

I can confirm that we have no objection to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution.

Environmental Health

1st Response

As the proposal is to utilise the public sewer, I have no objection to this application.

2nd Response

Further to my previous email, the additional information provided by the applicant now shows a proposal for a septic tank and drainage field.

Please can the applicant provide the results of percolation tests in order to confirm that the ground conditions are suitable for such a system, and to determine the required area for the drainage field? I cannot support the application without this information.

Built Heritage Officer

1st Response

Thank you for consulting me on the above application, and I note the revised drawings recently submitted by Hughes Architects .

I am aware of the heritage assets within the immediate locality namely;
Glanhafren Hall Cadw ID 17327 included on the statutory list on 26th September 1996
Apple House at Glanhafren Hall Cadw ID 17329 inc on the statutory list on 26th September 1996
Glanhafren Hall gateway Cadw ID 17328 included on the statutory list on 26th September 1996

The walled garden would be considered as a curtilage listed building as defined by Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as;

- (a) any object or structure fixed to the building,
- (b) any object or structure within the curtilage of the building, which although not fixed to the building, forms part of the land and has done so since 1st July 1948

However, case law suggests to also consider the following matters as to whether a building is curtilage listed.

1. the physical layout of the listed buildings and the structure,
2. their ownership, past and present, and

3. their use or function, past and present

I note that the list description does not refer to the walled garden, however that is not uncommon with curtilage features rarely included on the list description, and the absence of a feature from the list does not mean that it is excluded from the legal protection of the statutory list. Section 93 of Welsh Office Circular advises that “ The listing of a building confers protection not only on the building but also on any object or structure fixed to the building and which is ancillary to it and, if built before 1 July 1948, within its curtilage”

The condition of the wall is noted, and a listed building consent application for the proposed works would be required, and it would have been preferable for the works to the walled garden to have accompanied this application.

I am mindful of the advice contained within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority,....shall 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.

The Powys Unitary Development Plan reflects National Guidance with policy ENV 14, stating that “Proposals for development unacceptably adversely affecting a listed building or its setting will be refused, and policy UDP SP3 b which 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”.

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.”

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

Cadw have prepared guidance on the setting of historic assets that is currently out for consultation, and whilst still out for consultation and not adopted the advice on how to assess the setting of listed buildings could be referred to in terms of advise on how to assess the setting of listed building, with the caveat that there may potentially be changes as a result of the consultation process. In addition to advice on how to assess the visual setting of listed buildings, advice on less tangible elements, including sensory perceptions such as noise and smell are included in the guidance.

<http://cadw.gov.wales/historicenvironment/policy/historicenvironmentbill/guidancedocuments/?lang=en>

This emerging document outlines the principles used to assess the potential impact of development or land management proposals on the settings of all heritage 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 heritage assets have been identified as;

Glanhafren Hall Gateway grade II Cadw ID 17328 included on the statutory list on 26/09/1996
Glanhafren Hall grade II Cadw ID 17327 included on the statutory list on 26/09/1996
Apple House at Glanhafren grade II Cadw ID 17329 included on the statutory list on 26/09/1996

Glanhafren Hall is a C17th house with a new front added in c1810 and is listed as a well preserved early C19th house in a prominent rural location. The rear range has been converted to flats and the front element is currently for sale.

http://www.mccartneys.co.uk/Property/Property_Details/5-bedroom-property-for-sale-in-Llanidloes-Road-SY16-mccrps-NEW130005

The house is imposing gentry/country house and has other listed buildings in the grouping, formally associated with Glanhafren, The Apple House is to the north of the principal house and is listed as an ornate and distinctive dovecote of the later C19th and for group value with Glanhafren Hall, and the listed gate piers. However the property had a garden befitting the large gentry house as detailed in Coflein as depicted on the Second Edition Ordnance Survey 25-inch map of Montgomeryshire XLIII, sheet 2 (1902). Its main elements on that map include sundial, carriage drive, isolated geometric copses, icehouse, orchard, parkland, pump, river, formal garden, kitchen garden, walled garden and relict hedgelines.

<http://coflein.gov.uk/en/site/265611/details/glan-hafren-garden-newtown>

Glanhafren Hall is a large three storey house that is in a prominent rural location within the former estate. I note the description of the house and its garden in the accompanying Heritage Impact Assessment October 2016, Mercia Heritage Series No 776.

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

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

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

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

•Thinking about when the historic asset was first built and developed:

○ what were its physical, functional and visual relationships with other structures/historic assets and natural features? ○ what topographic features influenced its location? ○ what was its relationship to the surrounding landscape?

○ was it constructed to take advantage of significant views? Although there may be a 360 degree view, some areas of the view may be more significant than others.

•Thinking about changes since the historic asset was built:

○ has its function changed?

○ what changes have happened to the surrounding landscape? ○ have changes happened because of changes to the historic asset?

○ has the presence of the historic asset influenced changes to the landscape, for example, where a monument has been used as a marker in the layout of a field enclosure?

○ have historic and designed views to and from the historic asset changed?

•Thinking about the original layout of the historic asset and its relationship to its associated landscape:

○ were these relationships designed or accidental? ○ how did these relationships change over time?

○ how do these relationships appear in the current landscape; are they visual or buried features?

