

The land to the rear of the school and community centre has a current housing allocation (part M133 HA1) not yet developed, there are 24 houses proposed on this land with a further 10 proposed adjacent to the development boundary.

LDP

The majority of the site is allocated under the reference P18 HA1, the land to the rear of the school and community centre is allocated as previously under the UDP. There are 24 houses proposed within the allocated LDP boundary, and 10 adjacent to the boundary.

Proposed Allocation P18 HA1 in the emerging LDP Please note that the application site comprises only part P18 HA1 along with adjacent (departure) land but leaves the main brownfield site (which comprises most of the emerging housing allocation) out of the application.

Land Adjacent to the boundary.

One of the main reasons for inclusion of the land adjacent to the development boundary, is that it will provide a safe access to the current employment use at Oldfield Farm (as per the plans). The current use of this land is the refurbishment and repair of caravans which involves large articulated HGV movements, and in the interests of safety at the school and the conflicts with young children this can bring we are proposing the new access (we have offered to close the access adjacent to the school completely) with the additional housing adjacent to the boundary. This would be similar to so many schemes that have been previously passed by the committee due to the five year housing supply situation. This access will also be in place ready to provide the access to the remainder of the proposed allocation P18HA1 in the future (again avoiding exceptional numbers of traffic movements adjacent to the primary school). As stated by the policy department, this would be very much Phase 1 of the proposal to ensure that it remains sustainable.

The remainder of the allocation is not currently available for housing and is owned by the applicant. The applicant aims to release it in a sustainable and deliverable way, but for the next five years at least wants to continue to run his business from there.

Planning Policy – Recreational land

It was turned down by the Planning Policy for recreation use during the candidate sites assessment for the LDP.

Highways

Active Travel infrastructure to link the site into the centre of the village. We as agent, acting for the applicant have agreed to this requirement and we will therefore provide an Active Travel shared use footway/cycleway. This will be constructed along the entire site frontage and extend along the eastern edge of the county highway all the way down to the junction with the B4393 in the village.

This would not happen or be provided if the development proposal was purely for the allocated site, as the access would need to be as the existing adjacent to the school.

Best and Most Versatile Agricultural Land

There are no definitive maps that allow, an absolute assessment to be made however it would appear that the allocated site is predominately grade 2. The additional land adjacent to the development boundary is approximately 50% urban designation, and is a small field enclosure down to permanent pasture which is against the principle of the test of Grade 2 agricultural land. The true Grade 2 land starts the other side of the former railway line to the rear of Oldfield farm. We do not believe that this uncertainty as to the exact location of the Grade 2 allocation allows for a reason for refusal, and the provision of housing supply is a sufficient reason to allow the use especially in an area where there is such an abundance of Grade 2 land. This has been fought successfully in a number of appeal decisions.

Affordable Housing

We are prepared to provide 25% affordable housing on the site, this would mean that the majority of the houses outside of the allocated site would be equivalent to the numbers of affordable houses provided within the scheme (affordable houses adjacent to the boundary are acceptable in policy terms). Again, if the scheme is not approved the allocated site will only be required to provide 10% affordable houses

In light of the above, and the planning officers recommendation and assessment that the scheme fundamentally complies with relevant planning policy, coupled with fact there are NO Public objections to this scheme. We politely request that this application is approved as per the officers recommendation.

RECOMMENDATION

In this instance, the provision of housing is on balance considered to outweigh the plan and the loss of grade 2 agricultural land 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 in compliance 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 access, appearance, landscaping, layout, and scale, (hereinafter called ""the reserved matters"") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out strictly in accordance with the plans stamped as approved on (drawing no's:).

5. Prior to the commencement of development a drainage scheme to include the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter approved shall be implemented in full prior to the first use of any dwelling.

6. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays

7. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) The parking of vehicles of site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials used in constructing the development;
- iv) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) Wheel washing facilities;
- vi) Measures to control the emission of dust and dirt during demolition and construction; and
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works.

