

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: P/2017/1249

Grid Ref: 322545.74
307473.89

Community Council: Welshpool

Valid Date: 29/11/2017
Officer: Luke Jones

Applicant: Powys County Council

Location: 2 Severn Street, Welshpool, Powys, SY21 7AB

Proposal: Full: Change of use of building and refurbishment of existing roof and proposed extension to rear of property

Application Type: Application for Full Planning Permission

The reason for Committee determination

This application has been submitted by Powys County Council.

Site Location and Description

The application site is located within the community council area of Welshpool. The application site is located within Welshpool Conservation Area and is a grade II listed building. The application site is also located within the C2 flood zone and is located within the primary shopping frontage area for Welshpool. The application is surrounded by existing commercial premises and businesses.

The application includes the change of use class of a former bank (class A2) to a substance misuse service (class D1). The proposed development also includes the refurbishment of the existing roof.

The proposed rear extension is a wraparound extension and will measure approximately 9 metres maximum in length and 8.2 metres maximum in width. The proposed extension will measure approximately 2.9 metres in depth at its maximum. The extension will reach a ridge height of approximately 3.1 metres. The proposed extension will be finished with an oak frame and glazing for the walls and the roof.

Consultee Response

Welshpool Community Council

The Committee supports this application.

PCC - Highways

Does not wish to comment on the application

PCC - Building Control

No comments received at the time of writing this report

Wales and West Utilities

Wales & West Utilities have been made aware of a planning application on 06.12.2017 , advising us of the proposals_at:

2, Severn Street, Welshpool, Powys, SY21 7AB

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive_list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its_role as a Licensed Gas Transporter (GT).Gas pipes owned by other GT's and also privately owned pipes may be_present in this area. Information with regard to such pipes should be obtained from the owners. The information shown_on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes,_valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind_whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission. Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works.

Should the planning application be approved then we require the promoter of these works to contact us directly to_discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable. You must not build over any of our plant or enclose our apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired. If you have any queries please contact Danielle Thomas on 02920 278912 who will be happy to assist you.

Severn Trent

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows:

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

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent

Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

To help us provide an efficient response please could you send all responses to welshplanning@severntrent.co.uk rather than to named individuals, including the STW ref within the email/subject.

PCC - Built Heritage

Thank you for consulting me on the above planning application.

I note that the applicant is Powys County Council and as such the accompanying listed building consent application P2017/1247 will not be determined by ourselves but by Welsh Government. I understand that whilst we are not the determining authority for the listed building consent applications, I am to provide comments on the accompanying planning permission. In commenting on the planning application the fact that the building are listed is a material consideration.

I am aware of pre-planning application submission enquiries including meetings on site with Cadw officers that have been undertaken and hopefully informed the listed building consent application

The building is a listed building Cadw ID 7848 included on the statutory list on 11 March 1981 and prominently sited within the Welshpool Conservation area.

The premises were constructed as a bank which the architectural details expected of a bank built at this time (1863). The interior has the features expected with a bank including the bank managers/directors office on the first floor which is ornate and rich in adornment and accessed by 2 staircases of different architectural character. At pre-application stage concern was expressed in respect of the subdivision of this fine room, and I note the submitted plans retain this single open space albeit with a number of free standing desks.

Concern was also raised at pre-application stage with the outcome of the bank furniture and partitions that remain on the ground floor and that these would be considered as fixtures and fittings and should remain in situ. It would appear that this concerns have been addressed in the application, however the reception area is proposed to be subdivided.

The building lends itself to certain types of office use, with its combination of small rooms and large directors room, however it does not lend itself to all County Council functions and as such a degree of subdivision is required. I note that efforts appear to have been made to accommodate the concerns with regard to the subdivision, with only 2 rooms being proposed for subdivision.

The provision of the extension is not opposed in respect of planning grounds, that is the impact on the character and appearance of the conservation area, or the setting of adjacent listed buildings. I acknowledge that the impact of the proposed extension to this listed building will be considered on the listed building consent application.

I can confirm that I have no objections to the planning application, however would request an informative note be attached to the granting of any permission advising that any signage placed on the exterior of the building would require listed building consent.

NRW

Thank you for your consultation received on 6th December 2017.

We have no objection to the proposed development.

Flood Risk

The application site lies entirely/partially within zone C2 as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004).

Given the scale of the proposed development, and in the absence of a flood consequence assessment, we consider the risk could be acceptable subject to the developer being made aware of the potential flood risks, and advised to install flood-proofing measures as part of the development.

If any overnight accommodation should be proposed in the future, then a proportionate FCA would be required.

The developer can access advice and information on protection from flooding from the following web page <http://naturalresources.wales/flooding/what-to-do-before-a-flood/?lang=en>

The Data Distribution team datadistribution@cyfoethnaturiolcymru.gov.uk may also be contacted to request flood level information.

