at reserved matters stage to take into account this listed building in terms of design, height and siting of the dwelling on plot 1 I would be happy to be consulted at reserved matters stage if that would be helpful.

Taking into account the orientation of the listed buildings, their relative relationship to the village and the application site I would have no objection to the proposed application as made in outline form.

Representations

The application was advertised through the erection of a site notice and press advertisement. Seven public representations/objections have been received in respect of this proposal.

The objections received are summarised below;

- The site is outside settlement boundary,
- No need for further housing development in the area,
- This is speculative development which will not be affordable,
- Shortage of affordable homes,
- Loss of view and privacy from adjacent dwellings,
- Inadequate access and increase of traffic movements as a result of the development,
- Empty properties in the village currently for sale.

Planning History

No history

Principal Planning Constraints

- Listed Building
- Conservation Area

- C2205 County Highway

Principal Planning Policies

National Planning Policy

Planning Policy Wales (Edition 9, 2016)
 TAN 1 - Joint Housing Land Availability Studies (2015)
 TAN 2 - Planning and Affordable Housing (2006)
 TAN 5 - Nature Conservation and Planning (2009)
 TAN 6 - Planning for Sustainable Rural Communities (2010)
 TAN 12 - Design (2016)
 TAN 18 - Transport (2007)
 TAN 20 - Planning and the Welsh Language (2017)
 TAN 23 – Economic Development (2014)
 TAN 24 – The Historic Environment (2017)

Local Planning Policies

Powys Unitary Development Plan (2010)
 UDP SP2 – Strategic Settlement Hierarchy
 UDP SP5 - Housing Developments
 UDP GP1 - Development Control
 UDP GP3 - Design and Energy Conservation
 UDP GP4 - Highway and Parking Requirements
 UDP GP5 – Welsh Language and Culture
 UDP HP3 - Housing Land Availability
 UDP HP4 - Settlement Development Boundaries and Capacities
 UDP HP6 - Dwellings in the Open Countryside
 UDP DC10 - Mains Sewage Treatment
 UDP DC11 - Non-mains Sewage Treatment
 UDP DC13 - Surface Water Drainage
 UDP DC8 - Public Water Supply
 UDP DC9 - Protection of Water Resources
 UDP ENV1 - Agricultural Land
 UDP ENV2 - Safeguarding the Landscape
 UDP ENV3 - Safeguarding Biodiversity & Natural Habitats
 UDP ENV7 - Protected Species
 UDP ENV11 - Development in Conservation Areas
 UDP ENV12 - Permitted Development in Conservation Areas
 UDP ENV13 - Demolition in Conservation Areas
 UDP ENV17 - Ancient Monuments and Archaeological Sites
 UDP TR2 – Tourist Attractions

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

Outside of settlement boundaries, UDP Policy HP4 applies and states that 'outside settlement boundaries, proposals for new residential development will only be approved where they comply with UDP Policies HP6, HP8 or HP9'. Policy HP6 relates to rural enterprise dwellings, policy HP8 relates to affordable dwellings adjoining a settlement boundary and Policy HP9 relates to affordable dwellings within rural settlements. It is considered that the proposed development does not comply with UDP Policy HP6, HP8 or HP9. The proposed development is therefore not in accordance with the UDP and should be considered a departure.

Members are advised that a decision to approve a departure can only be made where other material considerations outweigh the provisions of the development plan. Such material considerations include Planning Policy Wales (2016) and UDP policy HP3, which require the Local Planning Authority to ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing.

Housing land supply

Public representations are noted in respect of comments regarding the need of additional housing within the village. The Powys JHLAS (2016) provides information on land availability and indicates a land supply of 2.2 years (as of 01/04/2016). Whilst it is anticipated that the new local development plan will allocate land for residential development to address the shortfall in supply, the current figure is below the supply required by Planning Policy Wales and the adopted Unitary Development Plan. Officers acknowledge that a number of departures have recently been justified and permitted on the grounds of housing land supply. Whilst it is accepted that these permissions will contribute to the supply of housing, based upon current evidence, the housing land supply within Powys remains below the 5 year supply as required by planning policy. As such, Members are advised that considerable weight needs to be given to this undersupply in considering proposals for new residential development as exceptions to normal housing policies.

