

setting of listed buildings. Development of the land would extend the built form of the settlement without good reasons and more suitable land has been identified...”

Access Arrangements- There are four access points to the proposed development. The access to the site of the former school is very steep and it is unlikely that an accessible route could be provided due to the gradient of the site. The access to the proposed houses on Tramroad Cottage is very constrained. It is unlikely that emergency vehicles would be able to access this lane, and there certainly isn't sufficient width for two way traffic. The proposed on the field of Tramroad cottage is very steep, against making accessible pedestrian routes unlikely. There is also very poor visibility when turning from this part of the site in the direction of Hay on Wye. It is highly unlikely that the required visibility splay can be achieved. This will result in an increase in use of the private land that runs directly down from the lane to the Tramroad cottage site and is very unsuitable for any increase in traffic. As indicated at pre-application stage, the access arrangements are of grave concern to the Community Council, and haven't been amended in the application process to take into account these concerns.

Local Services- There is no local capacity to add to the sewerage system, as has been recently demonstrated by new builds in the area.

Housing Allocation- The Community Council understands the need for housing, however, there has recently been approval for 39 dwellings in three Cocks (P/2016/0786) and it is felt that this meets the need for housing in the community.

Biodiversity- The Community Council was surprised to see the developers comments that there were no bats in the former school as there has been a well established bat colony there for many years. The Community Council also feels that this development would impact negatively on the wildlife species that are present on the proposed development site. In particular, there are several species that are listed in Section 7 of the Environment (Wales) Act 2016 as living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales that would be detrimentally affected by this development.

Community Resource- In selling the site, this has resulted in the loss of a community facility that had benefited from lottery and County Council Funding.

Impact on the Surrounding Landscape- This ribbon development along the hillside will be very visible. It will totally transform the view and affect the setting of the listed buildings.

For the above reasons, Gwernyfed Community Council objects to this application.

11th August 2017-

Following the submission of additional plans for the above application, I can confirm this was discussed by the Community Council at their recent meeting.

The meeting viewed the additional plans that had been submitted by the developer, particularly those relating to the access points, and their comments are as follows:

1 Upper part of proposed development site including the former Glasbury School building. The Community Council have already expressed the community's opposition to this part

of the developers' proposals, which would impose a strip of sub-urbanisation upon what is at present a country lane.

The adjustment to the proposed access is surprising as it appears to involve an extremely steep driveway, and is an example of how the difficulties presented by the topography of this site are being underestimated.

As for the traffic volumes on the road, it was noted that some effort has been put into a comparison of the traffic generated by the existence of the school with the likely traffic to be generated by the proposed development. This work is substantially misconceived. It assumes that the level of traffic caused by the school was in some definitive sense acceptable. It has been suggested that there is some kind of orthodoxy that once a road has borne a particular level of traffic, that legitimizes that level of traffic indefinitely. That approach must be challenged. The traffic caused by the school was accepted because there was no alternative. The school was already established and the "good" of the school plainly outweighed the "bad" of the traffic. That judgment can no longer be made. The comparison to be made now is between the present level of traffic on this country road and the projected level if the development proceeds.

2 Lower part of the proposed development site.

Again, the Community Council have already expressed the community's objection to this element of the development. The Community Council is not satisfied that the adjustments to the entrance to the site alleviate the concerns over highway safety. It was felt that the alterations did not provide for safe access and egress of the site, particularly for larger vehicles.

3 The gap between the Unitary Development Plan and the Local Development Plan. Both UDP and the projected LDP have, as far as is relevant to the present case, development boundaries which are the same. The boundaries would, if respected, stand in the way of the proposed development. It is argued that because the LDP is still subject to the inspector's enquiry both it and its predecessor should give way to the demand for more housing land. This is a mistaken approach. It tacitly assumes that the demand for housing land has not been factored in to the placing of the development boundaries. The need for housing land should not during this transition period be held paramount and make redundant the question of where that housing land should be. For these reasons, in addition to the reasons outlined in their letter of 7m April, Gwernyfed Community Council objects to this application.

PCC – Highways-

The County Council as Highway Authority for the County Class I, A438, Unclassified highway, U0765 and Class III Highway, C0072

Wish the following recommendations/Observations be applied

Recommendations/Observations

This application should be refused.

Reasons for Refusal

This application, from a highway perspective, effectively constitutes development on three different parcels of land, each with a separate means of vehicular access.

The site to the south east, which currently accommodates the old primary school, is accessed from the C0072 county highway which is effectively single track over its length from the A438. There are limited opportunities for vehicles to pass along the route and there are no suitable pedestrian facilities available that link the site to either Three Cocks or Glasbury. Vehicular links to the wider highway network in a southerly direction are also severely substandard. Accordingly, development of this nature at such a location would not normally be supported by the Highway Authority. In this particular instance however, this part of the site does have benefit of an extant use. There is therefore a "fall-back position" and as such it would be reasonable to consider development that would not result in an increase in the level of traffic from that generated under the extant use.

Glasbury School was a small village school with low pupil and teacher numbers; the extant traffic generation associated with such should therefore be demonstrated using the appropriate data, which should take into account the historic travel patterns and modes of transport employed. The criteria used within the Transport Statement (TS), identifies comparable sites based on schools up to ten times the size and include sites in locations with populations and transport infrastructure far in excess of those within Glasbury and the surrounding area. Unfortunately it is therefore considered that the extant trip generation figures submitted by the applicant are not reflective of its previous use. Similarly the projected vehicular movements associated with the proposed new dwellings, includes sites in locations with populations far in excess of those within Glasbury and the surrounding area. The projected figures are considered below those expected for such a rural setting and are not therefore considered reflective of this location. In the absence of any comparable and reliable data, it is therefore considered that the provision of 10 houses on this site, could in fact result in a significant increase in traffic generation at this location. Furthermore the alignment of the private access serving plots 1- 5, is ill defined, with an insufficient initial straight approach length in which to align vehicles appropriately with the adjacent county highway. This will restrict available visibility for those vehicles attempting to leave the site and will also result in confusing vehicular manoeuvres for those vehicles attempting to manoeuvre both in and out of the site: this access was not used extensively during the operation of the school and is not therefore considered acceptable to serve the number of dwellings proposed in this instance.

The two sites to the west are both accessed from the A438 county highway via a relatively short length of the U0765 county highway. The A438 is a busy stretch of road with recorded 85th percentile traffic speeds of 48.9 mph and 51.6 mph respectively. Whilst the applicant has submitted detail that suggests that appropriate junction visibility splays of 16 metres can be provided, requisite visibility to the north will necessitate the removal and subsequent re-profiling of significant areas of roadside hedgerows and embankments. As access is being determined at this stage, I feel it prudent to request supporting cross-sectional drawings demonstrating the scope of the works required to ensure that it can be realistically provided.

Of greater concern is the severely substandard nature of the existing A438/U0765 junction. The alignment, geometry and width of the existing junction severely restricts and for a considerable element of traffic, prohibits simultaneous access and egress. As a

consequence, vehicles wishing to negotiate the junction to travel along the U0765 have to wait on the A438 in order to allow opposing vehicles to first clear the junction. Clearly the provision of eight additional dwellings, each served from this substandard junction would pose a significant additional detrimental risk to highway safety. It is therefore considered essential that any proposal that seeks to a significantly increase vehicular movements through this junction be accompanied by proposals that seek to upgrade the junction, including suitable pedestrian provision, in accordance with DMRB TD 41/95.

As the applicant has acknowledged, the U0765 county highway serving this element of the site, is extremely narrow, rendering it suitable for use by cars only. Contrary to point 2.3.8 of the T.S. however, there are no formal passing bays along the route and no designated turning head; the informal passing bays referred to appear to be private land which cannot be relied upon. It is not clear therefore, how opposing vehicles meeting along this stretch of road would be able to pass safely without either reversing significant distances or without attempting to use the severely substandard private lane and access onto the A438 adjacent to Church House. Such manoeuvres would be extremely hazardous to highway safety.

The access visibility from the U0765 to plots 11 - 13 is detailed on Drawing 1563 SKO6/C as being 2.4 x 25 metres, however in reality the visibility currently available is negligible, due to obstructions caused by the boundary features of the adjoining third party property Melbourne. As this land is outside of the application unit and appropriate notice does not to have been served, the requisite visibility and surfacing/construction improvements required to provide an acceptable means of access cannot be duly conditioned and therefore the likelihood of such provision cannot reasonably be expected. The access is further restricted by the private access to Melbourne. which is in very close proximity to the U0765 and which again provides negligible visibility. Whilst it is felt that the appropriate access visibility from the U0765 to plots 14 — 18 could be provided, it will necessitate the relocation of the existing boundary features within the 2.4 X 25 metre splay. As the land in this area rises significantly, suitable long sectional drawings will need to be submitted to demonstrate that a suitable access gradient can be secured from the adjoining U0765 to facilitate the safe access and egress of vehicles serving these plots.

In light of the above, I strongly recommend that the application, in its current format, be refused in the interests of highway safety.

24/07/2017-

I write following a review of the additional information and drawings provided by the applicant which have been submitted to address previous comments/observations made by the Highway Authority.

School Site.

Whilst the difficulty of identifying sites with similar characteristics and travel patterns to those of the old school is acknowledged, the revised TRICS data submitted within the Technical Note from Asbri Transport dated 25/05/2017, is considered a more robust analysis. The resultant findings, suggesting that the building generated 68 vehicular movements daily, is considered reflective of a school which contained an average of 39 pupils and 5 teachers during the last five years of operation. Similarly the revised projected vehicular movements attributable to the proposed new dwellings are noted and considered robust.

Whilst Table 3 of the Technical Note does suggest that the redevelopment of the school site would result in a small increase in traffic along the C0072 county highway, the proposed traffic generation figures used in the table includes those for the entire development of 15 dwellings, rather than those associated with the actual redevelopment of the school site itself, which is for 10 dwellings. When these figures are duly adjusted it is noted that the proposed redevelopment of this area should not result in any increase in traffic along the C0072 county highway. Notwithstanding this, it is however recommended that two additional passing bays be provided along this route to aid the passage of 2 way vehicular movements.

The revised access detail shown on drawing SK320 addresses the previous concerns of the Highway Authority regarding the alignment of the proposed private access serving plots 1- 5. In light of the above the Highway Authority has no objection to the proposed redevelopment of the school site subject to the inclusion of the following highway conditions.

1. No development shall commenced on the development site covering plots 1-10 until 2 passing bays are constructed along the C0072 county highway in locations to be agreed in writing by the Local Planning Authority. The passing bays shall be constructed up to adoptable standard prior to any works being commenced on the development site covering plots 1-10.

2. No other development shall commence on plots 1-5 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 60 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

3. No other development shall commence on plots 6-10 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 60 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

4. Upon formation of the visibility splays as detailed in conditions 2 & 3 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.

5. Before any other development is commenced on plots 1-10 the respective 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

5.5 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.

6. Entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be 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.

7. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 5.5 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.

8. The width of the access carriageway, constructed as Condition 7 above, shall be not less than 5 metres for a minimum distance of 5.5 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.

9. Prior to the occupation of the dwellings the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

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

Tram Road Site

The removal from the scheme of the proposed 3 dwellings in this area will remove the need to utilise the severely substandard section of the U0765 county highway which is welcomed by the Highway Authority.

A438/U0765 Junction Visibility.

The junction visibility improvement detailed on revised drawing SK310/1 demonstrates that suitable access visibility of 160m, which is reflective of the recorded speeds along the A438, can be provided in a northerly direction. It should be noted however that the provision of this splay, will result in significant soil, hedgerow and tree removal alongside the A438.