Scope of NRW Comments

Our comments only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. Any site owner/developer should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

CPAT

Thank you for the consultation on this application.

Information retained within the Regional Historic Environment Record indicates that the development is located within the medieval historic core of Welshpool and lies to the rear of a street frontage which is known to have been within the medieval town layout and occupied by medieval and later buildings. The rear plots in a medieval town typically include property boundary ditches, refuse pits, outbuildings, gardens, artefacts of all periods and evidence of light industrial activity. We would therefore require an appropriate level of archaeological

monitoring during the initial extension construction phase to identify and record any buried features that may be revealed.

Accordingly we would recommend that an archaeologist is contracted to be present throughout the duration of initial topsoiling, ground preparation and foundation excavation works in order that an adequate record of any archaeological features revealed by these works can be made. This advice is in accordance with the guidance set out in Welsh Government TAN 24: The Historic Environment (May 2017) Planning Policy Wales (Chapter 6, Edn.9 Nov 2016).

The archaeologist should be part of a recognised professional archaeological organisation working to the Standard and Guidance of the Chartered Institute for Archaeologists relating to an Archaeological Watching Brief. The archaeologist should be working in accordance with an approved written scheme of investigation (WSI).

A suitable condition to facilitate the contracted watching brief is provided below along with a guidance note for the applicant on how to commission archaeological works.

Suggested planning condition to facilitate an archaeological watching brief

The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeological contractor. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

Reason: To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.

Representations

Following the display of a site notice on 20th December 2017, there have been no public representations received.

Planning History

PPAE/2017/0129 – Pre Application Advice

P/2012/0876 - Listed Building consent for internal alterations in connection with change of use of property from office use to a residential unit on part ground floor and upper floors together with ground floor office facing Severn Street, Conditional Consent

P/2012/0875 - Change of use of property from office use to a residential unit on part ground floor and upper floors together with ground floor office facing Severn Street, Conditional Consent

M/2007/1191 - Change of use from offices to dwelling - Refused

M/2007/1193 - Listed building consent to facilitate the conversion of offices to dwelling – Refused

Principal Planning Constraints

Flood Zone
Welshpool Conservation Area
Listed Building

Principal Planning Policies

National Planning Policies and Guidance

Planning Policy Wales (Edition 9, November 2016)
Technical Advice Note (TAN) 4: Retail and Commercial Development (2016)
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) 24: The Historic Environment (2017)

Local Planning Policies and Guidance

Powys Unitary Development Plan (2010):

SP1 – Social, Community and Cultural Sustainability
SP3 – Natural, Historic and Built Heritage
SP7 – Retail Developments, Leisure and other Town Centre uses
SP9 – Local Community Services and Facilities
GP1 – Development Control
GP3 – Design and Energy Conservation
GP4 – Highway and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV14 – Listed Buildings
HP4 – Settlement Development Boundaries and Capacities
RP1 – Retail Centre Hierarchy
RP3 – Town Centre Retail Development
CS6 – Health Care Developments

Powys Residential Design Guide (2004)

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

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 RP3 of the Powys Unitary Development Plan (2010) sets out the general requirements applied to all town retail developments within a town centre such as this proposal. It is noted that the application is located within the primary shopping frontage area for Welshpool. Policy RP3 states that applications would not be considered as acceptable within a primary shopping frontage area should they result in the loss of an existing ground floor A1 or A3 use. Within policy RP3 it states that proposals for a community use, which in the opinion of the council is of wider public benefit and in need of a town centre location will be permitted.

This application seeks consent to change the use of a former bank (A2) to a substance misuse service centre (D1) use. The proposed site is surrounded by existing A1 and A3 enterprises, the proposed development will be providing a community use and will benefit from being within a town centre location for accessibility purposes. The proposed development will not detract from the vitality of the area due to its public use and will not have an unacceptable impact on the viability of the existing area. Welshpool town centre is a thriving shopping area and the loss of an existing A1 or A3 enterprise for a proposal for a community use which will benefit the wider public is considered acceptable.

It is therefore considered that the proposed development would not be seen as having a detrimental impact upon the attractiveness, character and viability of the existing retail centre.

Policy ENV14 of the Powys Unitary Development Plan seeks to ensure that development proposals do not have an unacceptable adverse impact upon a listed building or the setting of the listed building. Proposals need to be of high quality design and use materials that are in keeping with the character and appearance of the listed building and of the surrounding area.

Policy CS6 regarding health care development states development and improvement of existing sites for hospitals, health centres, day centres, clinics and surgeries or the development of new sites or premises for these uses will be approved where their location complies with the sustainable strategic settlement hierarchy.