Sustainable location

Members are asked to consider whether this location is regarded as a sustainable location for new residential development. Although located in the open countryside, the site adjoins the settlement development boundary of Llansilin (defined as a Large Village within the UDP). The village benefits from a Church, Primary School, Public House, Garage, Shop, Play Area and Village Hall. Furthermore given its proximity to Llanrhaeder ym Mochnant and Oswestry, Development Management considers that future occupiers would have good access to existing facilities and amenities and also connections to further services and the wider area through existing public transport services (although limited in nature).

In light of the above, Officers consider that additional residential development in this location is considered to be a sustainable location.

Affordable Housing

The outline submission indicates a mixture of dwellings; however Members are advised that this scale is indicative only with scale being a reserved matter for future consideration. The current submission indicates provision of a single affordable dwelling. The applicant accepts that Llansilin is an identified settlement under Policy GP5 and as such they have taken the importance of the Welsh Language and Culture into account through the provision of a housing mix, through the sustainable location and through the provision of an affordable home.

It is considered that the proposed level of affordable housing (one unit) is acceptable and a condition should be attached to restrict the floor space of the dwelling to that set out within the UDP (upto 130m²) as well as removing permitted development rights. Furthermore a condition should be attached to require the submission of a scheme for the provision of affordable dwelling.

Appearance, Layout and Scale

Policy ENV2 of the Powys Unitary Development Plan seeks to ensure that proposed development will not have an unacceptable adverse impact upon the Powys Landscape. Development proposals should be design in a way to be sensitive to the character and appearance of the surrounding area and landscape.

Guidance contained within UDP policy HP5 indicates that residential development will be permitted where the development is of an appropriate scale, form and design and general character, to reflect the overall character and appearance of the settlement and surrounding area. Whilst design and layout are reserved and will be dealt with at the reserved matters stage, it is relevant to consider whether the number of dwellings proposed could be appropriately developed on the site.

The site is an edge of settlement location which adjoins open countryside and therefore the locality is considered to be sensitive to visual change. The indicative layout and scale indicates four, two storey dwellings, some with garages sited off the private road. The layout demonstrates that the site can accommodate four dwellings and detailed design would follow at reserved matters stage, if this outline application receives consent which would provide the opportunity to ensure that the dwellings have an acceptable appearance and design. The immediate surrounding properties consist of a mixture of one and two storey detached properties with a mixed palette of materials; including brick, render and stone. Therefore, the proposed scale of two storeys is not considered to be out of character with the locality. The indicative layout provides a layout which results in the front elevations of the dwellings facing to the public highway which is recommended by Powys Residential Design Guide. The majority of dwellings within the Village face onto the public highway and are set back with access driveways off the highway.

In terms of landscaping, the submission indicates that the proposal would provide an opportunity to provide additional native landscaping which would assist in mitigating visual impact. Landscaping is a reserved matter and therefore detailed proposals would be considered at a later date.

Whilst the site would be visible from public vantage points including the public highway and public rights of way and that the proposal would result in a visual change in comparison to the current

agricultural use, taking into account the location opposite the cluster dwellings at Llansilin and along the approach road to the Village from the north, the development is considered to be acceptable. Furthermore, taking into account the character of existing development in the locality, and that landscaping measures would reduce the visual impact, the proposed scale of four dwellings is considered to reflect the character of the development that has occurred along the highway at Llansilin. It is considered that a satisfactory detailed design could come forward to reflect the overall character and appearance of the settlement and surrounding area. Therefore, it is considered that the application site is capable of accommodating four dwellings without unacceptably adversely affecting the character and appearance of the area compliant with UDP policies SP5, GP1, GP3, ENV2 and HP5.

Residential Amenity

UDP Policy GP1 states that development proposals will only be permitted where the amenities enjoyed by the occupants of nearby or proposed properties will not be unacceptably affected. The Powys Residential Design Guide provides guidance on overshadowing and privacy.

The public representations are acknowledged in respect of the potential impact on residential amenity, however the site is bounded by agricultural fields to the north and west, while on its east elevation the site is adjacent to dwelling known as Bronwylfa and its associated garden with intervening mature hedge and trees between. The other nearest properties to the site are noted to be The Old Vicarage, Maes Teg and Vicarage which are east of the proposed site and approximately between 30 and 45 metres respectively with intervening County Highway between and mature trees and hedge between Bronwylfa which further aids potential overlooking issues.

It is important to note that details relating to design and appearance are reserved for future consideration. Officers consider that the amenities of neighbouring properties can be safeguarded through sensitive design and siting which will be reviewed appropriately by Development Management in considering any future application for the approval of reserved matters.

Following consultation with Environmental Health no objection has been received in relation to its impact on neighbour amenity.