•Are there other significant factors, such as historical, artistic, literary, place name or scenic associations, intellectual relationships (for example, to a theory, plan or design), or sensory factors that can be vital to understand the historic asset and its setting?

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

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

Glanhafren Hall was built as a large country house for the area, and had the associated outbuildings, ice house, drive and walled garden appropriate for a house of its size. The grouping of the former estate buildings around Glanhafren contribute greatly to its setting, both visually and historically providing evidence of the past occupation of the building, i.e. the ice house, the walled garden and the Apple House which is listed as an ornate and distinct dovecote of the later C19.

A house of this size was constructed to have views out and to be viewed as an exhibition of the wealth and taste of the occupiers. The walled garden is visible from the A489 and forms part of the setting of Glanhafren Hall and The Apple House.

The proposal is for a large house that is designed to have views over the wall, and as such will be visible from the A489. I note the condition of the curtilage listed walled garden, and can see the merit of an appropriately size and designed development to facilitate the repairs of the walled garden, accompanied by a listed building consent application. However I would consider that the size of the proposal is wholly inappropriate in its scale and design to be sited in the walled garden. Whilst noting in the Design and Access statement submitted with the application *“that houses that benefitted from walled gardens would be commanding dwellings. The proposed dwelling is therefore an imposing dwelling being designed in a Georgian/Palladian style. The Georgian/Palladian style of architecture was the prevalent architectural style for county houses around the time of the walled gardens construction during the 18th century. The proposed dwelling style is therefore appropriate to the walled garden”*. I would agree with the first part of that statement and point out that the walled garden did serve an imposing country house, that is Glanhafren Hall itself. I would also question whether a Palladian style would be appropriate in any regard for a house of this size, and would question whether the style is in fact Palladian.

However irrespective of the Palladian qualities of the design I would disagree that design and size are appropriate for the walled garden, and would suggest that if the principle of a house in the open countryside is considered acceptable that a more appropriate design would be a bothy or gardeners cottage.

I have taken the opportunity to briefly view the information available on Coflien and note that there a large number of walled gardens in Wales that had no associated gardeners cottage or bothy, however a fewer number of walled gardens albeit usually larger walled gardens did have a gardeners cottage or bothy. Most of these are small simply designed to blend in with the estate cottages. I would suggest that a smaller simpler design of a gardeners cottage or bothy be considered in this location, with a height that would not project above the walled garden. The design could contain some contemporary elements rather than be a pure pastiche, however the size and scale of the proposal along with its character should be subordinate to the main house.

I would consider that the proposed dwelling that is a comparable size with the front wing of Glanhafren Hall would be wholly inappropriate in this location, and would adversely affect the setting of Glanhafren Hall when viewed from the A489, and would adversely affect the legibility of the history of this group of listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have due regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 11 of Welsh Officer Circular 61- 96 reinforces the need to preserve the setting of a listed building and that the setting is often an essential part of a buildings character.

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.”

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”.

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.

Whilst noting the condition of this curtilage listed building and noting the large building sited within the walled garden, I also note that there are other means available to secure the repair of this curtilage listed building and that the existing buildings within the walled garden are not readily visible from the A489. Whilst supportive of the repair and reuse of this walled garden,

I would not consider that the erection of such a large property within the walled garden would be appropriate and would not outweigh local plan policies or national guidance and legislation in terms of the preservation of a listed building or its setting.

If the proposal is considered acceptable in principle I would suggest that the application be withdrawn and an alternative smaller more appropriate design put forward in addition to the listed building consent for the repairs to the wall.

Should amended plans not be forthcoming I would wish to object to the proposal on the following grounds.

I would therefore wish to OBJECT to P/2016/0509 and would recommend refusal for the following reason.

The development would adversely affect the setting of the designated heritage asset Glanhafren Hall Farmhouse which lies to the south of the application site. The proposal would also adversely affect the setting and legibility of the curtilage listed walled garden. Glanhafren Hall is a country house prominently sited to view its estate and is the most dominant building within the cluster of estate buildings that surround Glanhafren Hall. The existing setting to this listed building has a rural character and appearance appropriate for a small estate but is also part of the setting when travelling along the A439. It is considered that the proposed dwelling by virtue of its scale and design would fundamentally change the character and appearance of this group of buildings associated with and included Glanhafren Hall in a manner that would adversely affect the setting of Glanhafren Hall by introducing a second very large dwelling on the site. 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, and paragraph 11 of Welsh Office Circular 61/96, Paragraph 6.5.11 of Planning Policy Wales 9th edition 2016, and Local Plan Policies Policy SP3b, ENV14 and GP1

2nd Response

The revised house is still very large and I had understood that discussions were for a gardeners style sottage/bothy and this would be very large for a house within a walled garden. It would be preferable for it to be substantially smaller. The house will be visible above the walled garden, not just the roof by the first floor, and the “enabling development” could be considered to affect the setting of the historic asset it is intended to protect. This would be contrary to national guidance in terms of setting of the historic assets and enabling development. A smaller footprint and ridge height is still requested.

Ignoring the footprint and just looking at the design and materials. Firstly materials, the use of stone at the base is good as it mirrors the Apple House, and the choice of a mix of stone and render break up the visual appearance of the volume. However I would question the use of render in that location and suggest a brick to match the Apple House may be more appropriate.