A438/U0765 Junction realignment/Improvement

The provision of the proposed junction realignment, pedestrian crossing facility and proposed carriageway widening along the initial section of the U0765, as detailed on drawing SK330/2, would significantly improve the current access arrangements at this location. As advised previously, the alignment, geometry and width of the existing junction, which currently provides access to 3 residential properties, a small garage and St Peters Church, severely restricts and for a considerable element of traffic, prohibits simultaneous access and egress. As a consequence, vehicles wishing to negotiate the junction to travel along the U0765 have to wait on the A438 in order to allow opposing vehicles to first clear the junction.

The proposed widening will alleviate this potentially dangerous scenario, which would not only mitigate the additional level of traffic this element of the development would generate, but would also significantly benefit the existing users of this stretch of highway and improve safety for all road users along the A438.

In light of the above the Highway Authority wishes to remove its previous recommendation of refusal subject to the inclusion of the following highway conditions.

1. No development shall commence on plots 11-15, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall include provision for: traffic management measures covering the works required to provide the northern visibility splay along the A438; traffic management measures covering the works required to provide the road widening and provision of footway along the U0765 county highway; the parking arrangements for site personnel and visitors to the site during the construction period.

2. No other development shall commence on plots 11-15 until detailed highway engineering drawings covering the A438 Junction realignment, footway provision and road widening along the U0765 county highway have been submitted to and approved in writing by the local planning authority. The proposals shall include detailed cross sections through the widened section of the highway adjacent to the boundary of the site and details on the method and types of construction to be used. Subsequent development shall thereafter be carried out in accordance with the approved details of construction and shall be duly constructed prior to any works being commenced on plots 11-14.

3. No other development shall commence on plots 11-15 until the A438 junction has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 160 metres distant in a northerly direction measured from the centre of the access along the edge of the adjoining A438 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

4. Upon formation of the visibility splays as detailed in condition 3 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.

5. No other development shall commence on plots 11-15 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 25 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

6. Upon formation of the visibility splays as detailed in condition 5 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.

7. Before any other development is commenced on plots 11-15 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 5.5 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.

8. Entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be 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.

9. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 5.5 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.

10. The width of the access carriageway, constructed as Condition 7 above, shall be not less than 5 metres for a minimum distance of 5.5 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.

11. Prior to the occupation of the dwellings the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

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

PCC - Building Control-

Building regulation approval will be required.

Wales & West Utilities-

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales and West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Services pipes, valves, syphons, stub connections, etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales and West Utilities, its agents or servants for any error or omission.

Wales and West Utilities apparatus may be directly affected by these proposals and the information you have provided has been forward to Asset Management for their comments. If Wales and West are affected an Engineery will then contact you direct.

Welsh Water-

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Sewerage

Conditions

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Sewage Treatment

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Water Supply

Dwr Cymru Welsh Water has no objection to the proposed development.

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.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

PCC - Environmental Health-

The following conditions are recommended.

1. In view of the residential setting of the proposed development it is recommended that before any development commences a Construction Method Statement and Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority in respect of the control of noise and dust during the demolition, landscaping and construction phases.

2. In addition it is recommended that the demolition, landscaping and construction period working hours and delivery times be restricted as follows:

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

0800-1800 hrs Monday to Friday

0800-1300 hrs Saturday

At no time on Sunday and Bank Holidays

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

3. No burning of any waste on site.

Informatives

During demolition and construction (including soil movement and landscaping activities) the contractor shall take all reasonable steps to prevent dust formation from dusty activities and any dust formed shall be prevented leaving the site by continuous watering down.

In order to comply with Condition 1 regard should be had to the guidance found in BS5228-Code of Practice for Noise and Vibration Control on Construction and Open Sites.

With respect to Condition 2 regard should be had to the provisions of section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction sites.

CPAT

Following on from our comments on the pre-application submission we can confirm the following advice:

The proposed demolition of the 19th century portion of Glasbury School and the 19th Century Tramroad Cottages will remove buildings of local architectural and historical importance and we would therefore recommend that suitable building recording is completed prior to demolition to obtain a permanent record of the structures. In this case we would advise that a Level 3 survey is completed and an appropriate condition is supplied below.

If the ground works impact the green lane in front of the cottages, which coincides with the location of the former tramroad, then this area should be the subject of watching brief in case remains of the tramroad are revealed. Again a suitable condition is provided below.

The conditions in this case would be:

1. Building Recording of Tramroad Cottages and 19th Century portions of Glasbury School

Suggested planning condition to facilitate a programme of historic building recording, the equivalent of an English Heritage Level 3 building survey, in order to allow an adequate analytical record of the buildings to be made prior to alteration.

Development shall not begin until an appropriate photographic survey, equivalent to an English Heritage Level 1 study, of the existing buildings has been carried out in accordance with details to be submitted to, and approved by, the Local Planning Authority. The resulting digital photographs should be forwarded on a CD to the Local Planning Authority and the Development Control Archaeologist (Clwyd- Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. Email: markwalters@cpat.otg.uk Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the photographs should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

Reason: To secure a full photographic record of the original building prior to alteration/conversion.

2. Watching brief on former Tramroad

Suggested planning condition to facilitate an archaeological watching brief

The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in

writing at least two weeks prior to the commencement of development, of the name of the said archaeological contractor. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologists Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer Clywd- Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

Reason- To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.

Please contact me if you wish to discuss this advice or require more information.

PCC- Outdoor Recreation

With regards to the proposed housing development at Glasbury School and Tramroad Cottages, our preferred situations would be for any developer to develop, manage and maintain their own play facilities, either organised by themselves or through a residents organisation or potentially by working with the local town or community council.

Powys County Councils Outdoor Recreation Service will only ask for a Section 106 contribution, if the proposed developer should/will not provide suitable play provision for their residents, under the LAP, NEAP and LEAP planning arrangements included in the six acre standard as set out by the Fields in Trust.

To reiterate, if the developer decided not to provide adequate play space on their land, and if Powys County Council does have a play facility with fixed play equipment within a short distance, then the Outdoor Recreation Service would seek a monetary package to upgrade the Services nearest existing playing field or playground.

As part of the 106 planning gain, Outdoor Recreation Service's would ask for the following terms to be taken into consideration, as regards to payments being sought-

All social housing, size or number of bedrooms is not a factor= £800.00 per property.
All private housing up to and including three bedrooms = £1000.00 per property
All private housing over three bedrooms= £1200.00 per property.

NRW-

Thank you for consulting Natural Resources Wales (letter dated 13/03/2017) regarding the above.

NRW has already made some comments to the above proposal at pre application stage. A copy of our original response is attached.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. Otherwise, we would object to this planning application.

Summary of Requirements and Conditions

Requirement 1 SAC - Surface water drainage -:

The submission of a surface water drainage scheme prior to determination.

Requirement 2— SAC - PPP; The submission of a pollution prevention plan (PPP) for the construction phase, prior to determination.

Requirement 3— EPS - Dormouse: The submission of a dedicated dormouse compensation scheme, prior to determination.

Conditions 1: Land contamination - Universal condition for development on land affected by contamination.

Condition 2: Land contamination - Verification report

Condition 3: land contamination - Long-term monitoring

Condition 4: Land contamination - Unsuspected contamination

Condition 5: Land contamination – SUDS

Condition 6: Land contamination – Piling

Condition 7— EPS: No development works shall commence until your authority has been provided with a licence that has been issued to the applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/development to go ahead.

Condition 8 — Ecology: The Submission at reserved matters of a Construction Environmental Management Plan.

Protected Sites & Surface Water Drainage

The site is located 30 metres from the River Wye/ Afon Gwy Special Area of Conservation (SAC), and Afon Llynfl Site of Special Scientific Interest (SSSI).

Our concerns regarding the SAC would relate to the possible need for new outfalls into the River Wye and the control of water during construction and operation (drainage/connections of surface).

We note Section 7.2 of the Drainage Strategy Report dated April 2016 by Quad Consult Engineers in Partnership, states that infiltration tests have been undertaken and concluded that the substrate is unsuitable for the method of surface water disposal and the proposal is to collect, attenuate and discharge surface water from the site to the existing drainage ditch, at a restricted rate equal to Obar or in this circumstance 51/s.

Given the likely requirement of new/improved outfalls into the SAC we recommend your Authority undertakes a screening assessment (test of likely significant effects) as prescribed

under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). For the purposes of the Regulations, you must not normally agree to any plan or project unless you are sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a protected site.

We therefore advise that a scheme to dispose of surface water is material to this application as it will inform the above mentioned screening assessment.

Requirement 1 SAC - Surface water drainage -: — The submission of a surface water drainage scheme prior to determination.

Should any works on the banks of the Rivers Llynfl be proposed (e.g. new outfalls), these will require a Flood Risk Activity Permit and SSSI/SAC Assent may also be required from NRW.

Pollution Prevention

As the development site is near the River Wye SAC, we consider pollution prevention measures to be a material consideration for this proposal. We recommend you request a pollution prevention plan (PPP) to satisfy yourself the construction phase of the proposal will not have a detrimental impact on the nearby SAC.

Requirement 2 — SAC - PPP: The submission of a pollution prevention plan (PPP) for the construction phase, prior to determination.

No material should be deposited within 10m of any watercourse without discussion with Natural Resources Wales.

All works at the site must be carried out in accordance with PPG5 and PPG6: 'Works in, near or over watercourses' and Working at construction and demolition sites' which are available on the netregs website.

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of banded compound should be 110% of the capacity of the tank, all filling points, gauges, vents and sight glasses must be located within the bund. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Refuelling should be supervised at all times — and preferably done on an impermeable surface.

The activity of importing waste onto the site for use as, for example hardcore, must be either registered with Natural Resources Wales as an exempt activity under the Environmental Permitting Regulations 2010 if the activity meets the exemption criteria or undertaken under an Environmental Permit. The developer should contact Natural Resources Wales to discuss the necessity for an exemption permit or environmental permit for any material imported to the site.

Should any contaminated water or materials enter or pollute the River Wye SAC or groundwater, Natural Resources Wales must be notified on Tel: 03000 653000.

European Protected Species (EPS)

We have reviewed (January 2017) Bat Survey report: The Old Church in Wales School and Associated Buildings Glasbury and (October 2016) Extended Phase One Ecological Survey: The Old church in Wales School and Grounds both by Dusk to Dawn Ecology Ltd (unpublished reports). We have also reviewed the Dormouse Nest Tube Survey report dated February 2017 by DA Ecology.

Bats, dormice and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). My development that would contravene the protection afforded to bats under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

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

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TANS) states that the Local Planning Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any EPS on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

We consider that the missing information as detailed below is material to The determination of this proposal and would therefore advise it is submitted prior to determination.

- EPS Dormouse

The results of the Dormouse Nest Tube Survey (report dated February 2017 by DA Ecology) confirm that hedgerows and scrub at the application site support dormice.

In our view, the overall proposal has the potential to cause disturbance to dormice and/or loss or damage to their resting places.

The dormice survey report found evidence that the species utilises the site for breeding, foraging, dispersal and sheltering purposes. In our view, we consider that the construction and operational phases of the proposal have the potential to adversely affect dormice. Potential impacts include, but are not limited to:

- (i) Damage or destruction to resting places during the construction phase of the proposal;
- (ii) Deterioration of breeding site during the implementation phase of the proposal
- (iii) Incidental injury or killing during and post construction phase of the proposal.

Therefore, contrary to the ecologists conclusion, we consider that a derogation license will be required.

We consider there to be insufficient information for us to advise that the proposal will not

affect the maintenance of the favourable conservation status of dormice in its natural range [at this locality]. The report focuses on avoidance measures to be adopted during the construction phase but does not give sufficient consideration to the impact the development will have on dormice in the longer term.

Whilst retention of most of the existing hedgerows/scrub and some additional new planting of native species will maintain dormouse habitat at this site, consideration must also be given to other aspects of the development that have the potential to impact on this species, such as long term habitat management connectivity to nearby suitable habitats outside the application boundary and the introduction of additional threats such as predation from domestic pets.

