

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 18/0323/FUL

Grid Ref: E: 329081
N: 272032

Community Council: Knighton Community

Valid Date: 30.07.2018

Applicant: Powys County Council

Location: Access Road & Car Park Between Knighton Football Ground & Cricket Club, Knighton , Powys, LD7 1HP,

Proposal: Full: Installation of a cycle / footpath, extension to car park and alterations of to access

Application Type: Full Application

The reason for Committee determination

Powys County Council is the applicant.

Consultee Responses

Consultee

Received

Community Council

6th Sep 2018

Knighton Town Council at its meeting last decided to support this application by unanimous vote

PCC-Building Control

No response received at the time of writing this report.

Wales & West Utilities - Plant Protection Team

No response received at the time of writing this report.

PCC-(M) Highways

20th Aug 2018

The County Council as Highway Authority for the County Class I Highway, A4113

Wish the following recommendations/Observations be applied

Recommendations/Observations

1. The development proposed shall be constructed in complete accordance with the details on drawing numbers 2791 PA-01 and 2071 PA-02. and shall be completed to the written satisfaction of the local planning authority.

Welsh Water

21st Aug 2018

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

We can confirm we have no objections to this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

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

Please quote our reference number in all communications and correspondence.

C P A T

Thank you for the consultation on this application.

Although the development lies close to the scheduled motte castle to the north the proposed works are minor in nature with very shallow surface excavation to create a path and parking. There would be no significant impact to the setting of the scheduled monument.

We therefore have no objection to the proposed development.

Cadw

Thank you for your letter of 16 August 2018 inviting our comments on the information submitted for the above planning application.

Advice

Having carefully considered the information provided with this planning application, we have no objections to the proposed development. Our assessment of the application 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 related 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.

Assessment

Located within a 500m buffer of the application area is scheduled monument RD054 Bryn y Castell.

RD054 Bryn y Castell comprises the remains of a motte and ditch, dating to the medieval period (c. 1066 -1540 AD). Bryn y Castell is located on the south bank of the Teme, almost equidistant from the mottes at Knucklas and Lower Stanage. The motte is c.35m in diameter and c.4m high above the base of a ditch c.1m deep. It's summit is c.15m in diameter. The bailey probably lay to the south, but the area is now covered by the Knighton Town Cricket ground. As at Lower Stanage, the ditch of the motte disappears on the north side into an almost sheer drop of 12 to 15m to the flat water meadows bounding the river.

The proposal is to provide a footpath of shared use for cycling and pedestrians. At the access point from Ludlow Road entry pillar will be relocated to accommodate the route which will extend north as a 3m wide Tarmac Macadam to the east of an existing road terminating at an existing car park, the car park will be extended to the north and the loose stone surface of this and the new car park will be surfaced with a Macadam surface.

The proposed development is potentially within the conjectural extent of the castle bailey, the location of subsidiary buildings; stables, kitchens, smithy etc. to support life in the castle and will be visible from the scheduled monument. However the planned route and car park extension adhere closely to the existing road and car park footprints, the slight expansion of modern surfaces in the grassed area of the amenity surroundings will have only a very slight and not significant effect on the setting of the scheduled monument.

Representations

Following the display of a site notice, no public representations have been received at the time of writing this report.

Planning History

None as per GIS

Principal Planning Constraints

N/A

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 9, November 2016)	2016	National Policy
TAN5	Nature Conservation and Planning	2009	National Policy
TAN11	Noise	1997	National Policy
TAN12	Design	2016	National Policy
TAN13	Tourism	1997	National Policy

TAN16	Sport, Recreation and Open Space	2009	National Policy
TAN18	Transport	2007	National Policy
TAN23	Economic Development	2014	National Policy
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
DM2	The Natural Environment		Local Development Plan 2011-2026
DM3	Public Open Space		Local Development Plan 2011-2026
DM4	Landscape		Local Development Plan 2011-2026
DM13	Design and Resources		Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure		Local Development Plan 2011-2026
C1	Community Facilities and Indoor Recreation Facilities		Local Development Plan 2011-2026

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

Site Location and Description

The proposed development is located within the settlement development boundary of Knighton as defined by the Powys Local Development Plan (2018). To the north, east

and west of the application site is public open space and to the A4113 runs to the south of the development site.