Whilst not supportive of the height proposed the breaking up of the roof with valleys and gables is welcomed as it reduces the visual impact with the opportunity for the pitches of the gables to replicate the outbuildings at Glanhafren. Whilst not supporting the size, I would question whether the treatment of the front elevation and the extent of glazing which will be

the most visible from a wider area especially with the by pass would be appropriate and whether a simpler frontage at a lower height would be more appropriate on the front with the potential for views to be afforded to the rear subject to the roof height not affecting the setting of the historic assets.

Whilst not wishing to extend the footprint, I would still consider that the height and the potential for the dwelling to be viewed over the garden wall would still be a concern and noting the enabling development to the repairs of the walled garden, a large dwelling that is visible above the garden wall would impact on the setting of both the walled garden and the principal listed buildings on the site.

However the change from classical design to a more “vernacular style” and the mix of materials taking inspiration from the outbuildings to Glanhafren is welcomed.

3rd Response

I have previously detailed the policy considerations to this proposal in my comments dated 28 November 2016 and as such I shall not repeat them here, but would be grateful if you could consider the previous memo as an appendix to these comments. Please note that since the time of the previous comments the legislation and guidance has changed with TAN24 and its annexes and as such some of the legislation and guidance has been superseded. However the assessment of the proposal would remain the same.

I note that some of the design concerns raised in my e-mail of 30th October 2017 have been addressed but not all. There have been a number of e-mails exchanged on this proposal, however for clarity the comments provided are in respect of the amended plans on the planning portal R0B3/SY.31, and R0B3/SY.32 dated 11:17, Document number 4486855 dated 04/12/17.

The building is still larger than was initially anticipated for a gardeners cottage and I still have some concerns regarding the size.

I note with thanks the introduction of hips which I would consider does reduce the visual mass of the roof and also ties it into Glanhafren Hall. However I note that the suggestion of omitting the luthern style dormer on the south east elevation has not been taken into consideration and that the dormer is not indicated on the front elevation so it is not clear of the roof if pitched or gabled. I would still consider that the dormer would not be appropriate. However if the dormer is considered acceptable I would request that it be hipped to follow the pitch of the gablets on the front elevation.

The front elevation would be most visible and I had previously expressed concern with the 2 gablets on the front elevation, as the roof will be visible above the wall and in the wider landscape and as such the roof design is very important in this instance and it would be preferable to have straight eaves in place of the gablets especially given the simplicity of Glanhafren Hall in its external design.

I note the revised design of the front elevation and the front projection having a hipped roof does reduce the visual impact of the fenestration on the front elevation.

I would still consider that a simpler style of front elevation reflecting Glanhafren Hall may be preferable. However, noting the changes that have occurred in the design to address various

issues, the design has moved away from its former Palladian grandeur to a more organic almost vernacular design. As such it could be considered that appropriate materials may address many concerns. Given its location in the Severn Valley which is famed for its timber framed buildings and the 2 storey porches associated with Montgomery, the amended plans could potentially reinforce that vernacular tradition and as such I would be grateful if consideration could be given to the appropriate treatment of the timber in the fenestration especially on the front elevation to reflect that vernacular tradition. The use of oak or similar to left to weather naturally and silver would reflect that tradition and be most attractive against the brick background. However painted timbers especially white or off white which would enhance the visual impact of the property and its size and I would still have to express concern with the size and location of the gables being on the front elevation.

Whilst still raising concern with the size of the property I would be pleased if consideration could be given to the timber treatment with weathered oak left to silver being the obvious choice, however there may be other equally appropriate materials and solutions.

One further and relatively small point, as such care has been taken in the design of the property it would be preferable to either omit the external chimney breast and have an internal chimney breast, as external chimney breasts are not a traditional feature commonly found in Powys and especially the Severn Valley area. Alternatively to slightly increase the size of the lateral chimney in order that it reflects the proportions of traditional lateral chimneys.

I would be grateful if consideration could be given to the suggestions made above especially the fenestration treatment, and given the prominent location of the proposed property, I would be grateful if appropriate conditions in respect of materials were imposed.

4th Response

Thank you for consulting me on the latest amended plans dated on the portal as January 29th 2018 (Document number 4537403) to the above application.

The application site lies within a cluster of historic assets namely;

Listed Buildings

Cadw ID 17328 Glanhafren Hall Gateway included on the statutory list on 26 September 1996

Cadw ID 17327 Glanhafren Hall included on the statutory list on 26 September 1996

Cadw ID 17329 Apple House at Glanhafren Hall included on the statutory list on 26 September 1996

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.

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

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

Evidential Value

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

Glanhafren Hall is a C17th house with a new front added in c1810 and is listed as a well preserved early C19th house in a prominent rural location . The rear range was converted to flats in the mid C20th. The three storey house faces south towards its gateway onto the A486.

The Apple House is to the north of the principal house and is listed as an ornate and distinctive dovecote of the later C19th and for group value with Glanhafren Hall. The building is 2 storey and square in plan of random rubble to the lower storey, brick upper, with pyramidal slate roof, and wooden lantern. Lantern is square with cusped openings under a tile roof.

The gateway is a cast iron gateway and railings on a stone plinth. The main gates are now missing. Gateway is framed by two S-curved plinths in snecked stone with moulded copings. Four panelled cast iron posts standing on stone bases, one of which is replaced in concrete. The posts have star-shaped finials. Railings with alternate spiked and fleur-de-lys finials. Kissing gate to left.

