

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

**Application Number:** 18/1115/FUL

**Grid Ref:** E: 311233  
N: 291907

**Community Council:** Newtown And  
Llanllwchaiarn Community

**Valid Date:** 19.12.2018

**Applicant:** Powys County Council

**Location:** 5 Y Ffrydd, Newtown, Powys, SY16 2JY,

**Proposal:** Excavation of existing footway and construction of additional parking bays together with realignment of existing kerb

**Application Type:** Full Application

### The reason for Committee determination

The applicant is Powys County Council.

### Consultee Responses

#### Consultee

#### Received

Community Council

6th Feb 2019

The Town Council supports the application.

PCC-Building Control

No comments received at the time of writing this report.

Wales & West Utilities - Plant Protection Team

6th Feb 2019

Wales & West Utilities have been made aware of a planning application on 28.01.2019, advising us of the proposals

at:

Y Ffrydd, Canal Road, NEWTOWN, Powys, SY16 2JY

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.

PCC-(N) Highways

7<sup>th</sup> Mar 2019

Having considered the additional plans submitted, the Highway Authority wish a suitably worded condition to be attached to any consent given which states that the development must be carried out in accordance with the submitted drawings.

The applicant should be aware that a highways legal agreement shall need to be set up prior to any works commencing.

Hafren Dyfrdwy

31st Jan 2019

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.

Clean Water Comments

We have apparatus in the area of the planned development, the developer will need to contact Severn Trent Water, New Connections team as detailed below to assess their proposed plans for diversion requirements.

To request a water map please follow the link, , <https://www.stwater.co.uk/building-and-developing/estimators-and-maps/request-a-water-sewer-map/> select "Water and / or Sewer map request form" fill out the relevant details and fee payment and return to:

Severn Trent Water, Asset Data Management,

GISmapping Team, PO Box 5344, Coventry, CV3 9FT

Fax: 02477 715862

e-mail: [GISmapping@severntrent.co.uk](mailto:GISmapping@severntrent.co.uk)

Any correspondence and diversion applications are to be submitted through New Connections, the relevant form can be found on the Severn Trent website at <https://www.stwater.co.uk/building-and-developing/other-developments/diversions/> Please click on download water diversion application form and complete the form as fully as possible.

Information on diversion application charges can be found <https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance> in "Our Charges" - Developer Charges 2015-2016 in Section 5.

Please attach all the relevant documentation and relevant fee and return the form to:

Severn Trent Water Ltd

PO Box 5311

Coventry

CV3 9FL

Telephone: 0800 707 6600

Email: [new.connections@severntrent.co.uk](mailto:new.connections@severntrent.co.uk)

To help us provide an efficient response please could you send all responses to [APPlanning@hdcymru.co.uk](mailto:APPlanning@hdcymru.co.uk) rather than to named individuals, including the HD ref within the email/subject.

## **Representations**

No representations received at the time of writing this report.

## **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
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P/2018/0467 Full: New parking arrangements and associated works. Withdrawn 31/07/2018

### **Principal Planning Constraints**

N/A

### **Principal Planning Policies**

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
DM2	The Natural Environment		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

### **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 35 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is 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.

### Site Location and Description

The application site is located within the settlement development boundary of Newtown as defined by the Powys Local Development Plan (2018). The site is located on Y Ffrydd, an unclassified road that serves residential properties to the north-east of Newtown. The site is bound by residential properties to the north, south, east and west.

This application seeks the excavation of an existing footway and the construction of additional parking bays together with the realignment of the existing curb along Y Ffrydd, Newtown.

### Principle of Development

Policy T1 of the Local Development Plan (2018) seeks to ensure that transport infrastructure improvements will be supported where they promote sustainable growth, maximise the efficiency and safety of the transport systems, improve public and private transport integration and encourage passenger and freight rail operations.

Consent is sought for the excavation of the existing footway and construction of additional parking bays together with the realignment of the existing kerb. The proposed development is considered a betterment to the existing street scheme in which the safety along Y Frydd will be enhanced by the way of improving the existing infrastructure.

It is therefore considered that the principle of the proposed development fundamentally complies with relevant planning policy.

### Design and External Appearance

With respect to design and appearance, specific reference is made to LDP policy DM13 (Part 1). This policy indicates that development proposals will only be permitted where the development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.

The proposal seeks to excavate the existing footway and construct additional parking bays, together with the realignment of the existing kerb. It is considered that the proposed

changes would not be detrimental to the character and appearance of the surrounding area by reasons of layout, siting or proposed materials.

In light of the above and based on the design, scale and materials proposed, it is considered that the proposed development fundamentally complies with relevant planning policy.

### Highway Safety

A safe access, parking and visibility splays are a fundamental requirement of any development (LDP: DM13, Part 11 and E1).

As part of the application process the Highway Authority has been consulted and recommended the inclusion of a condition securing development in accordance with the submitted drawings. This is a standard condition that will be attached to any granting of planning permission and therefore a separate condition regarding this is not required.

In light of the above and subject to the recommendations, it is considered that the proposed development is in accordance with policy.

## **RECOMMENDATION**

Officers are satisfied that the proposed development complies with the relevant policies and the recommendation is therefore 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 (Drawing no's: 2166/LP, D/001 Rev C, D/002).

### **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.

### **Informative**

The applicant should be aware that a highways legal agreement shall need to be set up prior to any works commencing.

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