

## **Planning, Taxi Licensing and Rights of Way Committee Report**

<b>Application No:</b>	P/2018/0201	<b>Grid Ref:</b>	310572.81 306654.17
<b>Community Council:</b>	Llanfair Caereinion	<b>Valid Date:</b>	<b>Officer:</b> 12/02/2018 Eddie Hrustanovic
<b>Applicant:</b>	Powys County Council		
<b>Location:</b>	The Glen, Glanyafon, Llanfair Caereinion, Welshpool SY21 9EB		
<b>Proposal:</b>	Full - Reconfiguration of turning point to create parking bays and associated works		
<b>Application Type:</b>	Application for Full Planning Permission		

### **The reason for Committee determination**

The application has been submitted by Powys County Council Housing Department.

### **Site Location and Description**

The site subject of this application is located immediately opposite the existing bungalows at Glanyafon residential estate which is located on the eastern part of Llanfair Caereinion. The bungalows are managed by Powys County Council Housing Department. Currently there is a limited parking and vehicular turning provision at the site, while the existing footway at the front of the bungalows is in poor state of repair.

The proposal involves construction of 3 additional parking bays by utilising the existing disused grass verge in front of no's 8 & 9 Glanyafon, provision of dropped kerbs and upgrade of existing footways in order to make them safe for the residents. This work is the latest in a number of projects that Housing Department have been undertaking to their older persons accommodation, in order to promote tenant independence and reduce the risk of trips and falls.

The proposed works involve excavation into an existing footway and grassland, then resurfacing the area to create parking bays in order to accommodate tenants' vehicles and emergency vehicles access.

### **Consultee Response**

#### Llanfair Caereinion CC

At the meeting of Llanfair Town Council on Monday 19<sup>th</sup> Feb 2018 planning application P/2018/0201 was supported by the members who felt more parking spaces would be of benefit to residents.

### PCC Highways

The County Council as Highway Authority for the County Unclassified Highway, U6029, wish the following recommendations/Observations be applied:

Within one month from the commencement of the development, the proposed development shall be constructed in accordance with the details on drawing number D001 Revision C of project number 216602.

### Wales and West Utilities

Based on the information given and the address provided, Wales & West Utilities have no apparatus in the area of your enquiry.

### Severn Trent Water

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

### CADW

Thank you for your letters of 15 February 2018 inviting our comments on the above planning applications.

### *Advice*

Having carefully considered the information provided with this planning application, we have **no objections** to the proposed development. Our advice is given below.

### *Our role*

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

### *National Policy*

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and circular guidance.

PPW (Chapter 6 – The Historic Environment) explains that the conservation of archaeological remains is a material consideration in determining a planning application, whether those

remains are a scheduled monument or not. Where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in an adverse impact on a scheduled monument (or an archaeological site shown to be of national importance) or has a significantly damaging effect upon its setting. Technical Advice Note 24: The Historic Environment elaborates by explaining that there is a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of remains.

PPW also explains that local authorities should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

### *Assessment*

The scheduled monument MM203 Site 300m SW of Tan-Ilan (revealed by aerial photography) is located c 450m to the north. This comprises the remains of a defended enclosure, probably dating to the Iron Age period, (c.800BC – AD74, the Roman Conquest of Wales) and which is set upon a gently sloping plateau above the Afon Banwy. The site consists of a sub-circular, trivallate enclosure c.200m in diameter with narrow spaced outer ramparts of which the innermost enclosure survives as an earthwork, although in a degraded state. The proposed development; the reconfiguration of a turning point located within a small housing estate on the other side of the river may just be visible from the monument between surrounding buildings. The proposed alterations constitute a very slight change in the setting of the monument, one that is not of any significant concern.

### CPAT

Having checked the information held within the Historic Environment Record I can confirm that there are no archaeological implications for the proposed development at this location.

### **Representations**

No public representations have been received by Development Management at the time of writing this report.

### **Planning History**

NONE AS PER GIS

### **Principal Planning Constraints**

None

### **Principal Planning Policies**

#### National Policies

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 12 – Design (2016)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 20 – Planning and the Welsh Language (2017)  
Technical Advice Note 24 – The Historic Environment (2017)

### Local Planning Policy

Powys Local Development Plan (2018)

SP7 - Safeguarding of Strategic Resources and Assets

DM13 – Design and Resources

T1 – Travel, Traffic and Transport Infrastructure

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note  
LDP=Powys Local 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

Policy DM13 state that development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources. Furthermore the said policy makes a clear reference that development proposals should meet all highway access requirements, (for all transport users), vehicular parking standards. Equally supportive of the scheme is LDP policy T1.

The proposal seeks to alter the existing on-street parking provision within the residential estate with limited parking and turning provision. The parking areas will contain dropped kerbs leading towards the footways to the bungalows and provide additional 3 parking bays. The parking areas will be constructed to the Highways standards and finished with heavy

duty macadam surface course. The existing footways will also be repaired and made safe for pedestrians. The provision of additional parking spaces and turning area will enable the visitors and emergency services ample room to navigate within the residential estate without the risk of access routes being blocked by vehicles.

The local Highway Authority is content with the proposed parking provision subject to suggested condition securing that the development is completed in accordance with the proposed plans.

In the light of the above and subject to the proposed condition it is therefore considered that the proposed development fundamentally complies with relevant planning policies, namely DM13 and T1 of Powys Local Development Plan.

#### Amenities enjoyed by occupiers of neighbouring properties

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

It is considered that the proposed development will not have an unacceptable impact on any neighbouring properties in terms of loss of daylight or a negative impact upon any loss of privacy of neighbouring dwellings.

It is therefore considered that the proposed development would not be seen as having a detrimental impact to the amenities enjoyed by neighbouring residential properties and therefore fundamentally complies with relevant planning policy.

#### Archaeology and Scheduled Monuments

As part of this application process Clwyd Powys Archaeological Trust have been consult in respect of potential archaeological implications for the site. Comments have been received in response confirming that there are no concerns in respect of archaeology on the proposed site.

While CADW confirms that scheduled monument MM203 Site 300m SW of Tan-Ilan (revealed by aerial photography) is located c 450m to the north of the site. CADW acknowledges that the proposed development is for the reconfiguration of a turning point located within a small housing estate on the other side of the river may just be visible from the monument between surrounding buildings. The proposed alterations constitute a very slight change in the setting of the monument, one that is not of any significant concern and as such CADW confirm that there is no objections to the proposed development.

## RECOMMENDATION

Having carefully considered the proposed development, Officers consider that the proposal complies with planning policy. The recommendation is therefore one of conditional approval subject to conditions as specified below;

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on xxxxxx (drawing no's: D001, Revision C, Project No. 216602).
3. Within one month from the commencement of the development, the proposed development shall be constructed in accordance with the details on drawing number D001 Revision C of project number 216602.

### Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy T1.

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