The group of buildings is attractive and has a number of associated buildings appropriate for a building of its age and scale including a walled garden.

Historical Value

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

Glanhafren Hall and its associated outbuildings whether listed in their own right or potentially curtilage listed are an important group of buildings illustrating the aspirations and the social and architectural history of the person responsible for its construction.

Old Maps indicate the previous history of the land with the garden layout illustrating the layout within the walled garden and the planting in the area around the house. The 1901 OS map has a colour depiction on the area of land most commonly used to illustrate formal gardens to larger houses to differentiate this land from agricultural land. This colour shading still remains in the 1938 map however is not included on the 1948 map when presumably the land was used for agriculture.

<http://maps.nls.uk/view/102187607>

<http://maps.nls.uk/view/102187604>

Aesthetic Value

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

Glanhafren Hall is included on the statutory list as being an early C19th house in a prominent rural location.

The Apple House is listed as an ornate and distinctive dovecote of the later C19, and for group value with Glanhafren Hall.

The gateway is listed as a good quality decorative C19 gateway and railings in a prominent location, and for its association with Glanhafren Hall.

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.

The grouping of the buildings and their obvious former uses illustrates the social history of the area and is a valuable academic resource into the social and architectural history of the polite vernacular of the County and illustrate both the aspirations of the home owner and the garden movements at the time.

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

However, I would also refer to more recent guidance in paragraph 6.5.11 of Planning Policy Wales 9th edition 2016 where, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting.

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

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”

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The historic assets have been identified as;

Glanhafren Hall Gateway grade II Cadw ID 17328 included on the statutory list on 26/09/1996

Glanhafren Hall grade II Cadw ID 17327 included on the statutory list on 26/09/1996

Apple House at Glanhafren grade II Cadw ID 17329 included on the statutory list on 26/09/1996

Stage 2 of the Cadw document is to consider the location of the historic assets, its original location the views into and out of the site at that time and how more recent changes have affected the original layout of the historic asset and its relationship to its associated landscape. Stage 2 should also identify the viewpoints from which the impact of the proposed change or development should be assessed.

I would also refer to LDP policies that reflect national legislation and takes into account new guidance and provisions issued under the Historic Environment (Wales) Act 2016.

Strategic Policy SP7 which seeks to safeguard strategic resources and assets in the County which includes listed buildings and their settings.

DM4 – landscapes

DM13 Design and Resources which requires new development to complement and or enhance the character of the surrounding area in terms of siting, appearance, height massing and design detailing and to incorporate and/or enhance any historic assets of special local interest.

Local Development Plan Themes and Objectives;

Theme 4 – Guardianship of natural, built and historic assets

LDP Objective 13 – Landscape and the Historic Environment

I would also refer to Policy DM13 which identifies a number of criteria to be met including; the development to be designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing, to preserve local distinctiveness and sense of place, to incorporate or enhance and historic assets of special local interest.

I would also draw attention to LDP objective 13 which seeks to protect, preserve and/or enhance the distinctive historic environment, heritage and cultural assets of Powys.

It is acknowledged that the walled garden currently houses a number of industrial style buildings that are visible in parts above the walled garden and are of a metal construction differing from the brick building on site. I am also aware of a recently approved application P2017/1191 for the repairs to the walled garden which is considered as curtilage listed to Glanhafren Hall, and I understand that the proposed dwelling and the loss of the industrial

style buildings and uses within the walled garden are being considered as material considerations to enable the repairs of the walled garden and improve the overall setting of Glanhafren Hall.

I acknowledge how the design and scale have evolved since the original submission and the building is still larger than was initially anticipated for a gardeners cottage and I still have some concerns regarding the size.

However I also acknowledge that whilst the size is still large, efforts have been made in the design to minimise its visual impact such as the loss of gables on the front elevation to provide a simpler roofscape more in keeping with Glanhafren Hall as the roof will be visible above the walled garden. The introduction of hips and different roof pitches with simple eaves detailing, will break up the visual mass of the building, and also tie the roofscape in with the other outbuildings at Glanhafren Hall, again minimising its impact.

The changes to the fenestration treatment is also acknowledged and provides a more vernacular appearance to the property, which is considered more appropriate given the grandeur of Glanhafren Hall and the siting of this building adjacent to the outbuildings of Glanhafren Hall.

Whilst still having some concerns with the size of the proposed dwelling, I acknowledge the design solutions that have been put forward to minimise the visual impact, and the loss of the existing building and uses from the walled garden and the intention to repair the walled garden.

As such I would not object to the proposal on principle subject to an appropriate condition being imposed in respect of the repairs to the walled garden being implemented and undertaken in accordance with the application for repairs.

I would however express regret given the care taken in the design that the proposed windows are to be timber effect, and would request that consideration be given to appropriately finished and detailed timber windows if possible.

Taking into account the repair works to the walled garden and the proposed enhancement to the setting of Glanhafren Hall and its outbuildings by the loss of the industrial buildings and use within the walled garden, if the principle of a single dwelling is considered acceptable in this location I would **not raise any objections** on built heritage grounds to the current proposal subject to appropriate conditions in terms of materials, and the repair works to the walled garden.