We would therefore advise additional information is required to demonstrate no detriment to the FCS of dormice in the long term:

Requirement 3— EPS –

Dormouse: The submission of a dedicated dormouse compensation/offsetting scheme. This to include: (a) A habitat management plan; (b) Implementation of long term habitat management; (c) long term surveillance; and (d) ecological compliance audit to evidence implementation of conservation measures including surveillance, management and any new or further actions undertaken to maintain or restore the conservation status of the dormouse population at this locality.

Compensation /Offsetting measures should consider on site and nearby habitat restoration and prevention of ecological degradation of existent dormouse habitat in the long term. We would suggest that these can be achieved via conditions and/or obligations such as a Section 106 Agreement or a unilateral undertaking.

Without the submission of a suitable compensation scheme we consider that there is not enough information to assess potential effects of the proposal on the dormouse population present at this site. Therefore, we would have significant concerns about the development as currently proposed, and recommend planning permission is not determined until it can be demonstrated that the proposed development will either not harm or disturb dormice or their breeding sites and resting places at this site, or all 3 conditions for the eventual grant of a licence under the Conservation of Habitats and Species Regulations 2010 (as amended) are likely to be satisfied.

• EPS Bats

We agree with the bat report's conclusion that the proposal is likely to harm or disturb the bats or their breeding sites and resting places at this site and would, therefore, need a licence from Natural Resources Wales. However, we would conclude that there be no detrimental effect on the Favourable Conservation Status of bats provided appropriate avoidance and mitigation measures are incorporated in the proposal and implemented. We therefore recommend that these measures are included in a Construction Environmental Management Plan (CEMP) to be submitted to your authority at reserved mailers.

NRW also recommends the following condition:

Condition 7— EPS: No development works shall commence until your authority has been provided with a licence that has been issued to the applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/development to go ahead.

This advice applies to the proposal in its present form. Please consult us again if the plans are changed in ways that may affect the bats or their breeding sites and resting places at this site.

Please also note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

Ecology

The CEMP must cover all ecological aspects relevant to the proposal. We would expect the following, to be part of the CEMP:

- Appropriate Reasonable Avoidance Measures (RAM) to avoid injuring EPS and other protected species.
- Details of all crevice dwelling bat roosts to be maintained I created in the gable ends of buildings to be retained as well as new houses and garages on site.
- Details of the barn conversion into a bat house. The roof will be replaced with slate and 1 F bitumen underfelt. The barn's front elevation metal cladding will be replaced with timber and insulated to form a more thermos-stable environment. The barn will have a ground and attic floor level to allow multiple roosting conditions.
- Methodology for hedgerow removal! relocation and new planting scheme.
- Biosecurity Risk Assessment.
- A wildlife sensitive exterior lighting plan designed to retain dark corridors along boundary hedgerows and trees.
- Root Protection Zone plan to ensure there Will be no deffimenUdamage to the frees to be retained on site as a result of the development, the plan has to include erection of fences that will also function as safe wildlife corridors throughout the construction phase.
- Persons responsible for implementing the works;
- Any other relevant mater.

Condition 8 — Ecology: The Submission at reserved matters of a Construction Environmental Management Plan (CEMP).

Historic Land Use

We consider this site to be environmentally sensitive given that the planning boundary lies within 30m of the River Wye Special Area of Conservation (SAC) and the Afon Lynfl Site of Special Scientific Interest (SSSI). In addition to this, the Design and Access Statement refers to previous land use as a disused tram and railway corridor. This means that the site has the potential to be affected by contamination.

The applicant should refer to the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers', which was sent to the applicant at pre application

consultation stage. This explains the type of information that NRW will require in order to assess risks to controlled waters from the site.

NRW consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. Without these conditions, we would have significant concerns as the proposed development could pose an unacceptable risk to the environment and we would wish to object to the application.

In order for these conditions to be discharged the applicant must adhere to the below best practice guidance:

1. The risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. WLGA document 'Development of Land Affected by Contamination: A Guide for Developers'
3. Groundwater protection: Principles and practice (GP3).
4. British Standard for the Investigation of Potentially Contaminated Sites. Code of Practice (BS1 0175:2011)

Condition 1: Land contamination - Universal condition for development on land affected by contamination - Prior to the [commencement of development] / [occupation of any part of the permitted development] approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons - We consider that the controlled waters at this site are environmentally

sensitive and contamination is known/strongly suspected at the site due to historic use of the site.

Condition 2: Land Contamination - Verification report - Prior to (commencement of development)/ [occupation of any part of the permitted development] (delete as appropriate), a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Reasons - To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Condition 3: Land contamination - Long-term monitoring - Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reasons - To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Condition 4: Land contamination - Unsuspected contamination - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reasons - Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Condition 5: Land contamination - SUDS - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts & the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - There is an increased potential for pollution of controlled waters from

inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.

Refer to: the SuDS Manual (CIRIA C697, 2007), the Susdrain website (<http://www.susdrain.org>) and draft National Standards for SuDS (Defra, 2011) for further information.

Condition 6: Land contamination - Piling - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reasons - There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

Refer to :
Environment Agency Document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' and Environment Agency Document 'Piling in layered ground: risks to groundwater and Archaeology

Invasive Non Native Species

A stand of Japanese knotweed was identified at the southern end of the proposal. The Construction Environment Management Plan (CEMP) should include a Biosecurity Risk Assessment as a requirement.

We consider that this assessment must include
(i) Appropriate measures to control any INNS on site; and
(ii) Measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

Flood Risk

The built development is all outside of Zone C2. We advise that any proposed scheme should ensure that run-off from the proposed development is reduced or will not exceed existing runoff rates.

As previously stated, should any works on the banks of the Riven Llynfi be proposed (e.g. new outfalls), these will require a Flood Risk Activity Permit from NRW. Please see the guidance on our website: <https://nptuwfresoucces.wales.gov.uk/permissions/permissions-for-a-permit-for-flood-risk-activities/?lang=en>

The applicant and local authority should note that the site access onto the A438 may be at risk of flooding during an extreme event (1 in 1000 year). The applicant is advised to have an emergency plan in place and agreed with the Local Authority.

The lead local flood authority, which is in this case Powys County council, need to ensure effective management of surface water run-off resulting from the proposed development.

The Lead Local Flood Authority would need to contact their own Drainage Department for further advice

Foul Drainage

We note that the intention as detailed in the Drainage Strategy is to connect to the existing foul sewer network. When connecting to the public sewerage system, Dwr cymru I Welsh Water should be consulted on the proposals and be requested to confirm that the sewerage and sewage disposal system serving the development has sufficient capacity to accommodate the additional flows generated as a result of the development. This is to ensure that the development does not cause pollution of the water environment or potential deterioration in the Water Framework Directive classification.

Scope of NRW Comments

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations (March 2015) Which 5 published on our website.

We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that in addition to planning permission, it is their responsibility to ensure that they secure any other permits/consents relevant to their development.

Cllr Geraint Hopkins-

I wish to strongly object to this application. I have tonight attended a meeting of Glasbury residents who would, in one way or another, be adversely affected by this proposed development. There is a strong feeling that this development is unnecessary and would spoil the village of Glasbury, Brecknockshire.

There is no evidence to support this number of dwellings being required. On the contrary there are already ten properties for sale in the vicinity. Additionally planning application no P/2016/0786 has just been approved for outline development including 39 dwellings at Three Cocks. A site identified in the proposed LDP to replace all the candidate sites previously put forward in Glasbury and Three Cocks.

The proposed development is spread across two sites, each having particular problems. Site A to the north of the railway line where tram cottages exist at present is on a slope, with inadequate access. A new access has been achieved by removing a length of hedge(no planning permission obtained?) alongside a narrow lane which currently serves 2 dwellings (not including tram cottages), a garage and the church. This lane is only just wide enough to accommodate cars, let alone lorries serving a building site! It would be impossible for traffic to turn into this proposed development, without mounting the narrow verge opposite, which I don't believe is in the ownership of the applicants. However before even getting to this entrance one would have to navigate the entrance to the lane off the A438. From the west this in effect would be a U-turn across a busy road, with the potential of multiple back end shunts due to the speed of traffic. Although this stretch of road has a 40mph speed limit, this is often exceeded. There would also be the problem of having to wait for any traffic leaving

the lane before egress could be achieved. Associated with this would be the extra volume of traffic generated by the proposed development, and any large vehicles such as refuse lorries blocking the entrance. The A438 is also a very dangerous road to cross by pedestrians at this point, there being no pavements on that side of the road and bad visibility to the east. Next there is the problem of traffic attempting to leave the lane onto the A438. To turn left would mean crossing over to the other side of the road to get the sweep. Additionally visibility to the east is restricted by the bend in the road, which can't be overcome. Overloaded sewerage works and excess water runoff are also problems.

Site B to the south of the railway line where Glasbury school building exists at present is alongside another narrow lane with no passing places and the national 60mph speed limit, which again is often exceeded. There are no pavements for pedestrians, especially young children walking to school. This site was supposedly given to the diocese as long as it was used for educational facilities for the local children. The playing field was originally part of the common and was also to be used for recreational purposes. The football pitch and playground are community facilities and there is nothing in the proposed development to replace these. Even when the school was open and in use there were bats present in the building. Again where is the sewerage and runoff water going? What I presume is the affordable housing element of the proposed development is all situated in one area and segregated from the other properties. Surely these should be interspersed on the site! Finally the old railway line running between the two sites is a haven for wildlife of all sorts and surely there should be a buffer zone between the railway line and any proposed dwellings? Apart from the footprint of the building of old school this would be green field development on a major scale which wouldn't be appropriate for this area.

I also believe the figures for the number of cars allocated to each dwelling to be grossly under estimated. This is a rural area with little, if any, public transport and every house usually having at least two cars. The volume of traffic will be far higher than the figures quoted in the traffic statement.

Built Heritage

22nd May 2017-

Thank you for consulting me on the above application. Since my previous comments dated 2 March there have been changes to national guidance with TAN24 and its annexes which were issued and came into effect on 31 May 2017. Tan 24 and its annexes supersedes and cancels Welsh Office Circular 61/96 which I previously referred to and as such I would therefore be grateful if you could substitute these comments for my previous comments dated 22 May to take into account the revised national guidance. I would also take the opportunity to clarify the issues raised by Asbri Planning on 7th June in response to my previous comments in an appendix to this amended response.

I am aware that the site has been put forward as an alternative site ASN38 which was considered as part of the Local Development Plan Examination on 2 May 2017. The Examination is still in progress and as such the Inspector has not determined, firstly, if any alternative sites proposed are required and secondly if alternative sites are considered to be required if this site would be included as an allocation. The Councils Statement for not allocating the alternative site heard by examination on 2 May 2017 is available on the Powys County Council website .

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED032.12-PCC_Statement.pdf

I note the proposal is in and close to a number of designated heritage assets namely;

Registered Historic Landscape

Middle Wye Valley within Glasbury sub area.

Scheduled Ancient Monuments

BR321 Coed Y Polyn Round Barrow – designated 16/03/2005

BR350 Glasbury Old Church – designated 06/11/2006

BR351 Aberllynfi Chapel – designated 29/11/2006

BR080 Great House mound and Bailey Castle –

Listed Buildings

Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995

Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995

Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995

Sunday School in Churchyard Cadw ID 17060 incl on statutory list 15/12/1995

Aberllynfi House – Cadw ID 6642 included on the statutory list on 28/09/1961

Historic Environment Records

Adjacent to the site

Church and Churchyard

PRN 16781 – Glasbury Church (LB) PRN16990 Churchyard PRN21076 Glasbury Church

PRN 42010 – Glasbury Church Sunday School (LB) PRN 42012 Hughes Monument (LB)
PRN sundial (LB)

PRN5571 Aberllynfi Church Font

PRN 2564 – Glasbury PRN70788 believed site of battle of Glastibrig in 1095

To East/South East and South

PRN Coed y Polyn Barrow (SAM) PRN 44125 three cocks railway bridge abutments II PRN 11605 Roman Road PRN 78528 Post Medieval Vicarage PRN 5817 – Coed y Polyn Enclosure PRN 11600 Roman Road

To East/North East and North of site

PRN 120781 Glasbury Church (SAM) PRN 41993 Aberllynfi House (LB) PRN 120783 Glasbury Church (St Peter) Hollow PRN 120782 Glasbury Church Enclosure PRN 125603 Glasbury Old Tramway PRN 44124 Three Cocks Railway Bridge I PRN 78525 Pen-Lan Orchard PRN 78520 Glasbury Station PRN 57536 Roman Road

Within Site

PRN 125602 Hereford and Brecon Railway Section PRN 78526 Glasbury School PRN 78527 Coed Y Poly Quarry (disused) (post medieval)

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

The site lies within and adjacent to multiple designations as detailed above. The site lies within the Registered Historic Landscape, adjacent to a number of listed buildings and in proximity of Scheduled Ancient Monuments. There are a number of entries within the Historic Environment Record on the site and adjoining the site.