In terms of overshadowing, the Residential Design Guide advises that where new development is less than 40 metres from the nearest habitable room and where the main front or rear (not flank) elevations of existing development is affected, the height of new development should generally be set below a line of 25 degrees taken from the nearest habitable room of adjoining existing property at a height of 2 metres. Whilst this distance is less than 40 metres in relation to plot 1 of the proposed site to the nearest identified property (Bronwylfa), the detailed design could take account of the overshadowing guidelines and as such would be considered at reserved matters stage, however given the mature trees and a hedge between the site and the said property the Officers consider that there will be no negative impact in this respect.

Taking into account the character of existing development in the locality and the highway, it is considered that the indicative layout demonstrates that residential development can be provided at this location without unacceptably adversely affecting the amenities enjoyed by occupants of existing residential properties and that of the proposed dwellings in accordance with UDP Policy GP1 and the Council's Residential Design Guide.

Highway Safety and Movement

UDP policy GP4 confirms that in the interests of highway safety, all development proposals that generate or involve traffic must be provided with an adequate means of access including visibility, parking and turning facilities.

Public representations are acknowledged in terms of highway safety and movements, however the scheme is proposing construction of new access point onto B4580 County Highway on the east elevation of the proposed site together with the construction of a small section of pedestrian footway towards the village towards the junction with B4580 which will further increase highway safety at this particular location. The plans clearly indicate that each dwelling will have sufficient parking and turning area within the site without detrimental impact on safety and vehicular movements to/from the site.

In light of the comments received from Highway Authority and given the scale of the proposed development, Officers are satisfied that the proposed development will not have an unacceptable adverse impact on highway safety and movements subject to inclusion of relevant highway conditions as requested by the Highway Authority. The proposed development is therefore considered to be in accordance with planning policy, particularly UDP policy GP4.

Conservation Area and Heritage

Policy ENV11 of the Powys UDP states that proposals for development within or adjoining a conservation area should be of high quality design and should preserve or enhance the character or appearance of that area. Inappropriate developments that would significantly detract from that character will be opposed.

The Heritage Officer notes that the application site is adjacent to a number of designated heritage assets namely;

- Bronwylfa (Grade II listed building)
- The Old Vicarage (Grade II listed building)
- Capel Salem (Grade II listed building)

Bronwylfa is apparently of the C17th and is reputed to be the oldest property in the village of Llansilin. The property is a box framed house later encased in stone and originally a two unit house now of one and a half storeys with its east gable to the road. There is a small window to the south and a much lower floor and roof level and may be the shop as recorded in 1841. The Officers note that the proposed development would be the field directly to the north of this property, which is open farmland for some distance to the next property. However there is development on the other side of the unclassified road on the minor road north from the B4580.

The Old Vicarage is sited at the junction of the B4580 and the minor road that leads northwards from the junction. A vicarage appears on this site on the 1792 map, however the current building indicates a rebuild or substantial alteration in the early C19th. The property is imposing at the head of the village at an important road junction and is a 2 storey 5 window symmetrically fronted house in the Tudor style with flanking wings and a projecting porch. The windows face south towards the village and the site has substantial grounds with many mature trees.

Capel Salem is a Baptist Chapel built in 1831. The chapel is sited to the East of the minor road north from the B4580. The chapel is simply designed with unusual windows sited on the front elevation with a blank gable to the road. The windows look South East towards the village.

The Officers also note that the site lies outside the conservation area with; Bronwylfa, Ty Silin and Tal-ardd between the site and Conservation Area, and that the site is open farmland with 4 properties adjacent. Of the adjacent properties 2 are listed, and are of significance, Bronwylfa as a large cottage with many historical and architectural features of interest which has retained its early form and construction and acquiring an interesting C19 addition with a strong vernacular character overall, and The Old Vicarage as a fine parsonage in the Tudor architectural manner of the later Regency to early Victorian period, well restored.

The Officers are mindful of the advice in Sections 16 and 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development."

It is also important to refer to more recent guidance in paragraph 6.5.11 of Planning Policy Wales 9th edition 2016 which states, "*Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.*"

TAN24 which was issued and came into effect on 31 May 2017 addresses setting with some of the factors to consider and weigh in the assessment including

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

On a local level Powys Unitary Plan policies reflect national legislation and guidance; Powys Unitary Development Plan Policy ENV14 (Listed Buildings) states that "*proposals for development unacceptably adversely affecting a listed building or its setting will be refused*".