8. Prior to the commencement of development, an investigation and risk assessment, shall be undertaken to assess the nature and extent of any contamination within the application site. The contents of the contamination report shall be submitted to and approved in writing by the Local Planning Authority. The contamination report must include: (i) A survey of the extent, scale and nature of contamination; (ii) An assessment of the potential risks to (a) Human health (b) Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes (c) Adjoining land (d) Groundwaters and surface waters (e) Ecological systems (f) Archaeological sites and ancient monuments (iii) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment.

9. The approved remediation scheme shall be fully implemented as approved prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. Upon the completion of the remediation scheme a verification report (validation report) that demonstrates the effectiveness of the remediation undertaken shall be submitted to and approved in writing by the Local Planning Authority.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, development works shall cease immediately. An investigation and risk assessment, remediate implementation shall be undertaken in accordance with the requirements detailed within the contamination conditions attached to this grant of consent.

11. Prior to the commencement of development, a Contamination Monitoring and Maintenance Method Statement for the application site shall be submitted to and approved in writing by the Local Planning Authority. The Contamination Monitoring and Maintenance Method Statement shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

12. Prior to the commencement of development a pollution prevention plan shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter shall be completed in full accordance with the details as approved.
13. Prior to any works being commenced on the development site full engineering drawings for the off-site footway/cycle infrastructure together with traffic calming proposals along the U4908 shall be submitted and approved in writing by the local planning authority.
14. Prior to the occupation of any of the dwellings the highway improvements, referred to above, shall be fully completed to the written approval of the local planning authority.
15. Prior to the occupation of any dwelling any entrance gates 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.
16. The centre line of the first 15 metres of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.
17. No other development shall commence until the access 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 access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
18. Before any other development is commenced 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 15 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.
19. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom to a maximum of three excluding any garage space provided. The parking areas shall be retained for their designated use in perpetuity.
20. The gradient from the back of the footway/verge to the vehicle parking areas shall be constructed so as not to exceed 1 in 15 and shall be retained at this gradient for as long as the dwellings remain in existence.
21. Within 5 days from the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
22. The width of the access carriageway shall be not less than 5.0 metres along the access road 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.
23. Prior to the occupation of the development a radius of 6 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.
24. Any internal side-road junctions shall have a corner radii of 6 metres

25. The centre line radii of all curves on the proposed estate road shall be not less than 20 metres

26. No building shall be occupied before the estate road carriageway and one footway shall be constructed to and including binder course level to an adoptable standard including the provision of any salt bins, surface water drainage and street lighting in front of that building and to the junction with the county highway.

27. The estate road carriageway and all footways shall be fully completed, in accordance with the details to be agreed in writing by the Local Planning Authority, upon the issuing of the Building Regulations Completion Certificate for the last house or within two years from the commencement of the development, whichever is the sooner. The agreed standard of completion shall be maintained for as long as the development remains in existence.

28. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 15 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,

29. 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.

30. The area of each private drive and any turning area is to be metalled and surfaced in bituminous macadam, concrete or block pavements, prior to the occupation of that dwelling and retained for as long as the development remains in existence.

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

32. No development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Development thereafter must be completed in full accordance with the details as approved above.

33. The development shall not be commenced until the archaeological site investigation has been completed and the post excavation assessment report has been approved in accordance with the programme set out in the Written Scheme of Investigation approved under condition 32 and the provision made for analysis, publication, dissemination of results and archive deposition has been secured.

34. Prior to the first use of an external lighting a lighting design scheme shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter shall be completed in full accordance with the details as approved.

35. 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 10% 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.

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. To prevent the increased risk of flooding in accordance with policies GP1, DC13 and DC14 of the Powys Unitary Development Plan.
6. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
7. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
8. 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).
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12. In the interest of the protection and preservation of biodiversity in accordance with policy ENV3 of the Powys Unitary Development Plan.
13. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
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31. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
32. To enable a record to be made of this site of historical and/or architectural interest.
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34. In order to ensure that satisfactory drainage arrangements are provided in accordance with policies GP1 and DC10 and DC11 of the Powys County Council Unitary Development Plan.
35. 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).

Informative Notes

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 0870 1923757.

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