Historical Value

The site lies within a Registered Historic landscape. Glasbury is an area of great historical value depicting human occupation through millennia. The adjacent Scheduled Ancient Monument to the SE of the site is a barrow which dates from the Bronze Age Barrow BR321. The adjacent road immediately to the East of the school which is now National Cycle Route 8 is a Roman Road

PRN 11600, PRN11605 PRN57536.

The historic core of Glasbury on is the valley floor on Radnorshire side of river. The settlement is attributed to the 7th century with the Clas established by St Cynidr. The Manor of Glasbury was granted to St Peters Church in 1056. After the Norman Conquest new church was erected on site of clas in 1090. The older properties are in the historic core, and the linear development on Brecknock side has been attributed to;

- The improvement of turnpike road between Brecon and Hay in late C18th and early C19th
- The construction of Hay to Brecon tramroad between 1816 and 1818
- The replacement of the Hay to Brecon tramroad by the Hay and Brecon railway in 1862

Aesthetic Value

The site lies within Registered Historic landscape.

The site is an attractive area with trees constructed in line of former railway. The trees and hillside form an important and significant backdrop to listed buildings of the Church of St Cynidr. The area adjacent to Tramroad Cottage is an significant and important buffer between the developed area around Treble Hill which adjacent to river crossing on the turnpike road and St Cynidrs. The site currently provides an area of local distinctiveness with the railway and tramroad distinct from modern development. It is duly noted that the proposal would result in the loss of both Glasbury School and Tramroad Cottages, both indicative of the history of the evolution of Glasbury on the Brecon and Radnor sides of the river. The legibility of the history of the evolution of Glasbury is currently easy to read and understand and the introduction of the housing as indicated on the submitted plans which are of a suburban character would affect the legibility of this historically significant area

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. It is noted that the site is adjacent to a listed church and Sunday school, and the site contains readily visible elements of a school dating from 1816, and a pair of C19thTramroad Cottages.

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.

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 “ . I would also refer to TAN24 and its annexe Setting of Historic Assets in Wales which advises that development proposals should aim to avoid any harmful impact on a historic asset or its setting. A historic asset is defined in TAN 24 as “An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated.”

Powys Unitary Plan policies reflect primary 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".

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.

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.

The Historic Assets have been identified above as;

Registered Historic Landscape

Middle Wye Valley within Glasbury sub area.

Scheduled Ancient Monuments

BR321 Coed Y Polyn Round Barrow – designated 16/03/2005

BR350 Glasbury Old Church – designated 06/11/2006

BR351 Aberllynfi Chapel – designated 29/11/2006

BR080 Great House mound and Bailey Castle –

Listed Buildings

Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995

Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995

Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995

Sunday School in Churchyard Cadw ID 17060 incl on statutory list 15/12/1995

Aberllynfi House – Cadw ID 6642 included on the statutory list on 28/09/1961

A number of entries on the Historic Environment Records within and adjacent to the site.

As Cadw is the statutory consultee on setting of Scheduled Ancient Monuments I shall not comment in this regard.

Cadw 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 or earlier features influenced its location?

- what was its relationship to the surrounding landscape/streetscape?

- was it constructed to take advantage of significant views or to be a part of a significant view? 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 or use changed?

- what changes have happened to the surrounding landscape/streetscape?

- have changes happened because of changes to the historic asset or to its historical setting?

- 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?

- has the presence of the historic asset influenced the character of the surrounding landscape/streetscape?

- 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?

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 to, from and across the historic asset that were designed and developed when the historic asset was first created — for example, in the case of a defensive or ritual structure
- views to, from and across the historic asset which are linked with a time in its history for example, a historic artistic depiction of the site
- important modern views to, from and across the historic asset – for example, popular visitor viewing points.

In respect of the Registered Landscape, I would refer to Cadw guidance “caring for Historic Landscapes” ISBN 1 85760 164 5.

The first page sets out guidance for consideration of historic landscapes,

“Imagine that you have just one piece of paper of which to write everything. You have to reuse it time and time again, rubbing out some words each time in order to add new information. Eventually you end up with a mixture of lines relating to different times and uses; some of the writing will make sense, but some will be fragmentary. Our present landscape is like that. It is a single landscape but, because it has continually undergone change for around 10,000 years and bears the traces of past use and re-use it is also historic. The entire rural and urban landscape of Wales is an historic asset. However, it is also possible to define individual components of the historic environment, small or large, and including those under the ground or under water, that can be identified as specific historic assets. Historic assets, or combinations of historic assets, of any size, including historic buildings, archaeological sites, historic areas or landscapes, need to be understood and managed at different levels for different purposes. Every historic asset also occupies a site which will have natural environmental values as well as heritage values.

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.”

Within Landmap the site is located within a cultural layer classified as outstanding in a fertile valley landscape in the northern foothills of the Black Mountains containing multi-period evidence of human exploitation and classified as being of outstanding historic interest. The historical layer identifies this site as being small and linear and of moderate historic interest. However this small area is surrounded by two areas identified as being of outstanding historical interest;

BRCKNHL687 – Porthamal

BRCKNHL966 – Pipton. Whilst the site is identified as being within BRCKNHL514 that is Three Cocks/Aberllynfi which is classified as moderate, the site is described within Pipton as “it contains an eclectic mix of historic elements ranging from a potential Neolithic cursus monument through a medieval tower and early church sites, a range of post medieval agricultural features and buildings to the line of the Hay and Brecon tramway. A superficially simple modern landscape with a deep and varied history.

The site is within Glasbury area of The Middle Wye registered Landscape which is a small linear area concentrated on the B4350 and Glasbury village itself. The site is mentioned firstly because of the significance of the Church of St Cynidr and St Peter which was erected on the Breconshire side of the river due to the formation of the new civil parish of Glasbury in 1844 which was short lived as it became amalgamated with the new civil parish of Tregoyd and Felindre in 1883. A new church was built on the Radnorshire side of the river in the 1880’s when the new ecclesiastical parish of All Saints Glasbury was created. This short lived ecclesiastical parish explains the location of the listed Church of St Cynidr and St Peter away from the historical settlement. The fact that the history and evolution of the area is readily legible is addressed in the assessment of this area as “Buildings and other structures within the character area clearly reflect its history and development. An early horizon is represented by two half timbered buildings in the nucleated medieval settlement at Glasbury, the Old Vicarage at Glasbury with a 15th-century roof and stone outer walls, and the Tithe Barn in Glasbury, a 15th/16th-century cruck-built building, again with stone walls. Most of the remaining buildings in the area belong to the period following the improvement of the turnpike roads, including a number of gentry houses of the later 18th and earlier 19th centuries,”

The historic assets are multi layered in terms of designations and age, which contributes to the history and character of Glasbury. The village has in the past been affected by political issues with one side of the river being in Radnorshire and the other in Brecknockshire, leading to issues when the 1777 bridge was swept away and a dispute over the rebuilding including the materials and subsequent cost between the two counties. The political issues were also influential in building, with the new church replacing the medieval church damaged by floods being built on the Breconshire side of the river by the patronage of the 14th Viscount Hereford of Tregoyd. The medieval parish was within both Breconshire and Radnorshire until 1832 and the construction of All Saints Church built on the Radnorshire side forming a new parish in 1882.

The location of the rebuilt church away from the medieval core (and prone to flooding) core is acknowledged, as are the transport routes that were located on this side of the river.

It would seem appropriate in this instance to assess the historic assets (with the exception of SAM’s that are considered by Cadw) via designation and not chronologically.

I note the Welsh Governments objectives identified in paragraph 6.2.1 of Planning Policy Wales (9th edition) 2016 which is to “conserve and enhance the historic environment, which is a finite and non-renewable resource and a vital and integral part of the historical and cultural identity of Wales;” and specifically to “conserve areas on the register of historic landscapes in Wales”

It is not considered that the development of the site in the manner proposed would achieve the aims of Welsh Government identified in Planning Policy Wales.

Listed Buildings

The Church, the school room, sundial and monument are all individually listed and form a small cluster of listed buildings with a relationship with each other. The early Victorian Church is described in the listing description as an interesting essay in Norman revival by an eclectic architect (Lewis Vulliamyand as being located in a prominent position. The historic significance for the location of the church away from the village has been noted, and its location is prominent constructed alongside the turnpike road which is now the A438. The Hereford and Brecon Railway Section is located to the east of the Church and is currently well wooded. The land slopes eastwards away from the A438 where the existing trees form a backdrop to the prominently listed church, and the extreme edge of the settlement of Glasbury.

Historic Environment Records

Recent Guidance Historic Records in Wales issued by Cadw ISBN 978 1 4734 8710 9 on 21 April comes into effect on 31 May 2017 and from that date, this authority must have regard for the guidance in the discharge of its functions.

The guidance advises in Paragraph 4.3 that the historic environment records are key sources of information that should be used to support the planning process, including the determination of planning applications. The information held in the historic environment records supports a proper consideration of the impact of a proposal on the historic environment, including advice on schemes to avoid or mitigate any adverse impacts.

Within the site the proposal would result in the demolition of PRN 78526 Glasbury School a building attributed to 1816. This would result in the loss of a building included on the HER, the loss of the former rural school and school masters house and as such a valuable part of the social and cultural history of the area would be demolished.

The proposal also involves the demolition of a pair of C19th properties (now a single property) known as Tram road Cottages. These cottages are accessed via private drive off the unclassified road that serves as an access to the church. These properties contribute towards the understanding of the history of the area and by the demolition of this pair of properties (now a single dwelling), one of the most visible reminders of the historic tram road. Whilst not specifically included in the HER which makes several references to the tram road I am aware of Policy HP11 of the Powys UDP which deals with replacement dwellings. Whilst not a replacement dwelling as such in that this dwelling is proposed for demolition to facilitate the re-development of the site adjacent to the A438 and will as such not directly be replaced by a single dwelling. However I would refer to policy HP11 where proposals to replace existing habitable dwellings will be permitted where they comply with the following criteria:

1. The existing dwelling shall be clearly recognisable as a permanent dwelling under class C3 of the use classes order 1987, as amended, and shall not have been abandoned

2. The proposal will not result in the loss of a building of special architectural and/or historic interest, or local vernacular character. Proposals for the replacement of such dwellings will receive favourable consideration only if the buildings are substantially intact and where they are beyond realistic repair.

3. The replacement dwelling shall lie within or adjacent to the footprint of the original dwelling and any proposed increase in size shall not exceed 15% of the original dwelling unless a change in its orientation, position or size will represent an improvement in terms of highway safety, landscape and visual amenity, its relationship with existing buildings, or in solving a particular problem.

It is considered that the building is of architectural and historic interest and reflects the local vernacular in that it was constructed as a pair of cottages in connection with the Hay to Brecon tramroad

Stage 3 of the recently issued guidance requires an evaluation of the potential impact of a proposed change or development on the settings of historic assets.