UDP Policy SP3b states that "proposals for development should seek to protect, conserve and wherever possible enhance sites and features of historic and built heritage importance including those of archaeological, architectural and heritage conservation and historic interest". UDP Policy GP1 states "*development proposals will only be permitted if they take into account the following – the design, layout, size, scale, mass and materials of the development shall complement and where possible enhance the character of the surrounding area*".

The Officers note the orientation of the properties, as all appear to be facing towards the village and not over the application site. Both, The Old Vicarage and Bronwylfa were both designed to be at the edge of the village with their principal views being towards the village. More recent

development has been of the traditional form of principal views looking towards the road. It is noted that this traditional form of development is proposed which is considered appropriate and would follow the form of Maes Teg and The Vicarage. The Officers consider that given the distance from and the orientation of Capel Salem, it is not considered that the proposal would have an impact on the setting of Capel Salem.

In respect of The Old Vicarage which has its principal windows looking south and not over the farmland possibly depicting its original status as a large house overlooking the village, or possibly reflecting the fact that the Vicarage looked over the occupants of Llansilin and looked towards the church as is common in Vicarage construction albeit no views of the church were afforded as other development in Llansilin obscured the view of the church. The property is large and set in large grounds with large mature trees screening the property from both the B4580 and the minor road leading north from the B4580. The Officers would not consider that the proposal would have an impact on the setting on the listed building The Old Vicarage.

Whilst the principal windows facing southwards there is still the potential for the proposed development to have a limited impact on the setting of Bronwylfa. The Officers note that the proposed field access immediately to the north of Bronwylfa is to be removed, which will ensure that the existing mature tree cover can be maintained. Whilst the application is made in outline there is an indicative block plan which illustrates the houses set back from the road with the outer 2 properties (plot 1 and plot 4 having detached garaging).

It is further noted that Plot 1 is sited as far away from Bronwylfa as possible with a detached garage (presumably single storey) the closes development to Bronwylfa.

Whilst the application is made in outline with all matters except access being reserved, the indicative block plan does illustrate that there is scope for mitigation to alleviate any impact on the setting of Bronwylfa. Plot 1 is the largest plot; the location of the house is shown some distance from the listed building. Whilst the height of the house and garage are not indicated on the block plan, the Design and Access Statement does provide some minimum and maximum dimensions. Given the low height of Bronwylfa the height of the proposed dwellings could potentially have an impact on the setting of the listed building if poorly sited and designed without thought to the adjacent listed building. However the application is made in outline and given the size of the plots there is also the opportunity for the development to have no adverse effects on the setting of Bronwylfa, given the orientation of the windows, the aspects in which Bronwylfa sits and its relationship with the village and not the application site.

The Officers would therefore not consider that the proposal would have such an impact on Bronwylfa to warrant an objection in terms of setting of this listed building, however this could be taken into account at reserved matters stag.

Taking into account the orientation of the listed buildings, their relative relationship to the village and the application site, Powys Heritage Officer confirms that there are no objections to the proposed application. In light of the above observations, Development Management considers the proposed development to be in accordance with policy ENV11 and ENV14 of the Powys UDP in respect of Conservation Area and TAN 24 (The Historic Environment 2017).

Foul drainage

It is proposed to connect to the public sewerage system which is the preferred method of disposal. Public representations have raised concern over foul drainage. Severn Trent Water has advised that they have no objection to the development and do not require a drainage condition to be applied. Therefore Development Management is satisfied that the sewerage disposal system has sufficient capacity to accommodate the additional flows generated as a result of the development.

In light of the above observations, Development Management considers the proposed development to be in accordance with Policy DC10 of the Powys UDP in respect of foul drainage disposal.

Impact upon nature conservation

Given that the site is currently within agricultural use and that there are no known species or sites within the locality which would be affected by the development, it is not considered that the proposal would affect nature conservation interests. Landscaping would be considered at the reserved matters stage and as such this would provide biodiversity enhancements in accordance with UDP Policy ENV3.

Loss of agricultural land

UDP Policy ENV1 provides safeguarding for the best and most versatile land. The land is not known to fall within grades 1, 2 and 3a and therefore is not considered to be of the best and most versatile agricultural land or of particular value to agriculture within the locality in accordance with the advice provided within UDP Policy ENV1 and Technical Advice Note 6.