CPAT

Although the proposed development is located within the former walled garden the original layout has been substantially erased due to later development and use as a builders yard. We support the partial renovation of the original Victorian layout and the rebuild of the original walled boundary to improve the setting of the listed building and enhance the landscape features within the curtilage of the listed building. There is no archaeological potential within the walled garden now and we would not require any sub-surface intervention or other recording on this occasion.

NRW

NRW does not object to the application subject to the advice provided below being taken into consideration.

Protected Species

Bats and their roosts are strictly protected under the Conservation of Habitats and Species Regulations 2010.

The application description includes the demolition of two storage units. We are able to identify from the submission the construction make-up of these structures and whether or not they offer potential for use as a bat roost.

We confirm that we have records of bats adjacent to the application site.

We therefore recommend that your Authority screens the application to see if there is a reasonable likelihood of bats being present and whether a bat survey is required to support the application determination process in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2).

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any 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 (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Please consult us again if the survey finds that bats are present at the site. In the meantime, we cannot confirm that the proposal would not harm or disturb bats, or a breeding site or resting place used by bats. Therefore, nor can we confirm that the proposal would not be detrimental to the maintenance of a population of bats at a favourable conservation status in its natural range.

Drainage

The application description notes that the proposal involves the installation of a new septic tank while the application form identifies that foul sewage will be disposed to main infrastructure.

We are not aware that main connection is available to supply the application site and therefore having assessed the proposal as connecting to a new septic tank.

The private foul drainage system associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from Natural Resources Wales, unless an exemption applies. The applicant is advised to contact Natural Resources Wales on 0300 065 3000 for further advice and to discuss the issues likely to be raised. The applicant should be aware that a permit may not be granted. Additional guidance on 'Environmental Permitting' can be accessed: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

Waste Disposal

Any waste, excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted sites or exempt sites. Transfer notes shall be kept for each load of a minimum of 2 years.

Pollution Prevention

We remind the applicant that the responsibility for preventing pollution lies with those in control of the site. Pollution Prevention Guidance should be read by those carrying out the work and the method of working to adhere with the guidance.

If a pollution incident does arise NRW must be informed immediately by contacting our incident hotline on 0800 80 70 60.

The Natural Environment and Rural Communities (NERC) Act (2006)

Please note that we have not considered possible effects on all species and habitats (including nesting birds) listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on Local Biodiversity Action Plan or other local natural heritage interests. To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological advisor and/or nature conservation organisations such as the local Wildlife Trust, RSPB etc. The Wales Biodiversity Partnership's website has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

Welsh Government Transport

1st Response

I refer to your consultation of 12 May 2016 regarding the above application and advise that the Welsh Government as highway authority for the A489 trunk road directs that permission be withheld until further notice whilst additional information is sought from the applicant and/or information provided by the applicant is analysed to enable appropriate highway observations to be made;

1. The applicant must forward a suitably scaled drawing detailing the proposed access off the A489 trunk road, which must incorporate the following aspects:-

- a) Visibility splays in either direction from a suitable set back
- b) Gradient of the access and the A489 trunk road carriageway
- c) Access width and raddi dimensions
- d) Access surfacing type along with depth and width dimensions
- e) Parking areas
- f) If a gate is to be installed on the access

The above aspects must conform to the Design Manual for Roads and Bridges (DMRB)

2. The applicant must also forward the previous and proposed traffic movements values for the above site.

2nd Response

I refer to your consultation of 13 December 2016 regarding the above application and advise that the Welsh Government as highway authority for the A489 trunk road directs that permission be withheld until further notice while additional information is sought from the applicant and/or information provided by the applicant is analysed to enable appropriate highway observations to be made;

1. The information provided in drawings 125/D/001, 125/D/002 and 125/D/004 does not demonstrate compliance with Clause 2.25 of Volum 6, Section 2, Part 7 TD 41/95 of the Design Manual for Roads and Bridges, therefore the applicant must provide a suitably scales 'Long Section' drawing to demonstrate compliance with Clause 2.25

If you have any further queries, please forward to the following Welsh Government Mailbox NorthandMidWalesDevelopmentControlMailbox@Wales.GSI.Gov.UK.

3rd Response

I refer to your consultation of regarding the above application and advise that the Welsh Government as highway authority for the A489 trunk road does not issue a direction in respect of this application.

If you have any further queries, please forward to the following Welsh Government Mailbox NorthandMidWalesDevelopmentControlMailbox@Wales.GSI.Gov.UK.

Powys Property

1st Response

As per our telephone conversation I am not entirely satisfied with the figure which have been provided by Mr Hughes. It appears that not only would this development make the minimum required to required works but it would more than likely fall somewhat short. As a result I do not see how they would obtain finance for such a project and in turn be unable to repair the listed Wall.

Before this application can move forward I would certainly require more information regarding the build cost figure of £600,000.00. At present I have seen no information to support this figure making it almost impossible to understand how the finished property would achieve £800,000.00.

2nd Response

I think it should be pointed out that whilst the agent has proposed that the site is currently worth £100,000, and that repairs to the listed wall will cost another £100,000, whilst the new build house will cost £500,000 to construct, these three elements do not in themselves indicate that the completed development will be worth £700,000: rather, this is simply the total of all the figures quoted and without significant substantiation. The only firm valuation here is the current land value. Your comment regarding comparables is fine.