The current planning application as submitted excludes the former tramroad and cutting which has extensive tree cover. This results in this area being excluded from any planning conditions relating to restrictions tree felling/retention of trees. If the trees were felled to either afford sunlight to windows or view from properties the setting on the listing of the church by the construction of the properties on the school site would be severally and adversely affected. It is noted that the proposed alternative site did not exclude any elements of the site and the whole site was submitted.

The residential development to the south of the Church is noted, as is the late listing of the Church and it is understood that development of the site commenced prior to the church being listed. However the estate has been well constructed in terms of the listed church with the access road some distance south on the A438 and mature hedging retained alongside the road, which in part screens the development from the church. Nevertheless the impact of the development in such close proximity to the listed church on predominantly undeveloped land indicated on the 1888 map as an orchard is acknowledged. Whilst noting the dwellings that have been constructed between Tramroad Cottage and the Church, which appear to be excluded on the 1903 OS map but included on the 1946 map and have some Edwardian detailing. These dwellings are again well sited back from the road and do not impinge on the rural character of the listed Church and Sunday School.

However the proposed development accessed via the A438 would be visible from the A438 and would visually link this small cluster of buildings with the larger village of Glasbury (on the Breconshire Side) and this would visually remove the church from its current relatively isolated rural location. In addition any improvements onto the A438 as required by highways would be likely to also contribute significantly to the adverse affect that the proposal would have on the character of this area of Registered Historic Landscape and the rural character of the area and the setting of this group of listed buildings.

The development accessed from the A438 would also have an impact on the listed Sunday School in Churchyard of St Cynidr & St Peter Cadw ID 17060 . This building predates the current church and is sited adjacent to the churchyard gate. The proposed access to plots 11,12 and 13 would be accessed via the private road past the existing pair of Edwardian semi's, and the requirements to meet highway standards along this narrow unclassified road would result in alterations to this unclassified road that even if the adjoining landowners permitted the alterations would have an impact on the approach to St Cynidr and St Peters Church and the independently listed Sunday School. The upgrading of the road and the necessary visibility requirements directly adjacent to the churchyard gate would adversely and severely affect the setting of this approach to the church and the Sunday School. I understand that at least one of the home owners has objected to the current planning application. If the required highway access improvements cannot be made then the site in whole or in part would not be deliverable.

Historic Environment Records

There are a number of HERs within and adjoining the site.

Within the site the proposal would result in the demolition of PRN 78526 Glasbury School a building attributed to 1816. This would result in the loss of a building included on the HER, the loss of the former rural school and school masters house and as such a valuable part of the social and cultural history of the area would be demolished.

The impact of the proposal on the Historic Environment Records has not been addressed in the application either in terms of the direct impact on those to be demolished or the setting of those that remain.

In addition to the HER the proposal would remove the pair of C19th properties known as Tram road Cottages. These cottages are accessed via private drive off the unclassified road that serves as an access to the church. These properties contribute towards the understanding of the history of the area and by the demolition of this pair of properties (now a single dwelling), one of the most visible reminders of the historic tramroad.

Conclusion

I acknowledge Powys County Councils statement in respect of the examination of the alternative site which discounts this site as ;

d) A site of this size and scale is not consistent with the Plan's growth apportionment which, in terms of overall dwelling requirement for this settlement over the Plan period, determined a starting point (a pro-rata apportionment) of growth for Glasbury of 21 dwellings.

The site would represent an inappropriate extension of the built form into the open countryside against the Plan's objectives to ensure the most efficient use of land.

e) No access is available for middle or lower parts of the site. The upper part is divorced from the remainder of the settlement. There is insufficient space for road or pathway improvements, which may require third party involvement.

The site as proposed is not suitable due to the substandard nature of the existing U0765 road to the class 1 principal highway. It suffers from poor visibility and is coupled by a poor degree of approach when egressing onto the A438. Part of the site utilises the existing U0765 of which is single track in nature, has no formal turning area and no footpaths any increased use would be to the detriment of highway safety.

A disused tramway and railway runs through the length of the site, so allocation of the site could conflict with LDP Policy T1A. As the site may also contain or be in proximity to buildings of local architectural and/or historic importance a historic building survey would be required. The site has the potential to impact upon the setting of listed buildings.

An ecology survey would also be required and this should focus on the possible use by bats of the mature and isolated deciduous trees across the site.

Whilst not identified as such within the Open Space Assessment it is also understood that part of the site is used as a football pitch by the community.

As this site intrudes into the open countryside this site would contribute towards a perception of ribbon development which could result ultimately in the joining together of Three Cocks and Glasbury.

The lower sites of the planning application are both prominent and highly visible.

The proposed development at the school site would bear no relation to the existing built form of the village and is detached from the proposed development boundary. Furthermore, the distance to local services and bus stops means that a community living on that site would be rather unlikely to make use of local amenities or Public Transport

The majority of the space at the school site is open land which has never had any developed use beyond being a playing field. It is still known locally as “the Common” – having only had its traditional common-land status revoked in the 1990’s in order to secure its use as a playing area.

The extensive developments proposed bear no relation to the location or aspect of the existing buildings on the sites. (It may be observed that renovation or replacement of buildings on the footprints of the current buildings may be more appropriate.

i. Any shortfall in the apportionment of dwelling units in Glasbury has been accommodated in the adjacent settlement of Three Cocks where planning permission has been granted for 39 dwellings. There is therefore no requirement for any additional growth in Glasbury during the plan period

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED032.12-PCC_Statement.pdf

Whilst agreeing with the above statement that the site intrudes into open countryside and would contribute towards a perception of ribbon development which could result ultimately in the joining together of Three Cocks and Glasbury. It is considered that this ribbon development would affect the character of the Registered Historic Landscape and directly affect the legibility of the historic environment. The proposal also would affect the setting of a cluster of listed buildings centred around the Church St Cynidr & St Peter. The proposal

would also directly affect a building on the Historic Environment Record by its demolition and the setting and legibility of other records.

National legislation and guidance and current UDP Policies and emerging LDP policies seek to protect historic assets as detailed above in ; Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Policy Wales paragraphs, 6.4.6 and 6.5.5 (not scheduled archaeology), 6.5.11 (listed buildings) and 6.2.1 (landscapes), in the guidance on Historic Records in Wales that came into effect on 31 May, TAN24 and its annexe Setting of Historic Assets in Wales and Powys Unitary Development Plan Policies Env14, SP3b, and GP1 .

Whilst noting the reference to the current lack of housing land supply issues, and whilst accepting that housing provision is a material consideration, I am minded of 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.” Planning Policy Wales therefore places the primary material consideration to be the special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest.

I am aware of recent appeal decisions in Herefordshire and Gloucestershire where the balance of achieving housing land supply was considered against the legal requirements to have special regard to the desirability of preserving listed buildings, or their setting which were subsequently dismissed in part because of the impact on the setting of the heritage assets.

I would also refer to a recent appeal within Powys where housing was refused on the grounds it would affect the setting of a listed building which was dismissed, and in making the decision the Inspector noted that whilst the setting of the property has been comprised to a degree by modern residential development, nonetheless this cannot justify additional development that would further erode its setting”

The Inspector addresses views of the listed building

“The proposed dwellings would have a significant detrimental impact on the open spacial/visual relationship that has existed for many years and on the historic function and relationship of the land to the listed house; little of the sense of that historic relationship would remain.”

In addressing the housing land supply the Inspector noted that “Clearly the lack of a 5 year supply is a significant material consideration that weighs in favour of the proposal. Technical Advice Note 1: Joint Housing Land Availability Studies 2015 (TAN 1), states that the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with the development plan and national policies. However for the reasons given previously the benefits from the proposal in terms of the contribution to housing land supply do not outweigh the considerable conflict with the development plan and national planning policy which seeks to safeguard heritage assets”

I would therefore wish to OBJECT to P/2017/0236 and would recommend refusal for the following reason.

It is considered that the development of the site in the manner proposed would fundamentally change the character and appearance of this area which lies outside any existing or proposed settlement areas within the Wye Valley Registered Landscape and that the development of this site would severely affect the setting of the Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995 and Sunday School in Churchyard Cadw ID 17060 included on statutory list 15/12/1995 and to a lesser degree the listed buildings within the churchyard that is the Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995

and Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995, by an inappropriate extension of the built form into the open countryside and would contribute towards a perception of ribbon development which could result ultimately in the joining together of Three Cocks and Glasbury. This development would effectively encompassing the rural Church of St Cynidr & St Peter and Sunday School in Churchyard and introducing a more suburban character to this area within a Registered Landscape. As a result of the significant and demonstrable adverse impacts outlined above, it is considered that the proposal is contrary to national legislation and policy in terms of Sections 16 and 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, Paragraphs 6.2.1 and 6.5.11 of Planning Policy Wales 9th edition 2016, TAN24 and its annexe Setting of Historic Assets in Wales and Local Plan Policies Policy SP3b, ENV14 and GP1.

In addition the development as proposed would have a detrimental affect on the records contained within the Historic Environment Record by the demolition of PRN 78526 Glasbury School which is building attributed to 1816. The loss of the former rural school and school masters house and as such a valuable part of the social and cultural history of the area would be demolished. In addition the proposal would remove the pair of C19th properties known as Tram road Cottages.. These properties contribute towards the understanding of the history of the area and by the demolition of this pair of properties (now a single dwelling), one of the most visible reminders of the historic tram road which is recorded in the Historic Environment Record. The historic Environment Records in addition to the Scheduled Ancient Monuments and the designated listed buildings contribute to history and culture of the area which lies within the Registered Historic Landscape of The Wye Valley.

Appendix

Response to the issues raised by Asbri Planning dated 7th June.

Item 1

My original comments

The site intrudes into open countryside and would contribute towards a perception of ribbon development which could result ultimately in the joining together of Three Cocks and Glasbury

Matters raised by Asbri Planning on 7th June

I've attached the UDP proposals map for Glasbury and photoshopped our site on to the plan (see redline). The grey areas denote the proposed units and the remained of the site, shown in green confirms that a large proportion of the application site is to be left undeveloped. You'll note that the proposed development would in fact constitute a logical extension to the settlement, bridging the gap between the northern and southern sections of Glasbury. There are a large number of properties, further south of the application site, located far closer to the settlement of Three Cocks that those proposed as part of this planning application. I attached the UDP proposals map for Three Cocks which confirms where the settlement begins. As such it is not considered that the proposed development would result in joining of Glasbury and Three Cocks. Notwithstanding the fact that the proposals would not result in the conjoining of separate settlements, in terms of the 'perception of ribbon development', this is in fact a key characteristic of settlement in this local landscape (as set out in the Archaeological and Heritage Assessment) where settlement has historically evolved along the communications network, such as roads and railways etc.

Further comments in response to the above

The description of the site used previously "The site intrudes into open countryside and would contribute towards a perception of ribbon development which could result ultimately in the joining together of Three Cocks and Glasbury " was taken directly from the Councils evidence on the allocation of this site as Part of the Local Development Plan Inquiry. This site has been put forward as an alternative site ASN38 which was considered as part of the Local Development Plan Examination on 2 May 2017. The Councils Statement for not allocating the alternative site heard by examination on 2 May 2017 is available on the Powys County Council website .

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED032.12-PCC_Statement.pdf

It is therefore the opinion of the Local Plan Team that the site would result in the joining of Three Cocks and Glasbury.

I would consider that the map submitted on 7th June illustrates this point in that whilst noting that there will be an area to the north undeveloped, the gap between the development of Glasbury close to the bridge and the houses to the south of the Church of St Cynidr & St Peter would be dramatically reduced thereby visually joining the 2 areas. I would therefore agree with the conclusions of our Local Plan Team.

It is noted that this area of Glasbury was formed on a linear route firstly along the turnpike road between Brecon and Hay in late C18th and early C19th, then along the Hay to Brecon tramroad between 1816 and 1818, and subsequently the Hay and Brecon railway in 1862. However that linear development was of a much lesser scale to serve the routes of transport and is described in Landmap in Historic Landscape layer BRCKNHL514 as a "straggling linear settlement which, although it contains the C18th replacement for the destroyed medieval Glasbury Church and abuts Gwerynfed Park is largely a C18th and C19th roadside/railway settlement".