Welsh Language and Culture

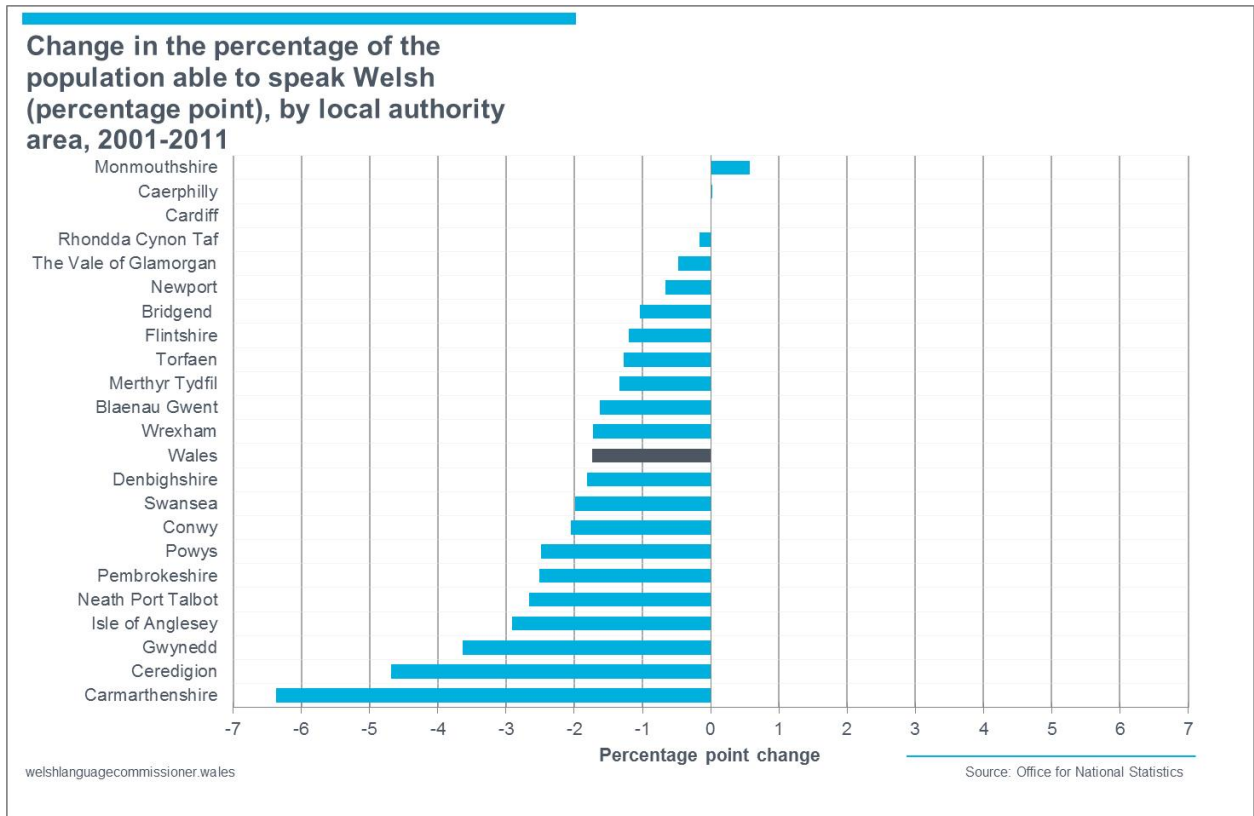
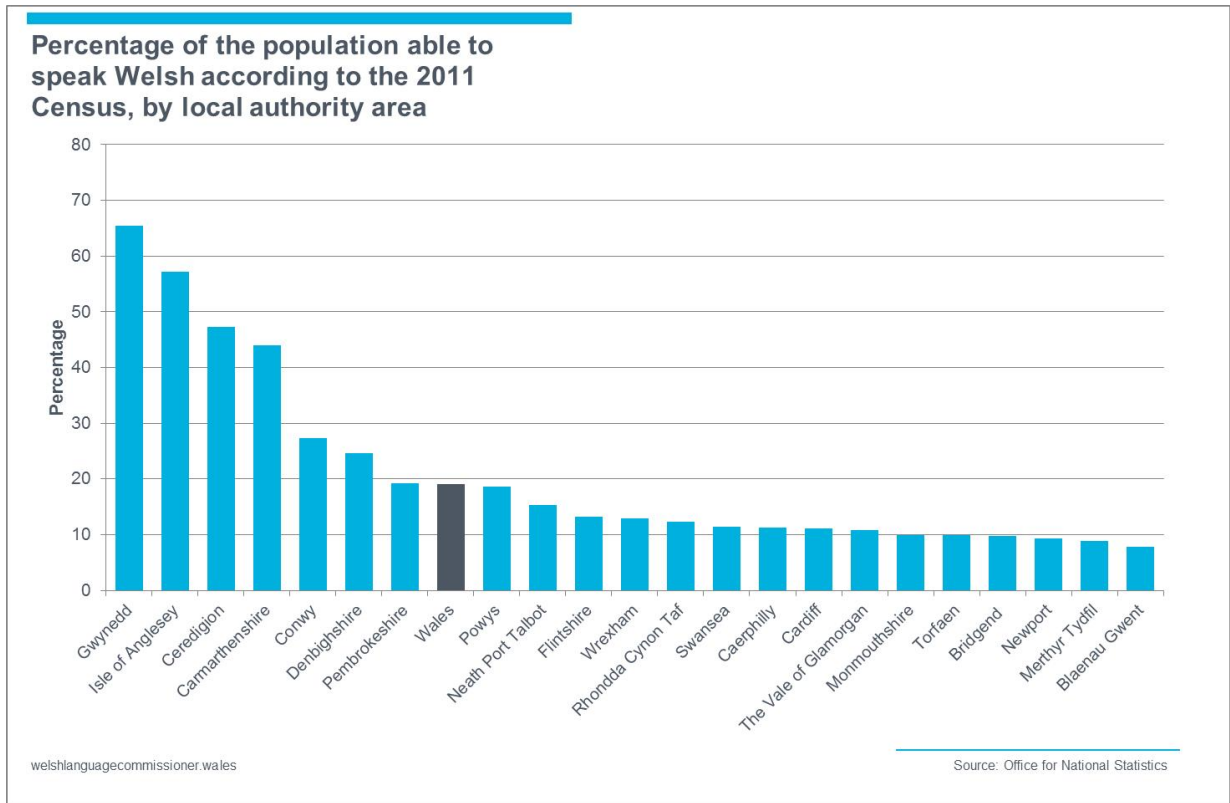
Planning Policy Wales (PPW) notes the Welsh Governments commitment to ensuring the Welsh Language is supported and encouraged to flourish as a language of many communities all over Wales. It highlights that it should be the aim of local planning authorities to provide for the broad distribution and phasing of housing development taking into account the ability of different areas and communities to accommodate the development without eroding the position of the Welsh language. It does however also note that policies must not introduce any element of discrimination between individuals on the basis of their linguistic ability, and should not seek to control housing occupancy on linguistic grounds.