With regards to the comparables, I firstly would insist the agent uses sold properties rather than those still on the market. I would also note that these comparables are in a suburban area rather than one in close proximity to a farm or generally rural location.

Powys Ecology

Thank you for consulting me with regards to planning application P/2016/0509 which concerns an application for the Erection of a dwelling house, installation of septic tank and all associated works including demolition of two storage buildings at Land in former Walled Garden at Glanhafren Hall, Glanrhyd, Llanidloes Road, Newtown, Powys.

I have reviewed the proposed plans submitted with the application as well as local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 51 records of protected and priority species within 500m of the proposed development, a number of records of bats were identified for Glanhafren Hall, however these were not associated with the area affected by the proposed development. Species recorded within 500m of the proposed development include bat species – pipistrelle, brown long-eared, noctule and lesser horseshoe, dormice, otter and slow worm.

No statutory or non-statutory designated sites were identified as present within 500m of the proposed development.

The proposed development involves the construction of a new dwelling within an area referred to as the former Walled garden, having reviewed photographs taken during site visit it is noted that this area comprises majority bare ground with occasional areas of scatter scrub and semi mature trees. The area appears to be used for storage and there are areas of piled up materials and two large storage buildings. The nature of the habitats present and affected by the proposed development is considered to be of low ecological value.

NRW noted in their response dated 01/06/2016 that the LPA ecologist screened the application to determine whether there is a reasonable likelihood of bats being present and affected by the proposed development. It is noted that whilst the application description refers to the demolition of two storage units having reviewed the amended plans uploaded to the Powys LPA Planning Portal on the 4th December 2017 and 29th January 2018 it appears that it is now the intention to only demolish one of the two storage units. Having reviewed photographs of the storage units one of which is required to be demolished as part of the proposed development it is considered the nature and construction of these structures provides negligible potential for bats to utilise them for roosting purposes the structure lack features suitable to provide the conditions required by bats for roosting purposes, as such it is considered that there is negligible potential for bat roosts to be damaged or destroyed as a

result of the proposed development and no bat surveys are necessary to inform the application.

Whilst it is considered that there would be negligible potential for bat roosts to be impacted by the proposed development it is considered that given the identification of bat roosts at Glanhafren Hall, particular attention will need to be given to any external lighting proposed through the development. Lesser horseshoe bats have been recorded at Glanhafren Hall, this species is particularly sensitive to the effects of artificial lighting and studies have found that inappropriate artificial lighting can significantly affect the foraging and commuting behaviour of this species. As such it is recommended that a planning condition is included to secure the submission of a wildlife sensitive external lighting scheme.

The Landscaping & Biodiversity section of the submitted Supporting Statement states that the proposed development will reinstate part of the garden area and would therefore represent an enhancement of the ecological value of the site. Whilst this provision of landscaping is welcomed and would serve to provide biodiversity enhancements in accordance with the requirements of Section 6 of the Environment (Wales) Act 2016 it is noted that limited information has been provided with regards to any landscaping details as such it is recommended that a planning condition requiring the submission of a detailed Landscaping and appropriate aftercare scheme is included.

Therefore should you be minded to approve the application I recommend inclusion of the following condition:

No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife. The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's LDP Policies DM2 and DM7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Prior to first beneficial use of the development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and condition. The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's LDP Policy DM4 in relation to ecological qualities of the landscape and meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016

Representations

The application was advertised through the display of a site notice and press advertisement. No representations or objections have been received.

Planning History

P/2011/1233 - Installation of a 10kw solar array on existing building - CC

M/2006/0231 - Erection of a residential dwelling & installation of a private treatment plant - WITHDRAWN

1G(3)38/12 - Agricultural building

P/2014/0401 - Full: Conversion of upper floor of garage block into 2.no residential units together with installation of sewage treatment plant - CC

P/2013/0155 - FULL: Conversion of Barn 1 and Barn 2 from agricultural buildings to 3.no residential units and change of use of agricultural land to residential curtilage (resubmission) - CC

Principal Planning Constraints

Listed Buildings

Principal Planning Policies

National planning policy

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies (2015)

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)

Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)

Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (2010)

Technical Advice Note (TAN) 11: Noise (1997)

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

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

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

Technical Advice Note (TAN) 24: The Historic Environment (2017)

Local planning policies

Powys Local Development Plan (2018)

SP1 – Housing Growth

SP3 – Affordable Housing Target

SP5 – Settlement Hierarchy

SP7 – Safeguarding of Strategic Resources and Assets

DM2 – The Natural Environment

DM4 – Landscape

DM7 – Dark Skies and External Lighting

DM13 – Design and Resources

H1 – Housing Development Proposals

H2 – Housing Sites

H3 – Housing Delivery

H4 – Housing Density

H5 – Affordable Housing Contributions
H6 – Affordable Housing Exception Sites

Powys Residential Design Guide (October 2004)

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 H1 of the Powys Local Development Plan (2018) states that housing development will only be permitted in rural settlements for either affordable housing in accordance with Policy H6 or where the development meets national policy on housing in the open countryside (rural workers dwelling), a conversion or a renovation of an abandoned dwelling.