Whilst accepting that this area has evolved as a linear development albeit straggling, and it is acknowledged that there has been some more modern development, it is noted that since the development of this area as a linear development alongside the turnpike road and railway the

site has been included in a Registered Historic Landscape and a number of buildings have been included on the statutory list.

Whilst noting the recent evidence submitted I would not wish to revise my comments in this regard and would accept the conclusions made by the Policy Team in their assessment of the site for inclusion in the Local Development Plan.

Item 2

My original comments

The proposal also would affect the setting of a cluster of listed buildings centred around the Church St Cynidr & St Peter.

Matters raised by Asbri Planning on 7th June

CADW are yet to respond to the formal planning application however they did respond to the application during the PAC process and I have no reason to believe that their view on the proposal would change – see response attached. I have also attached a copy of CPATs formal response to the planning Application. CADW have no objection to the application, and concur with the findings of the accompanying Archaeological and Heritage Assessment (prepared by EDP) that the heritage significance of these assets would in no way be adversely affected by the form of development proposed within the application site, either in terms of an effect on their physical form/fabric or through change to the contribution made by their setting. CPAT requested a couple of conditions requesting building recording and a watching brief of the Tramroad Cottages. It should be noted that it is now proposed to retain the original Tramroad cottages as per the attached layout (rev D). It is considered that the advised conditions would no longer be necessary however the applicant would welcome such conditions if still required.

Further comments in response to the above

I note Cadws comments in respect of the pre-application process. However this assessment is made in respect of the Scheduled Ancient Monuments only. It is Cadw's role to comment on setting of; Scheduled Ancient Monuments. A registered Park and Garden or its setting or a World Heritage Site. However, my comments were in relation to the listed buildings which is for the Local Planning Authority to consider. TAN24 clarifies the legislation in paragraph 1.24 "It is for the local planning authority to consider the effects of proposed developments within the settings of listed buildings, conservation areas, unscheduled monuments of national importance and other undesignated historic assets."

My comments are in relation to the setting of listed buildings and other undesignated historic assets only and as such I would not wish to revise my comments in this regard.

I note the amendments included in revision D in respect of the retention of Tramroad Cottages which are welcomed. I also note the revised access layout which suggest that a modified access to serve close to the churchyard gates is no longer required which is also welcomed. However it is not clear from the plans if this is the case and clarification on this matter would be appreciated.

TAN24 advises (paragraph 1.19) that “Designated and registered historic assets form only a small part of the wider historic environment. The most accessible and comprehensive information on all known archaeological sites, historic buildings and other components of the historic landscape is to be found in the historic environment records (HERs).”

Historic Asset is described in TAN24 (page 46) as “An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated.” Whilst noting that Tramroad Cottages are not listed as such not designated as a national important historic asset, it is an identifiable component of the historic environment. The recently published advice on setting of Historic Assets in TAN 24 and its accompanying annexe Setting of Historic Assets can therefore be applied to this historic asset.

Item 3

My original comments

The proposal would also directly affect a building (Tramroad cottages and the former Glasbury School) on the Historic Environment Record by its demolition and the setting and legibility of other records

Matters raised by Asbri Planning on 7th June

As above, it is no longer proposed to demolish the existing Tramroad Cottages or develop on this section on the site (middle section). With regards to the former Glasbury school, the Archaeological and Heritage Assessment confirms that the “demolition of the heavily modified former National School building, which no longer has any viable use, will comprise the loss of a heritage asset of no more than local importance that has previously been ‘mutilated’ by successive extensions and modifications to its fabric”. It should be noted that the school is not listed and is not located within a Conservation Area and neither is it designated at a local level. With regards to the impact on the setting and legibility of other records, CADW concur that “intervening topography and vegetation will block views between the development and scheduled monuments and therefore there will be no impact on the settings of these monuments”.

Further comments in response to the above

I note that Glasbury School is not listed not in a conservation area however I did not suggest that it held either designation, and that neither has it been designated at a local level. For clarification Powys County Council have not yet produced a list of Local Historic Assets, and as such the fact that it is not on such a list is a reflection that one has not yet been produced rather than the building was excluded from such a list. Should a list of Local Historic Assets be produced, the list would form part of the Historic Environment Record.

For further clarification Cadws comments are in respect of the intervisibility between Sscheduled Ancient Monuments and the setting of Scheduled Ancient Monuments.

The former school and school house are on the Historic Environment Record. To accompany TAN24 Cadw issued guidance on the Historic Environment Records in Wales : Compilation and Use.

The guidance directs Local Planning Authorities to take account of the information held

in the historic environment records in the determination of planning applications. TAN24 advises (paragraph 1.19) that “Designated and registered historic assets form only a small part of the wider historic environment. The most accessible and comprehensive information on all known archaeological sites, historic buildings and other components of the historic landscape is to be found in the historic environment records (HERs).”

Historic Asset is described in TAN24 (page 46) as “An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated.” Whilst noting that the school is not listed as such not designated as a national important historic asset, it is an identifiable component of the historic environment as recorded in the Historic Environment Record. The recently published advice on setting of Historic Assets in TAN 24 and its accompanying annexe Setting of Historic Assets can therefore be applied to this historic asset.

Whilst noting the recent evidence submitted I would not wish to revise my comments in this regard.

Additional Correspondence 1st November 2017-

Following my comments dated 16 June and the subsequent meeting with the applicant and their agents I would wish to provide the following updated comments.

I am aware that the site has been put forward as an alternative site ASN38 which was considered as part of the Local Development Plan Examination on 2 May 2017. The Examination is still in progress and as such the Inspector has not determined, firstly, if any alternative sites proposed are required and secondly if alternative sites are considered to be required if this site would be included as an allocation. The Councils Statement for not allocating the alternative site heard by examination on 2 May 2017 is available on the Powys County Council website .

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED032.12-PCC_Statement.pdf

I note the proposal is in and close to a number of designated heritage assets namely;

Registered Historic Landscape
Middle Wye Valley within Glasbury sub area.

Scheduled Ancient Monuments
BR321 Coed Y Polyn Round Barrow – designated 16/03/2005
BR350 Glasbury Old Church – designated 06/11/2006
BR351 Aberllynfi Chapel – designated 29/11/2006
BR080 Great House mound and Bailey Castle –

Listed Buildings

Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995
Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995
Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995
Sunday School in Churchyard Cadw ID 17060 incl on statutory list 15/12/1995
Aberllynfi House – Cadw ID 6642 included on the statutory list on 28/09/1961

Historic Environment Records

Adjacent to the site

Church and Churchyard

PRN 16781 – Glasbury Church (LB)
PRN16990 Churchyard
PRN21076 Glasbury Church
PRN 42010 – Glasbury Church Sunday School (LB)
PRN 42012 Hughes Monument (LB)
PRN sundial (LB)
PRN5571 Aberllynfi Church Font
PRN 2564 – Glasbury
PRN70788 believed site of battle of Glastibrig in 1095

To East/South East and South

PRN Coed y Polyn Barrow (SAM)
PRN 44125 three cocks railway bridge abutments II
PRN 11605 Roman Road
PRN 78528 Post Medieval Vicarage
PRN 5817 – Coed y Polyn Enclosure
PRN 11600 Roman Road

To East/North East and North of site

PRN 120781 Glasbury Church (SAM)
PRN 41993 Aberllynfi House (LB)
PRN 120783 Glasbury Church (St Peter) Hollow
PRN 120782 Glasbury Church Enclosure
PRN 125603 Glasbury Old Tramway
PRN 44124 Three Cocks Railway Bridge I
PRN 78525 Pen-Lan Orchard
PRN 78520 Glasbury Station PRN 57536 Roman Road

Within Site

PRN 125602 Hereford and Brecon Railway Section
PRN 78526 Glasbury School
PRN 78527 Coed Y Poly Quarry (disused) (post medieval)

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

The site lies within and adjacent to multiple designations as detailed above. The site lies within the Registered Historic Landscape, adjacent to a number of listed buildings and in proximity of Scheduled Ancient Monuments. There are a number of entries within the Historic Environment Record on the site and adjoining the site.

Historical Value

The site lies within a Registered Historic landscape which is mentioned solely to illustrate the historical character of the area and the historic assets within. Glasbury is an area of great historical value depicting human occupation through millennia. The adjacent Scheduled Ancient Monument to the SE of the site is a barrow which dates from the Bronze Age Barrow BR321. The adjacent road immediately to the East of the school which is now National Cycle Route 8 is a Roman Road PRN 11600, PRN11605 PRN57536.

The historic core of Glasbury on is the valley floor on Radnorshire side of river. The settlement is attributed to the 7th century with the Clas established by St Cynidr. The Manor of Glasbury was granted to St Peters Church in 1056. After the Norman Conquest new church was erected on site of clas in 1090. The older properties are in the historic core, and the linear development on Brecknock side has been attributed to;

- The improvement of turnpike road between Brecon and Hay in late C18th and early C19th
- The construction of Hay to Brecon tramroad between 1816 and 1818
- The replacement of the Hay to Brecon tramroad by the Hay and Brecon railway in 1862

Aesthetic Value

The site is an attractive area with trees constructed in line of former railway. The trees and hillside form an important and significant backdrop to listed buildings of the Church of St Cynidr. The area adjacent to Tramroad Cottage is an important and important buffer between the developed area around Treble Hill which adjacent to river crossing on the turnpike road and St Cynidrs. The site currently provides an area of local distinctiveness with the railway and tramroad distinct from modern development. It is duly noted that the proposal would result in the loss of Glasbury School indicative of the history of the evolution of Glasbury on the Brecon and Radnor sides of the river. The legibility of the history of the evolution of Glasbury is currently easy to read and understand and the introduction of the housing as indicated on the submitted plans which are of a suburban character would affect the legibility of this historically significant area

Communal Value

The fourth 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. It is noted that the site is adjacent to a listed church and Sunday school, and the site contains readily visible elements of a school dating from 1816, and a pair of C19th Tramroad Cottages.

I would refer to TAN24 and its annexe Setting of Historic Assets in Wales which advises that development proposals should aim to avoid any harmful impact on a historic asset or its setting. A historic asset is defined in TAN 24 as "An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated."

Powys Unitary Plan policies reflect primary national legislation and guidance; Powys Unitary Development Plan 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”.

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.

Cadw have prepared guidance on the setting of historic assets that in an annexe to TAN24 with advice on how to assess the setting of 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.

The Historic Assets have been identified above as;

Scheduled Ancient Monuments

BR321 Coed Y Polyn Round Barrow – designated 16/03/2005

BR350 Glasbury Old Church – designated 06/11/2006

BR351 Aberllynfi Chapel – designated 29/11/2006

BR080 Great House mound and Bailey Castle –

Listed Buildings

Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995

Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995

Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995

Sunday School in Churchyard Cadw ID 17060 incl on statutory list 15/12/1995

Aberllynfi House – Cadw ID 6642 included on the statutory list on 28/09/1961

A number of entries on the Historic Environment Records within and adjacent to the site.

Cadw 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 or earlier features influenced its location?

- what was its relationship to the surrounding landscape/streetscape?

- was it constructed to take advantage of significant views or to be a part of a significant view? 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 or use changed?
 - what changes have happened to the surrounding landscape/streetscape?
 - have changes happened because of changes to the historic asset or to its historical setting?
 - 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?
 - has the presence of the historic asset influenced the character of the surrounding landscape/streetscape?
 - 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?

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 to, from and across the historic asset that were designed and developed when the historic asset was first created — for example, in the case of a defensive or ritual structure
- views to, from and across the historic asset which are linked with a time in its history for example, a historic artistic depiction of the site
- important modern views to, from and across the historic asset – for example, popular visitor viewing points.

