

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 20/0311/FUL

Grid Ref: E: 307330
N: 244302

Community Council: Erwood Community

Valid Date: 03.03.2020

Applicant: Mr & Mrs Sid and Celia Jefferies

Location: Tregare, Barns At Tregare, Gwenddwr, Builth Wells, LD2 3BZ,

Proposal: Conversion and change of use of barn(s) to a dwelling to include part rebuilding and extension, installation of septic tank and associated works

Application Type: Full Application

REPORT UPDATE

This report forms an update to the previous report circulated to Members and should be read in conjunction.

***Note** – Application 20/0312/LBC relates to the same proposed development and is to be considered after this application. This Update report also relates to that application and the recommendation remains unchanged.*

Applicants

14th October 2021

To: Members of PCC Planning Committee

For: Meeting to be held on Thursday 21 Oct '21 at 10am Planning Application ref:
20/0311/FUL & 20/3012/LBC

ATTACHED: • Tregare Barns LD2 3BZ, Amended Proposal for sewage treatment. SITE PLAN • Tregare Barns LD2 3BZ, 20/0311/FUL. Amended Proposal for sewage treatment NOTES

These two documents show that we are able to fully comply with NRW planning requirements. Our amended proposal for sewage treatment works can be 'be screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs.' The outflow, at 1.65 cu. m, is considerably less than the 2 cu. m maximum these criteria demand and the discharge to ground will be more than 200m from the

farmhouse septic tank. Also as required. We have also shown, using NRW measurements, the 'discharge to ground' drainage field is at least 130m from the Wye SAC and 70m from the Fernant, amply outside the minimum distances required.

PCC - Ecologist

18TH October 2021

I've reviewed the alternative proposed foul drainage scheme for Tregare Barns submitted last Thursday. The proposal is to install a package sewage treatment plant for the proposed 9 bedroom property. Whilst the proposed foul drainage scheme appears acceptable in principle, there appears to be some confusion regarding the daily discharge rate of wastewater from the property and not all required information has been provided to enable further screening of the application with regard to phosphate. The initial application was for holiday use which was then changed to use as a dwelling and the daily discharge rate changed to reflect a residential dwelling. However, the submitted information still refers to holiday usage which will incur a higher discharge rate than a domestic dwelling and is accepted as such in British Water Code of Practice Flows and Loads and NRW's permitting guidance. The applicant refers to discussions regarding an application for an environmental permit but this appears to be for use of the property as holiday accommodation. (I note that an application for an environmental permit nor a granted environmental permit is available on NRW's website. Neither has a permit exemption been registered for the scheme to date.) I advise that further clarification is sought to confirm whether the application is for a residential dwelling or for holiday accommodation; if the application is for a residential dwelling the submitted information should reflect this. I also note that ground percolation test results have yet to be provided. Therefore, we cannot be certain that installation of a drainage field to the required standard can be achieved. Without this pertinent information it cannot be ruled out that an adverse effect on the River Wye SAC would not result.

There appears to be an outstanding objection from Welsh Government on highways grounds. The applicant has indicated that a way forward may have been agreed directly with WG, potentially involving access improvements to the A470T at one or both junctions with the U0055. No information has been provided, however, to enable comment to be provided on potential biodiversity implications. There are records of dormouse and otter, both European Protected Species, in the vicinity of the affected road junctions and I strongly suspect modifications will involve impact to mature trees and hedgerows, and possibly affect a watercourse adjacent to the southern junction.

I'm afraid I would have to advise that we do not have sufficient information regarding potential impacts on European Protected Species or the River Wye SAC (in terms of phosphate and otter) to determine the application.

Officer Appraisal

Additional information has been received from the applicant that proposes an alternative foul waste drainage system that comprises the installation of a Private Sewage Treatment Plant to replace the proposed septic tank together with a revised drainage field re-located south east of the barns situated where it would be more than 40m from any surface water feature, more than 50m from the SAC boundary and more than 200m from the nearest existing discharge at a septic tank located at Tregare Farmhouse which has an NRW exemption permit.

The Ecologist has reviewed the proposal as set out above. The revised information is based on a calculation for 11 persons occupying a nine bedroom dwelling and shows a daily discharge rate of less than 2m³. It is noted that the submitted plans indicate a nine double bedroom with 9 bathrooms dwelling together with a separate, external laundry facility to be located in the converted stable block. For the purposes of the Habitats Regulations an exemption permit from NRW would be required for the proposed development and in making such an application the data must be based on the maximum potential occupancy. Whilst the additional information is noted it is considered that insufficient information has still been received to address this reason for refusal as no percolation test results for the revised drainage field have not been submitted.

Whilst it is acknowledged the revised proposal represents an improvement on the submitted scheme, it is considered that there still remains insufficient information available to demonstrate that it would not cause further deterioration of the River Wye SAC and the recommendation for refusal still stands.

Reference is also made to the Welsh Government Highways direction for refusal. The applicant has made us aware that they are personally in direct contact with Welsh Government concerning improvements to the junction/s with the A470(T). However, no additional detail or information on this has been submitted to the Planning Authority at this time so in respect of this application we can only consider what we have before us.

The Ecologist's comments above should also be noted in this respect as the impact on ecology, biodiversity and the SAC would have to be fully considered. The current proposal concerns proposed changes at the north and south junctions of the A470(T) with the U0071 and U0055 respectively. Therefore, on that basis, the Welsh Government direction has not been withdrawn and the direction to refuse still stands.

RECOMMENDATION – Refuse

Whilst Officers consider the principle of the proposed development to be acceptable, the submission fails to address the concerns expressed by Welsh Government in respect of highway safety. Furthermore, it is considered that the proposed development would adversely affect nature conservation interests, particularly the integrity of the River Wye SAC contrary to policies SP7 and DM2 of the LDP, PPW and TAN5. The recommendation is therefore one of refusal for the reasons articulated below.

Reasons

1. The proposed development would result in the increased use of a substandard access prejudicial to the safety and free flow of traffic on the trunk road. The proposed development is therefore contrary to policies DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
2. The proposed development fails to demonstrate that it would not cause further deterioration of the River Wye SAC in terms of phosphate input contrary to policies SP7 and DM2 of the Powys Local Development Plan (2018), Technical Advice Note 5: Nature Conservation and Planning (2009), Planning Policy Wales (Edition 11, 2021), Environment Act Wales, and the Conservation of Habitats and Species Regulations 2017 (as amended).

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