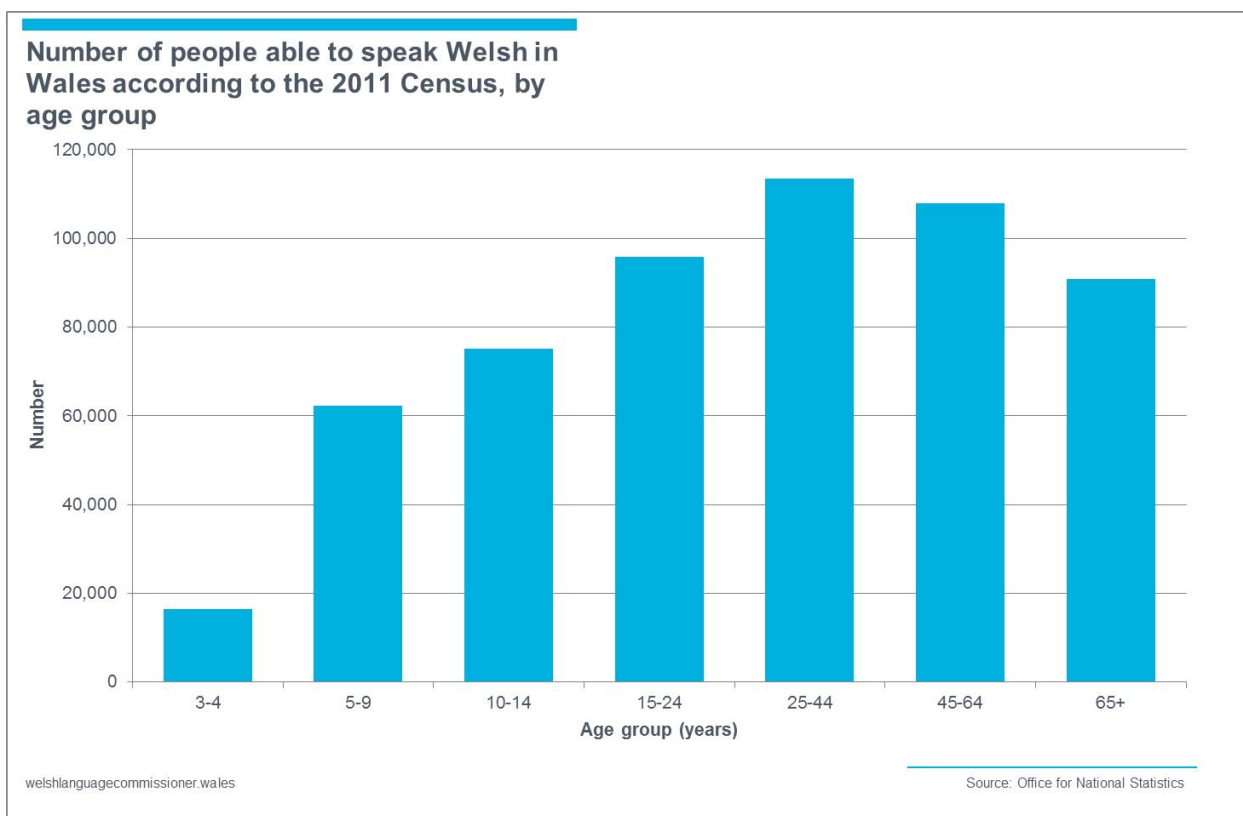
With regards to the Development Management function, PPW states as follows:

“Consideration relating to the use of the Welsh Language may be taken into account by decision makers so far as they are material to applications for planning permission. If required, language impact assessments may be carried out in respect of large developments not allocated in, or anticipated by, a development plan proposed in areas of particular sensitivity or importance for the language. Any such areas should be defined clearly in the development plan. Decisions on applications for planning permission must not introduce any element of discrimination and should not be made on the basis of any person(s) ‘linguistic ability’.”

Policy GP5 of the Powys UDP states that within identified settlements proposals will only be acceptable where developers can demonstrate that they have taken full account of the importance of the Welsh Language and culture, including through the provision of an appropriate

level of affordable homes. Llansilin has been identified as one of the settlements under policy GP5.





2001 Census (Llanrhaeadr-ym-Mochnant/Llansilin)

All people aged 3 and over	Understands spoken Welsh only	Speaks but does not read or write Welsh	Speaks and reads but does not write Welsh	Speaks, reads and writes Welsh	Other combination of skills	No knowledge of Welsh
1,732	164	91	45	549	57	826

2011 Census (Llanrhaeadr-ym-Mochnant/Llansilin)

All usual residents aged 3 and over	No skills in Welsh	Can understand spoken Welsh only	Can speak Welsh	Can speak but cannot read or write Welsh	Can speak and read but cannot write Welsh	Can speak, read and write Welsh	Other combination of skills in Welsh
2,242	1,204	207	765	104	53	602	72

The census information has been looked at by the Welsh Language Commissioner who has provided the following breakdown regarding the ability to speak Welsh in the area.

Community: Llansilin

able to speak Welsh

2011	2001	2011	2001
------	------	------	------

Age	%	%	Number	Number
3+:	26.8	31.6	184	201
3-15:	44.6	48.2	50	54
16-64:	22.6	27.7	95	106
65+:	25.3	28.9	39	41

It is apparent from the figures above that the numbers of people speaking Welsh in the Llansilin community has unfortunately decreased by 4.8% overall, from 31.6 % in 2001 to 26.8% in 2011.

Llansilin has been identified where the Welsh language has been identified as being important to the social, cultural and community fabric. The village includes Church, Primary School, Public House, Garage, Shop, Play Area and Village Hall. It is considered that the introduction of four proposed dwellings could help sustain the viability of the facilities that are vital in supporting Welsh language and culture. It is not considered that a development of the scale proposed would threaten these facilities or force sections of the population away from these facilities.

The four dwellings currently proposed are considered to be of sustainable scale and appropriate from a village growth perspective. This stance is based on the facilities located in close proximity of the site and nearby larger settlements. In light of the limited scale of the development, no phasing condition is considered necessary to control the number of dwellings constructed at one time.

Therefore, given that one of the dwellings will be limited by condition as an affordable unit, which is considered an appropriate level of affordable homes for the proposal, it is concluded that the development would assist in contributing to the well-being of the Welsh language in Powys.

In relation to economic development, it is considered that the potential construction of the dwellings would contribute to the economy of the local area. This is based on the assumption that most construction projects of this scale are normally undertaken by local trade's people. It is therefore considered that the construction of this development would have a neutral or positive impact on the local economy and jobs which is considered positive from a Welsh language and culture perspective.