Consent is sought for the installation of a cycle / footpath and an extension to the existing car park as well as alterations to the access.

Principle of Development

The proposed development seeks to install a cycle / footpath and to extend the car park as well as alterations to the access. The principle of the development has been considered under policy DM13 as there is no designated policy for such a development. Consideration has also been given to Policy SP7, T1 and Technical Advice Note 13 (1997).

Policy DM13 states 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.

Policy DM13 requires that development proposals where relevant meet set criteria in this instance it is considered that the proposed development will integrate into the surrounding area as the proposed cycle/footpath runs along the existing access to the car park at the football club. The proposed cycle/footpath will provide a betterment to the current means of travel along the existing access as the vehicular and cycle/footpath will now be separated and therefore acts as a benefit towards the existing tourism within the Knighton area, as well as providing safer active travel routes for pedestrians and cyclists.

The proposed development is therefore considered to comply with policy DM13 and SP7 of the Powys Local Development Plan and Technical Advice Note (TAN) 13.

Development proposals such as this should give consideration to policy T1 and should provide safe and efficient flow for all transport users, including more vulnerable users especially those making journeys by walking or cycling. This development is in accordance with policy T1 as it seeks to promote a form of sustainable travel by linking an existing footpath to the footpath along the A4113.

In light of the above it is considered that the proposed development complies with the principle of development subject to the following considerations:

Highway Safety

Policy DM13 part 10 states that development proposals should meet all highway access requirements (for transport users) and parking standards which include a safe access, visibility splays and adequate parking.

Given the proposed development includes the alteration to an existing access and car parking Powys County Council's Highway Authority has been consulted on the proposed development. The Highway Authority has noted the submitted plans and have considered that the details regarding the alterations to the access and parking areas contained within the submitted plans are acceptable. In light of the above it is considered that the proposed development is acceptable and would not have a detrimental impact upon highway safety subject to the development being carried out in accordance with the approved plans.

The proposed development therefore fundamentally complies with policy DM13 of the Powys Local Development Plan (2018) subject to the attachment of an appropriately worded condition.

Impact on the Setting of the Listed Building Scheduled Monuments and Archaeology impacts

Policy SP7 seeks to protect strategic resources and assets from inappropriate development. Listed Buildings and Scheduled Ancient Monuments are listed within this policy under criterion 2 as assets to protect.

Cadw have been consulted on the proposed development as the proposal is located within a 500 metre buffer of the scheduled ancient monument known as Bryn y Castell. Bryn Y Castell comprises of the remains of a motte and ditch dating to the medieval period (1066-1540AD). Cadw have noted that the proposal is potentially within the conjectural extent of the castle bailey and the location of subsidiary buildings which would have supported castle life. Cadw have stated that the planned route and car park extension adhere closely to the existing road and car park footprints with a slight expansion of modern surfaces in the grassed area and will only have a very slight and not significant effect on the setting of the scheduled monument.

CPAT have also been consulted on the proposed development in relation to archaeology implications of the proposed development. CPAT have noted that any excavations to create the proposed path and parking are will be minor and very shallow and therefore there would be no significant impact to the setting of the scheduled monument.

In light of the above it is therefore considered that the proposed development complies with policies SP7 and DM13 of the Powys Local Development Plan and Technical Advice Note 24.

RECOMMENDATION

It is therefore considered that the proposed development fundamentally complies with relevant planning policy. The recommendation is one of conditional consent.

Conditions

1 The development shall begin not later than five years from the date of this decision

2 The development shall be carried out in accordance with the following approved plans and documents PA-01 and PA-02.

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.

Case Officer: Thomas Goodman, Planning Officer
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