In this instance the proposed development seeks consent for an open market dwelling contrary to policy H1. However, the development has been submitted as an enabling development. Cadw's document 'Conservation Principles for the sustainable management of the historic environment in Wales' defines enabling development as follows;

"Enabling development is development that would deliver substantial benefits, but which would be contrary to other objectives of national, regional or local planning policy. It is an established planning principle that such development may be appropriate if the public benefit of rescuing, enhancing or even endowing an important historic asset decisively outweighs the harm to other material interests. Enabling development must always be proportion to the public benefit it offers."

This is considered further within Technical Advice Note 24: The Historic Environment (2017) and Planning Policy Wales (9th Edition 2017). Planning Policy Wales stated that planning permission for enabling development should only be granted if;

- The impact of the development was precisely defined in the application at the outset, and normally through the granting of full, rather than outline, planning permission;
- The achievement of the heritage objective is securely and enforceable linked to the enabling development;
- The place concerned is repaired to an agreed standard, or the funds to do so are made available, as early as possible in the course of the enabling development, ideally at the outset and certainly before completion or occupation of the enabling development;
- The local planning authority closely monitors implementation, if necessary acting promptly to ensure that obligations are fulfilled.

The application has been submitted in full with detailed drawings and designs submitted. As such it is considered that the impact of the development was precisely defined.

Information has been received from the agent acting on the application to support the enabling development. This includes value of the land as currently used for commercial purposes, costs of repairing the listed wall and build costs for the proposed development. This information was passed to Powys Valuation who raised some concerns that the final market value attributed to the proposed dwelling was high and therefore the developer may not be able to make the development economically viable. Upon discussion with the agent further information was received demonstrating comparables in the area of a higher value and confirmed that they would be content to require the work on the listed wall to be undertaken prior to that on the proposed development.

An application for listed building consent for the restorative works to the listed garden wall has already been granted consent and the applicant has confirmed that they are willing to undertake the works to the wall prior to works on the dwelling. This will be conditioned as part of any consent.

As such, subject to other planning considerations the proposed development is considered to meet the requirements of enabling development.

Design, Character and Appearance

The Powys Local Development Plan policy DM13, TAN 12 and Planning Policy Wales (PPW) all refer to good design and how development proposals should be of a good design and have consideration to its surroundings. PPW refers to good design as having a relationship between all elements of the natural and built environment. Policy DM13 of the Powys Local Development Plan states that proposals must demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area.

The dwellings would be finished in larch stone and brick walls, natural slate roof and timber effect windows and doors. It is noted that the development site is located in an area of open countryside within a walled garden to the east of a group of dwellings and buildings converted into dwellings. The dwelling will measure a maximum of 26 metres in width and 18 metres in depth with a maximum height of 9.4 metres falling to 5.6 metres at the eaves. It is

considered that the proposed dwelling is relatively large in scale; however, seeks to utilise materials and design to ensure that the dwelling complements the surrounding buildings. It is worth noting that the dwelling is located in the area of an existing large agricultural style building. It is considered that the proposed development is acceptable to its rural surroundings and would not have a detrimental impact upon the character and appearance of the area.

In light of the above it is considered that the proposed development fundamentally complies with policies SP7 and DM13 of the Powys LDP (2018) as well as TAN 12.

Highway Safety

Policy DM13 part 11 states that development proposals should meet all highway access requirements (for transport users) and parking standards.

The proposed development seeks to utilise an existing access from the A483 trunk road. Initial concerns were raised by Welsh Government, the highway authority for the road, regarding the level of detail submitted with the application. Following the submission of additional information, including visibility splays and traffic movements of the existing business operating from the site, they removed their objection to the proposed development.

In light of the above it is considered that the proposed development would not have a detrimental impact upon highway safety. The proposed development therefore complies with policies T1 and DM13 of the Powys Local Development Plan.

Natural Environment

Policy DM2 states that proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests. Proposals which would impact on natural environment assets will only be permitted where they do not unacceptably adversely affect those assets. This is further emphasised within Technical Advice Note (TAN) 5.

Powys County Council's Ecologist and Natural Resources Wales have been consulted on the proposed development as it has potential to impact upon a natural environment asset. Natural Resources Wales offered no objection to the proposed development subject to the demolition of the existing buildings on site being reviewed by the Powys Ecologist. Following consultation with the Powys Ecologist they stated that it is considered the nature and construction of these structures provides negligible potential for bats to utilise them for roosting purposes the structure lack features suitable to provide the conditions required by bats for roosting purposes , as such it is considered that there is negligible potential for bat roosts to be damaged or destroyed as a result of the proposed development and no bat surveys are necessary to inform the application. They have requested conditions in relation to landscaping and external lighting be imposed on any grant of consent.

In light of the above and subject to the attachment of appropriately worded conditions it is considered that the proposed development would not have a detrimental impact upon protected species and any natural environment asset. The proposed development therefore complies with policy DM2 of the Powys Local Development Plan (2018), Technical Advice Note 5: Nature Conservation and Planning and Planning Policy Wales.

Environmental Health

Policy DM13 of the Powys Local Development Plan (2018) part 11 states that development proposals will only be permitted where the amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, hours of operation, dust or overlooking.

Powys County Council's Environmental Health Officer has been consulted on the proposed development. The Officer has stated that they have no objection to the principle of the development however have requested additional information in the form of porosity tests to ensure that there is adequate drainage for the septic tank. This information has been provided and Environmental Health reconsulted and their response will be provided in the update report.