With regard to the developments impact on schools, given the scale of the proposed development, the impact on nearby schools is considered to be minimal. No adverse or positive impact can therefore be identified in relation to the balance between Welsh-speaking and non-welsh speaking students.

In relation to impact on health care provision, given the scale of the proposed development, the impact on health care provision is also considered to be minimal. No adverse or positive impact can therefore be identified in relation to Welsh medium services.

With regard to social tensions, conflict or divisions, given the scale of the proposed development, it is not considered that the proposal would have a significant uneven effect on different parts of the local community, which would potentially advantage some groups and disadvantage others. No evidence has been identified that the proposed development would violate traditional values of certain parts of the community.

In light of the above it is considered that the proposed development could sustain and enhance the services currently within Llansilin and the provision of housing and affordable dwellings will help sustain and enhance the cultural and linguistic vitality of the area.

Other Legislative Considerations

Crime and Disorder Act 1998

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

Equality Act 2010

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

Having due regard to advancing equality involves:

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

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

Planning (Wales) Act 2015 (Welsh language)

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

Wellbeing of Future Generations (Wales) Act 2015

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

RECOMMENDATION

Having carefully considered the proposed development, Officers consider that the proposal broadly complies with planning policy. Whilst a departure from the development plan, in this instance, the provision of housing is considered to outweigh the plan and therefore justifies the grant of consent as an exception to normal housing policies. The recommendation is therefore one of conditional approval subject to conditions.

Conditions:

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out in accordance with the plans stamped as approved on xxxx in so far as the extent of the application site is drawn and the access point onto the unclassified highway (drawing no: RPP/RC-JOB58-03 Rev C).
5. Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% affordable dwellings;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
6. The affordable dwelling shall have a maximum gross floor area of 130 square metres (measured internally and including garages where designed as an integral part of the dwelling) and notwithstanding the provisions of schedule 2, part 1, classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), the affordable dwelling shall not be subject to extensions, roof alterations and buildings other than those expressly authorised by the reserved matters approval.

7. Upon the submission of the reserved matters referred to within Conditions 1 and 2, the landscaping details shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

9. Prior to the construction of the dwellings hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

10. Prior to the commencement of development detailed engineering drawings for a footway link along the Class III C2205 & B4580, and widening along the Class III C2205 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.

11. Prior to any works commencing on the development site, all Highway Improvements, referred to in condition 10, shall be fully completed and approved in writing by the Local Planning Authority. The approved works shall be retained for their designated use for as long as the development hereby permitted remains in existence.

12. Prior to the occupation of the dwelling any entrance gates shall be set constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

14. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

13. The centre line of the first 10 metres of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

14. Before any other development commences the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

15. Before any other development commences the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

16. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

17. Before any other development commences provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

18. The width of the access carriageway, constructed as per above conditions, shall be not less than 5.5 metres for a minimum distance of 10 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

19. Prior to the occupation of the development a radius of 6 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.

20. All surface water run-off is to be collected and discharged via a piped system to a soakaway located within the site no less than 6 metres from the highway. This system shall be retained and maintained for as long as the development remains in existence.

21. Upon formation of the visibility splays as detailed in the above conditions the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

22. No storm water drainage from the site shall be allowed to discharge onto the county highway.

Reasons

1. To enable the Local Planning Authority to exercise proper control over the development in accordance with Section 92 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
5. In order to ensure the provision of affordable housing in accordance with Policy HP7 of the Powys Unitary Development Plan (2010) and the Affordable Housing for Local Needs Supplementary Planning Guidance (2011).
6. In order to ensure the provision of affordable housing in accordance with Policy HP7 of the Powys Unitary Development Plan (2010) and the Affordable Housing for Local Needs Supplementary Planning Guidance (2011).
7. To ensure a satisfactory and well planned development, to ensure protection is afforded to mature trees on the southern boundary of the site and to preserve and enhance the quality of the environment, visual amenity and privacy in accordance with Policies GP1 and ENV2 of the Powys Unitary Development Plan (2010).
8. To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment, visual amenity and privacy in accordance with Policies GP1 and ENV2 of the Powys Unitary Development Plan (2010).
9. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the buildings in accordance with policies GP1 and GP3 of the Powys Unitary Development Plan and the Councils Residential Design Guide.
10. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
11. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
12. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
13. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
14. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
15. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
16. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
17. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
18. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
19. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
20. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
21. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
22. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