In light of the above it is considered that the principle of development fundamentally complies with relevant planning policy. Other material considerations are required to be considered which are as follows:

Design

With respect to design, specific reference is made to UDP policies GP1. The respective policies indicate that development proposals will only be permitted where the design, proportion, scale, materials and fenestration complements or enhances the character of the existing building.

Policy ENV11 indicates that proposals for development within or adjoining a conservation area should be of high quality design and should preserve or enhance the character or appearance of that area. Inappropriate developments that would significantly detract from that character will be opposed. Policy ENV14 states that proposals for development which unacceptably adversely affects a listed building or its setting will be refused.

Consent is sought for the erection of an extension to the rear of the property and the refurbishment of the existing roof.

The proposed rear extension is a wraparound extension and will measure approximately 9 metres maximum in length and 8.2 metres maximum in width. The proposed extension will measure approximately 2.9 metres in depth at its maximum. The extension will reach a ridge height of approximately 3.1 metres. The proposed extension will be finished with an oak frame and glazing for the walls and the roof.

It is considered that the proposed extension is of an appropriate scale and proportion relative to the original building and has been sympathetically designed to complement the existing building. The proposed design and layout is therefore considered to fundamentally comply with relevant planning policy. The proposed extension is to the rear of the property and is not visible from the street frontage and will not have a detrimental impact on the character or appearance of the surrounding area

In light of the above it is therefore considered that the proposed fundamentally complies with UDP policy GP1.

Built Heritage

Policy ENV11 indicates that proposals for development within or adjoining a conservation area should be of high quality design and should preserve or enhance the character or appearance of that area. Inappropriate developments that would significantly detract from that character will be opposed. Policy ENV14 states that proposals for development which unacceptably adversely affects a listed building or its setting will be refused. In considering proposals for development affecting a listed building and its setting, account is taken of the following:

The Built Heritage officer has been consulted regarding this application as the application site is located within the Welshpool Conservation Area and the building is grade II listed.

The officer noted that efforts appear to have been made to accommodate the concerns with regard to the subdivision, with only 2 rooms being proposed for subdivision. The Built heritage officer did not object to the proposed extension in terms of its impact on the character and appearance of the conservation area, or the setting of adjacent listed buildings. The officer acknowledged that the impact of the proposed extension to this listed building will be considered on the listed building consent application.

The Built Heritage officer has no objections to the planning application, however the officer requested an informative note to be attached to the granting of any permission advising that any signage placed on the exterior of the building would require listed building consent.

Neighbouring Amenities

In considering the amenities enjoyed by the occupiers of neighbouring properties consideration has been given to the Powys Residential Design Guide (October 2004). Consideration must be given to the amenities enjoyed by the occupiers of neighbouring properties. The extension is relatively small in scale and it is considered that the proposed extension to the rear elevation will not create any negative impacts upon the neighbouring properties in terms of any loss of daylight created by the erection of the proposed extension. The proposed extension will not afford the building any additional views to neighbouring buildings that would be considered to have negative impacts upon any loss of privacy. The proposed extension will be well screened by existing trees and hedgerows on the front and side boundaries.

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

Historic Environment

CPAT have been consulted regarding the application and noted the information retained within the Regional Historic Environment Record indicates that the development is located within the medieval historic core of Welshpool and lies to the rear of a street frontage which is known to have been within the medieval town layout and occupied by medieval and later buildings. The rear plots in a medieval town typically include property boundary ditches, refuse pits, outbuildings, gardens, artefacts of all periods and evidence of light industrial activity. We would therefore require an appropriate level of archaeological monitoring during the initial extension construction phase to identify and record any buried features that may be revealed.

In light of the above it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Flood Zone

The application site lies entirely/partially within zone C2 as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004).

Natural Resources Wales have been consulted regarding the application and noted given the scale of the proposed development, and in the absence of a flood consequence assessment, NRW consider the risk could be acceptable subject to the developer being made aware of the potential flood risks, and advised to install flood-proofing measures as part of the development.

In light of the above it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Other Legislative Considerations

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that there would be no unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material unacceptable effect upon the use of the Welsh language in Powys as a result of the proposed decision.

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

RECOMMENDATION – Conditional Consent

In light of the above it is therefore considered that the development fundamentally complies with relevant planning policy and the recommendation is therefore one of conditional consent.

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 plans stamped as approved on XXXXXX(drawing no's: Site Location Plan, Proposed Elevations, Proposed Floor Plan, Building Condition Report).
3. No development shall take place until a suitably qualified archaeological contractor is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeological contractor.

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. To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.

Informative Notes

Built Heritage

Any signage to be placed on the exterior of the building will require listed building consent.

No work shall commence until the Listed Building Consent Application is approved

Case Officer: Luke Jones- Planning Officer
Tel: 01597 827115 E-mail:luke.jones@powys.gov.uk