Cadw are the consultee responsible for commenting on the setting of Scheduled Ancient Monuments and as such the historic assets I shall be considering are;

Listed Buildings

The Church, the school room, sundial and monument are all individually listed and form a small cluster of listed buildings with a relationship with each other. The early Victorian Church is described in the listing description as an interesting essay in Norman revival by an eclectic architect (Lewis Vulliamy and as being located in a prominent position. The historic significance for the location of the church away from the village has been noted, and its location is prominent constructed alongside the turnpike road which is now the A438. The Hereford and Brecon Railway Section is located to the east of the Church and is currently well wooded. The land slopes eastwards away from the A438 where the existing trees form a backdrop to the prominently listed church, and the extreme edge of the settlement of Glasbury.

Historic Environment Records

Recent Guidance Historic Records in Wales issued by Cadw ISBN 978 1 4734 8710 9 on 21 April comes into effect on 31 May 2017 and from that date, this authority must have regard for the guidance in the discharge of its functions.

The guidance advises in Paragraph 4.3 that the historic environment records are key sources of information that should be used to support the planning process, including the determination of planning applications. The information held in the historic environment records supports a proper consideration of the impact of a proposal on the historic environment, including advice on schemes to avoid or mitigate any adverse impacts.

Within the site the proposal would result in the demolition of PRN 78526 Glasbury School a building attributed to 1816. This would result in the loss of a building included on the HER, the loss of the former rural school and school masters house and as such a valuable part of the social and cultural history of the area would be demolished.

The third Stage of the recently issued guidance requires an evaluation of the potential impact of a proposed change or development on the settings of historic assets.

The development site is in 2 parts, the lower site accessed via the A438 for the erection of 5 new houses and the retention of Tramroads Cottages and the higher site on the site of the Old School which is on the Historic Environment Record PRN 78526. I shall comment on each site individually.

Tramroad Cottage site accessed via the A438

The residential development to the south of the Church is noted, as is the late listing of the Church and it is understood that development of the site commenced prior to the church being listed. However the estate has been well constructed in terms of the listed church with the access road some distance south on the A438 and mature hedging retained alongside the road, which in part screens the development from the church. Nevertheless the impact of the development in such close proximity to the listed church on predominantly undeveloped land indicated on the 1888 map as an orchard is acknowledged. Whilst noting the dwellings that have been constructed between Tramroad Cottage and the Church, which appear to be excluded on the 1903 OS map but included on the 1946 map and have some Edwardian detailing. These dwellings are again well sited back from the road and do not impinge on the rural character of the listed Church and Sunday School.

However the proposed development accessed via the A438 would be visible from the A438 and would visually link this small cluster of buildings with the larger village of Glasbury (on the Breconshire Side) and I note the comments made by the Policy Team when discounting this site as an alternative site ASN38 and would have no reason to disagree with their findings.

In respect of the lower site which is accessed via the A438, I appreciate the efforts made to remove the development away from the cluster of listed buildings at the church and especially the listed Sunday School in Churchyard of St Cynidr & St Peter Cadw ID 17060 . The reduction in numbers of new build from 8 to 5, and the retention of Tramroad Cottages, has resulted in a revision to the access which removes the new access from the Church gates and the Sunday School.

I would therefore wish to remove my objections to the lower portion of the site in respect of the setting of the listed Sunday School and church gate.

The proposal previously included the demolition of a pair of C19th properties (now a single property) known as Tram road Cottages. However the proposal now includes their retention. I would therefore withdraw my objection on the loss of Tramroad Cottages. I understand that these cottages are to be placed on the Historic Environment Record.

The plan as submitted indicates that 2 dwellings will be constructed in front of Tramroad Cottages, which are now included on the Historic Environment Record. I appreciate that this plan is indicative only and that the reserved matters application may afford better views of Tramroad Cottages than the submitted plan. I also acknowledge the mature trees on the site which are to be retained and also provide a constraint for the location of new development. Whilst it would have been preferable for the indicative plan to provide more assurance in respect of the visual impact the proposal would have of Tramroad Cottages, I acknowledge that this can be addressed at reserved matters stage and if the development is considered acceptable in all other respects, I would not wish to maintain my objections on the proposed 5 new houses accessed via the A438, however would request that care is taken at reserved matters stage.

The School site

The proposal relates to the demolition of the school and the erection of 10 properties on the school site.

The current planning application as submitted excludes the former tramroad and cutting which has extensive tree cover. This results in this area being excluded from any planning conditions relating to restrictions tree felling/retention of trees. If the trees were felled to either afford sunlight to windows or view from properties the setting on the listing of the church by the construction of the properties on the school site would be severally and adversely affected. It is noted that the proposed alternative site did not exclude any elements of the site and the whole site was submitted.

There are a number of HERs within and adjoining the site. The former school and school house are on the Historic Environment Record. To accompany TAN24 Cadw issued guidance on the Historic Environment Records in Wales : Compilation and Use.

The guidance directs Local Planning Authorities to take account of the information held in the historic environment records in the determination of planning applications. TAN24 advises (paragraph 1.19) that “Designated and registered historic assets form only a small part of the wider historic environment. The most accessible and comprehensive information on all known archaeological sites, historic buildings and other components of the historic landscape is to be found in the historic environment records (HERs).”

Historic Asset is described in TAN24 (page 46) as “An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building or area, historic park and garden or a parcel of historic landscape. Nationally important historic assets will normally be designated.” Whilst noting that the school is not listed as such not designated as a national important historic asset, it is an identifiable component of the historic environment as recorded in the Historic Environment Record.

Section 3.25 of the Guidance on Historic Environment Records in Wales: Compilation and use which came into effect on 32 May 2017, identifies that “The majority of historic assets

within a local authority's area do not have statutory protection. However they all contribute to its historic archaeological or architectural character and they might be of national regional or local importance."

Paragraph 4.3 of the document advises on informing Development Management Decisions and confirms that " The historic environment records are key sources of information that should be used to support the planning process, including the determination of planning applications. The information held in the historic environment records supports a proper consideration of the impact of a proposal on the historic environment, including advice on schemes to avoid or mitigate any adverse impacts". The advice is that Local Planning Authorities should take account of the information held in the historic environment records in the determination of planning applications".

The proposal would result in the demolition of PRN 78526 Glasbury School a building attributed to 1816. This would result in the loss of a building included on the HER, the loss of the former rural school and school masters house and as such a valuable part of the social and cultural history of the area would be demolished.

I acknowledge Powys County Councils statement in respect of the examination of the alternative site as detailed in my previous responses and would not disagree with their conclusion in respect of this portion of the site.

Whilst acknowledging the efforts made to overcome my objections on the lower site that is the Tramroad Cottage site accessed via the A438 and as such I am not maintaining my objections to that portion of the application site. However the development of the upper site would result in the loss of a rural school attributed to 1816 which is included on the Historic Environment Record. In addition given its location above the Church of St Cynidr an St Peter, the development of the southern element of the site has the potential to severely affect the setting of the listed church. However it is acknowledged that this aspect could be addressed fully at reserved matters stage.

I would therefore wish to maintain my objection to this element of the proposal in respect of the loss of the School building and if the development of this portion of land is considered acceptable on all other grounds I would wish to see the school retained and respected in any adjoining development.

Additional Correspondence received 7th February 2018-

Thank you for consulting me on the amended plans dated 6th February 2018.

I have previously objected to the application on 2nd March and 16 June 2017, and upon receipt of amended plans on the Tramroad Cottages site which alleviated my concerns in respect of the impact of the access on the listed Church and Sunday school and the retention of Tramroad cottages I withdrew my objection in my response dated 01 November 2017 to that portion of the site but maintained my objections to the former Glasbury School site. The recent amended plans seek to address those concerns, and as an assessment of the historic significance of the sites has been made in my previous three comments rather than repeat them here I would be grateful if they could be considered as appendixes to these comments.

The development site is in 2 parts, the lower site accessed via the A438 for the erection of 5 new houses and the retention of Tramroads Cottages and the higher site the proposal was originally for the demolition of the Old School which is on the Historic Environment Record PRN 78526 and for the erection of 10 houses. I note that the amended plans received on 6 February allow for the retention of The Old School and for the erection of 7 new houses, five detached and a pair of semi-detached properties.

I had previously objected to the demolition of PRN 78526 Glasbury School and school masters house a building attributed to 1816 and as such a valuable part of the social and cultural history of the area would be demolished. However I note that the proposal now includes the retention of the school and schoolmasters house and as such . I would therefore withdraw my objection to the proposal on the loss of Glasbury School and school masters house.

I would therefore have no objection to the proposal on built heritage grounds however would request that care is taken at reserved matters stage in respect of siting (in respect of Tramroad Cottages) design and materials.

Representations

55 letters of public representations have been received at the time of writing this report. The letters can be summarised as follows:

- Sewerage Capacity
- Highway Safety Concerns
- Impact on Landscape
- Impact on Residents
- Drainage
- Loss of playing fields
- Impact on Tourism
- Loss of Community Facility
- Setting of Listed Building
- Ribbon Development
- Wildlife Conservation concerns
- No requirement for additional housing in this area
- Development too large for the area

Planning History

N/A

Principal Planning Constraints

Public Right of Way
Historic Landscapes Register

Principal Planning Policies

National Policies

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 1 – Joint Housing Land Availability Studies (2015)
Technical Advice Note 2 – Planning and Affordable Housing (2006)
Technical Advice Note 5- Nature Conservation and Planning (2009)
Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
Technical Advice Note 11- Noise (1997)
Technical Advice Note 12 – Design (2016)
Technical Advice Note 15- Development and Flood Risk (2004)
Technical Advice Note 18 – Transport (2007)
Technical Advice Note 20- Planning and the Welsh Language (2017)
Technical Advice Note 23 – Economic Development (2014)
Technical Advice Note 24 – The Historic Environment (2017)

Welsh Government Practice Guidance: Planning for Sustainable Buildings (2014)

Welsh Government Circular 016/2014: The Use of Conditions

Welsh Office Circular 10/99: Drainage

Local Policies

Unitary Development Plan (March 2010)

SP3 – Natural, Historic and Built Heritage
SP5 – Housing Developments
SP14- Development in Flood Risk Areas
GP1 – Development Control
GP3 – Design and Energy Conservation
GP4 – Highway and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV3 – Safeguarding Biodiversity and Natural Habitats
ENV17- Ancient Monuments and Archaeological Sites
ENV18- Development Proposals Affecting Archaeological Sites
HP3 – Housing Land Availability
HP4 – Settlement Development Boundaries and Capacities
HP6 – Dwellings in the Open Countryside
HP9 – Affordable Housing in Rural Settlements
HP10 – Affordability Criteria
RL6- Rights of Way and Access to the Countryside
RL7- Long Distance Rights of Way
TR2- Tourist Attractions and Development Areas
DC9- Protection of Water Resources
DC10- Mains Sewage Treatment
DC11 – Non-Mains Sewage Treatment
DC13 – Surface Water Drainage
DC14- Flood Prevention Measures
DC15- Development on Unstable or Contaminated Land

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

Powys Residential Design Guide (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

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

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

The application site is located outside of the settlement development limits as defined by the Powys Unitary Development Plan (2010). 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 as a departure.

Housing Land Supply

The departure is being justified by the applicant on the basis that Powys County Council does not have a 5 year housing land supply.

Paragraph 9.2.3 of Planning Policy Wales states that '*Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan.*'

The latest Powys Joint Housing Land Availability Study (JHLAS) 2016 states that there was 2.2 years supply of housing land in the Powys Local Planning Authority (LPA) area. Failure to

have a 5-year housing land supply is an important material consideration that should be taken into account when determining this scheme. Technical Advice Note 1: Joint Housing Land Availability Studies (2015) states as follows:

“The housing land supply should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement or where the local planning authority has been unable to undertake a study, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies”.