Built Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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'. The Barnwell Manor case the Court of Appeal made it clear that in enacting s.66 (1), Parliament had intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carried out the balancing exercise. Therefore special regard must be given to the desirability of preserving listed buildings and their setting and any harm caused should be given considerable weight within the planning balance.

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

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”

Policy SP7 of the Powys Local Development Plan identifies listed buildings and their curtilages as strategic resources and assets which must not be unacceptably impacted upon by a development.

The application site lies within a cluster of historic assets namely;

Listed Buildings

Cadw ID 17328 Glanhafren Hall Gateway included on the statutory list on 26 September 1996

Cadw ID 17327 Glanhafren Hall included on the statutory list on 26 September 1996

Cadw ID 17329 Apple House at Glanhafren Hall included on the statutory list on 26 September 1996

Following consultation with the Built Heritage Officer the originally submitted scheme was objected to on the basis that the development would negatively impact upon the listed buildings and their setting. Following this a number of amendments were received in order to overcome the concerns raised by Built Heritage with regards to the impact of the development on the adjacent listed buildings and the listed wall in which the dwelling would be located.

Following a number of discussions regarding the scale of the building and the materials to be used in the development the final set of plans were submitted. In the response to these plans Built Heritage commented that whilst the size is still large, efforts have been made in the design to minimise its visual impact such as the loss of gablets on the front elevation to provide a simpler roofscape more in keeping with Glanhafren Hall as the roof will be visible above the walled garden. The introduction of hips and different roof pitches with simple eaves detailing, will break up the visual mass of the building, and also tie the roofscape in with the other outbuildings at Glanhafren Hall, again minimising its impact.

Built Heritage conclude that taking into account the repair works to the walled garden and the proposed enhancement to the setting of Glanhafren Hall and its outbuildings by the loss of the industrial buildings and use within the walled garden, if the principle of a single dwelling is considered acceptable in this location they would not raise any objections on built heritage grounds to the current proposal subject to appropriate conditions in terms of materials, and the repair works to the walled garden.

The Officer has raised concern regarding the use of timber effect upvc within the dwelling and as such a condition will be imposed requiring the windows to be finished in timber.

It is considered that the proposed development of a single dwelling, removing existing substandard commercial buildings and operations form within a listed walled garden, and repairing the walled garden, would not harm the setting of any listed buildings and would enhance the setting of the listed wall and adjacent listed buildings to the benefit of the wider area.

As such it is considered that the proposed development is in accordance with Policy SP7 of the Powys Local Development Plan, Technical Advice Note 24: The Historic Environment and Planning Policy Wales.

Recommendation

In light of the above it is considered that although the proposed development is a departure from the Local Development Plan (2018) it is considered a betterment in terms of the design and use of the site within the walled garden and is considered be acceptable with regards to built heritage, highways and other material considerations. The recommendation is therefore one of consent subject to the conditions set out below:

Conditions

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the approved plans (drawing no's: SA1371/01, SA13711/05, R083 1.0.100, R083 1.0.101, R083/SK.29, R083/SK.30, R083/SK.31 and R083/SK.32 and document Heritage Impact Statement dated October 2014).
3. Prior to the commencement of development a schedule of works, including timeframe for repairs to the listed wall, reinstatement of walled garden and construction of the dwelling, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved scheme.
4. Prior to the commencement of development details and/or samples of the material to be used in the walls, roof, windows and doors of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.
5. Notwithstanding the approved plans the windows shall be of timber construction.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, (or any Order revoking and re-enacting that Order) no extensions to the dwelling, construction of outbuildings or alterations to the roof (including the introduction of roof lights or dormers), or the erection of garages or sheds shall be undertaken without the prior express consent of the local planning authority.
7. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) A statement setting out the design objectives and how these will be delivered;
 - ii) earthworks showing existing and proposed finished levels or contours;
 - iii) means of enclosure and retaining structures;
 - iv) hard surfacing materials;
 - vi) minor artefacts and structures

Soft landscape works shall include planting plans; written specifications; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

8. The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

9. No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife. The development shall be carried out in accordance with the approved details.

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 order to ensure that the development is completed in accordance with the principles of enabling development in accordance with Technical Advice Note 24 and Planning Policy Wales.
4. To safeguard the amenities of the locality in accordance with policy DM13 and SP7 of the Powys Local Development Plan.
5. To safeguard the amenities of the locality in accordance with policy DM13 and SP7 of the Powys Local Development Plan.
6. In order to control further development which has the potential to have adverse effects on the character and appearance of the area in contradiction to policy DM13 and SP7 of the Powys Local Development Plan.
7. To comply with Powys County Council's LDP policies DM2, DM4 and DM13 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and Part 1 Section 6 of the Environment (Wales) Act and to ensure that the development is satisfactorily landscaped in accordance with policies DM13, SP7 and DM4 of the Powys Local Development Plan.
8. To comply with Powys County Council's LDP policies DM2, DM4 and DM13 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and Part 1 Section 6 of the Environment (Wales) Act and to ensure that the development is satisfactorily landscaped in accordance with policies DM13, SP7 and DM4 of the Powys Local Development Plan.

9. To comply with Powys County Council's LDP Policies DM2 and DM7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Informative Notes

Case Officer: Tamsin Law- Principal Planning Officer
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