Whilst TAN 1 confirms that the need to increase housing land supply should be given considerable weight, it is emphasised that this is only where the development would otherwise comply with development plan and national planning policies.

Sustainability

When providing additional housing it is important to consider whether the scheme can be considered to be sustainable development. This can relate to a wide range of matters including public transport provision and access to education, employment opportunities and other services.

The site itself is located adjoining the settlement development boundary for Glasbury which is allocated as a large village under the Unitary Development Plan. Glasbury itself is a split settlement with two development boundaries. The proposed site is located adjoining the southern area of the settlement in-between the two development boundary sites.

As a large village Glasbury has a number of services including St Peter’s Church and Hall, Riverside Restaurant, Garage (Filling Station, Shop & Post Office) and a Public House. It is also noted that Three Cocks and Hay-on-Wye are both within 4km of the application site.

Given the services available within close proximity to the application site it is considered that the development is sustainable.

Scale, Design and Appearance

UDP policy HP5 (Residential Development) indicates that development proposals will only be permitted where the scale, form and appearance of the development generally reflects the character and appearance of the existing settlement.

Although Officers acknowledge that matters relating to appearance, layout and scale have been reserved for future consideration, on the basis of the plans provided, it is considered that the application site is capable of accommodating the dwellings without unacceptably adversely affecting the character and appearance of the area or amenities enjoyed by occupants of neighbouring properties compliant with UDP policies SP5, GP1, GP3, ENV2 and HP5.

Amenity

Policy GP1 of the Powys Unitary Development Plan states that the amenities enjoyed by the occupants of nearby neighbouring properties should not be unacceptably affected by development proposals and the proposal should complement and where possible enhance the character of the surrounding area.

Based on the distances involved as indicated on the indicative layout it is considered that the proposed development would not be seen as having an impact on the amenity of the neighbouring residential property by either loss of light or privacy.

Therefore, whilst the layout is for indicative purposes only it is considered that the layout indicated is considered to be appropriate and would provide ample space for the proposed dwellings to be developed without compromising the amenity of neighbouring residential properties and therefore comply with policy GP1 and GP3 of the Powys Unitary Development Plan 2010.

Landscape and Visual Impact

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

Whilst the site would be visible from public vantage points including the public highways, taking into account the location of the application site which is adjacent to existing residential development and adjoining the settlement development boundary for Glasbury it is considered that the visual impact and the proposed scale of the dwellings, it is considered that a satisfactory detailed design could come forward to reflect the overall character and appearance of the settlement and surrounding area.

In light of the above, it is considered that the proposed development complies with policy ENV2 of the Powys Unitary Development Plan 2010.

Agricultural Land Classification

Following consideration of information supplied by Welsh Government through the Provision of Agricultural Land Classification due regard has been given to the classification afforded to the application site. The site in question has been indicated as 3b and 4; this is defined as poor quality agricultural land.

Planning Policy Wales (PPW) paragraph 4.10 outlines national policy towards conserving Wales' Best and Most Versatile (BMV) agricultural land. PPW states that;

“In the case of agricultural land, land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future. In development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a

landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.”

In light of the lands classification of 3b and 4 it is considered that the proposed development on this agricultural land is justified in respect of the current housing land supply shortage within the county.

Built Heritage

The Built Heritage Officer has been consulted on the proposed development and noted that the proposal is in and close to a number of designated heritage assets namely:

Registered Historic Landscape- Middle Wye Valley within Glasbury sub area;
A number of Historic Environment Records within and adjoining the application site; and
Listed Buildings namely:

- Church of St Cynidr & St Peter Cadw ID 17059 included on statutory list 15/12/1995
- Sundial in Churchyard of St Cynidr & St Peter Cadw ID 17061 inc on statutory list 15/12/1995
- Hughes Monument in Churchyard Cadw ID 17062 inc on statutory list 15/12/1995
- Sunday School in Churchyard Cadw ID 17060 incl on statutory list 15/12/1995
- Aberllynfi House – Cadw ID 6642 included on the statutory list on 28/09/1961

A number of concerns were made from the Built Heritage officer which has resulted in both the Tramroad existing cottages and Glasbury School building being now retained as part of the proposed scheme. In light of the retention of these two schemes and that also careful consideration is given at the time of the reserved matters to ensure the layout would not unacceptable impact on the setting of these HER buildings the Built Heritage officer has confirmed that she has no objection to the proposed development.

Public Right of Way

A number of concerns have been made over the potential impact on the public right of way which runs through the lower portion of the site and also the loss of the old Tramroad line. It is noted that as part of the proposed development both of these areas are to be retained and would not be impacted on by the proposed development. The old Tramroad line itself in-fact does fall outside of the application site.

However, to ensure the developer is made aware of the features an informative will be attached to any grant of consent.

Affordable Housing

Latest evidence produced to support the Local Development Plan indicated that a 30% affordable housing in this area would be viable. In light of the above and therefore in support

of the application a condition will be attached to any grant of consent securing 30% affordable housing.

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.

Policy GP5 indicates certain settlements where the Welsh Language has been identified as being important to the social, cultural and community fabric. Glasbury is not identified as being one of those settlements under GP5. However, it is considered that Welsh Language is a material consideration across the County.

From the 2011 census for the Glasbury community area the percentage of those aged 3 and above able to speak Welsh has decreased slightly by 0.1% since the 2001 census data (2011- 9.3% and 2001- 9.4%)

In light of the above and given the scale of the proposed development it is considered that the proposal will therefore not have an unacceptable adverse impact upon Welsh language and culture.

Biodiversity

The Council acknowledges the need to protect biodiversity from adverse development through careful monitoring, maintenance and the protection of habitats and species worthy of conservation. Therefore the nature conservation policies in the UDP seek to safeguard and enhance biodiversity, and these objectives are also echoed in national policy (TAN5 and Planning Policy Wales).

NRW and the Powys Ecologist have been consulted and it was noted that concerns were raised from NRW in relation to the information submitted.

Additional information was received by way of Pollution Prevention Plan and a Dormouse Mitigation Strategy. NRW have been re-consulted but no further comments have been received at the time of writing this report. An update will therefore be provided to Members prior to the committee meeting.

Contaminated Land

NRW have noted that the application was previously used as a disused tram and railway corridor. Which means that the site has the potential to be affected by contaminated. Given the proximity to the River Wye SAC and Afon Lynfi Site of SSSI they therefore consider the site to be environmentally sensitive.

NRW have recommended that consent only be granted to the proposed development as submitted subject to a number of conditions being imposed as set out within their correspondence. In light of the above and therefore subject to the recommended conditions

being attached to any grant of consent that the proposed development can be managed to an acceptable level and therefore fundamentally complying with relevant planning policy.

Public Representations

A number of public representations have been received at the time of writing this report. Whilst it is considered that a number of the issues raised have been addressed within the report above there are a number of issues still outstanding which can be addressed as follows:

- Drainage/Sewerage

Concerns have been raised over the drainage of the application site. Welsh Water have been consulted and have confirmed that they have no objections to the proposed development subject to an appropriate worded condition securing drainage details prior to the commencement of development.

Subject to the condition being attached to any grant of consent it is considered that the proposed development can be managed to an acceptable level.

- Loss of Community Facility

Concerns have been raised over the loss of the Old Glasbury School which is a community facility. Amended plans have now been received which highlights that the old school building is now to be retained as part of the proposed development.

- Loss of playing facilities

Concerns have been raised over the loss of the school playing fields. It is noted that as part of the proposed development a community play/ open space will be provided. The retention and maintenance of this area will be subject to a Section 106 legal agreement.

- Flood Zone

The application site is located outside of any designated flood zone area as defined by TAN 15- Development Advice Maps.

RECOMMENDATION

Whilst a departure from the development plan, the provision of housing is on balance 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 consent subject to the signing of a Section 106 legal agreement to secure the provision of recreational/outdoor space compliant with Field in Trust standards within 3 months from the date of this meeting or otherwise delegation be given to the Lead Professional to determine the application as appropriate.

Conditions

1. Details of the 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 strictly in accordance with the plans stamped as approved on (drawing no's:).
5. No development shall commenced on the development site covering plots 1-10 until 2 passing bays are constructed along the C0072 county highway in locations to be agreed in writing by the Local Planning Authority. The passing bays shall be constructed up to adoptable standard prior to any works being commenced on the development site covering plots 1-10.
6. No other development shall commence on plots 1-5 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 60 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.
7. No other development shall commence on plots 6-10 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 60 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.
8. Upon formation of the visibility splays as detailed in conditions 2 & 3 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.
9. Before any other development is commenced on plots 1-10 the respective 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 5.5 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.
10. Entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be 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.
11. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 5.5 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.

12. The width of the access carriageway, constructed as Condition 11 above, shall be not less than 5 metres for a minimum distance of 5.5 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.

13. Prior to the occupation of the dwellings the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

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

15. No development shall commence on plots 11-15, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall include provision for: traffic management measures covering the works required to provide the northern visibility splay along the A438; traffic management measures covering the works required to provide the road widening and provision of footway along the U0765 county highway; the parking arrangements for site personnel and visitors to the site during the construction period.

16. No other development shall commence on plots 11-15 until detailed highway engineering drawings covering the A438 Junction realignment, footway provision and road widening along the U0765 county highway have been submitted to and approved in writing by the local planning authority. The proposals shall include detailed cross sections through the widened section of the highway adjacent to the boundary of the site and details on the method and types of construction to be used. Subsequent development shall thereafter be carried out in accordance with the approved details of construction and shall be duly constructed prior to any works being commenced on plots 11-14

17. No other development shall commence on plots 11-15 until the A438 junction has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 160 metres distant in a northerly direction measured from the centre of the access along the edge of the adjoining A438 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

18. Upon formation of the visibility splays as detailed in condition 17 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.

19. No other development shall commence on plots 11-15 until the access to the proposed site has been constructed so that there is a clear visibility splay from a point 1.05 metres above ground level at the centre of the junction 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 25 metres distant in in each direction measured from the centre of the access along the edge of the adjoining U0765 county highway. Nothing shall be planted, erected or allowed to grow on the area 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.

20. Upon formation of the visibility splays as detailed in condition 19 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.

21. Before any other development is commenced on plots 11-15 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 5.5 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.

22. Prior to the commencement of development full drainage details for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter must be implemented in accordance with the details as approved prior to the first use of the site.

23. 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 30% 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.

24. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours: 0800-1800 Monday till Friday, 0800-1300 hrs Saturday and at no time on Sunday and Bank Holidays.

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

25. Prior to the commencement of development a Construction Method Statement and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter must be completed in full accordance with the details as approved.

26. No burning of any waste is permitted within the application site.

27. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme thereafter shall be implemented as approved.

28. Prior to commencement of development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

29. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

30. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

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 the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

6. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

7. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

8. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

9. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

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. To safeguard the public sewerage system and reduce the risk of surcharge flooding and in accordance with policies GP1 and DC13 of the Powys Unitary Development Plan.
23. 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).
24. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
25. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
26. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
27. In order to manage the risk of contamination to an acceptable level, in accordance with guidance contained within policy DC15 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (Edition 8, 2016).
28. In order to manage the risk of contamination to an acceptable level, in accordance with guidance contained within policy DC15 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (Edition 8, 2016).
29. In order to manage the risk of contamination to an acceptable level, in accordance with guidance contained within policy DC15 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (Edition 8, 2016).
30. In order to manage the risk of contamination to an acceptable level, in accordance with guidance contained within policy DC15 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (Edition 8, 2016).

Informative Notes

During demolition and construction (including soil movement and landscaping activities) the contractor shall take all reasonable steps to prevent dust formation from dusty activities and any dust formed shall be prevented leaving the site by continuous watering down.

Public Right of Way

The Public Right of Way must at all times during construction be left unobstructed and free to use at all time.

Case Officer: Gemma Bufton- Principal Planning Officer
Tel: 01597 827505 E-mail: gemma.bufton1@powys.gov.uk