

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

**Application Number:** 18/0922/RES

**Grid Ref:** E: 320376  
N: 290839

**Community Council:**

**Valid Date:** 16.11.2018

**Applicant:** Powys County Council

**Location:** Land Adjacent to Southeast of Village Hall, Sarn, Newtown, Powys, SY16 4HQ

**Proposal:** Reserved matters for details of access, appearance, landscaping, layout and scale in connection with proposed development of 7 no. affordable dwellings and all associated works

**Application Type:** Reserved Matters

### The reason for Committee determination

This application is submitted by Powys County Council.

### Site Location and Description

This application site is located off the classified highway (C2053) opposite Sarn School and adjacent to the Village Hall. The site comprises of an agricultural field used for the purposes of grazing. The site is bound by agricultural land to the south east and south west. The classified highway bounds the site to the north east.

The site subject to this application benefits from outline planning consent (all matters reserved) for the erection of 7x affordable dwellings, alterations to road, provision of footpath, formation of access to agricultural land and associated works granted under planning reference P/2017/1489.

This reserved matters application seeks consent for the details reserved for future consideration, namely, access, appearance, landscaping, layout and scale.

### Consultee Responses

#### Consultee

#### Received

Community Council

10th Dec 2018

Community Councillors have now considered this application and wish to respond as

follows:

18/0922/RES

Grid Reference: E:320376 N: 290839

Land Adjacent To Village Hall , Sarn, Newtown, SY16 4EJ

Reserved matters for details of access, appearance, landscaping, layout and scale in connection with proposed development of 7 no. affordable dwellings and all associated works

."Council wishes to reiterate their response to the outline application P/2017/1489."

"Council object to these amended plans to erect 7 dwellings as it is felt that the style and number will significantly change the character of the village."

"They continue to support the original plan for 5 detached dwellings as discussed at the recent site meeting".

PCC-Building Control

23rd Nov 2018

Please be aware that Building Regulation approval will be required.

Wales & West Utilities - Plant Protection  
Team

28th Nov 2018

Wales & West Utilities acknowledge receipt of your notice received on 22.11.2018, advising us of the proposals for:

Land Adjacent, Sarn Village Hall, Sarn, NEWTOWN, Powys, SY16 4EJ

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas

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.

Hafren Dyfrdwy

27th Nov 2018

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.

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

- o 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
- o 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

Hafren Dyfrdwy advise that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Hafren Dyfrdwy to discuss the proposals. Hafren Dyfrdwy will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer.

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.

If you would like a copy of this in Welsh, please let us know.

Highway Authority

6<sup>th</sup> March 2019

The County Council as Highway Authority for the County Class III Highway, C2053

Wish the following recommendations/Observations be applied  
Recommendations/Observations

Prior to any other works commencing on the development site, detailed engineering drawings for a road widening and footway along the Class III C2053 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of any dwelling, all Highway Improvements, referred to above, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.

Prior to the commencement of any other works on the development site, the access and visibility splays are to be constructed in accordance with drawing number 2647/P21/002 Rev B.

- HC1 Prior to the occupation of any dwelling any entrance gates shall be set back at least 10 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
- HC2 The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
- HC7 Prior to the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
- HC8 Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom in accordance with CSS Wales Parking Standards, excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

HC11 Prior to the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

HC21 Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,

HC30 Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

HC32 No surface water drainage from the site shall be allowed to discharge onto the county highway.

## **Representations**

A public site notice was erected at this site on the 13<sup>th</sup> December 2018. No third party representations have been received by Development Management at the time of writing this report.

## **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
P/2017/1489	Outline: Erection of 7x affordable dwellings, alterations to road, provision of footpath, formation of access to agricultural land and associated works (all matters reserved)	Consent	15th Mar 2018

## **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

TAN2	Planning and Affordable Housing	National Policy
TAN5	Nature Conservation and Planning	National Policy
TAN12	Design	National Policy
TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP1	Housing Growth	Local Development Plan 2011-2026
SP3	Affordable Housing Target	Local Development Plan 2011-2026
SP5	Settlement Hierarchy	Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement Hierarchy	Local Development Plan 2011-2026
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
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026

H2	Housing Sites	Local Development Plan 2011-2026
H6	Affordable Housing Exception Sites	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 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

This application site has the benefit of outline consent granted for the erection of 7 affordable dwellings, alterations to road, provision of footpath, formation of access to agricultural land and associated works under application P/2017/1489. This reserved matters application considers the details reserved at the outline stage and includes access, scale, appearance, layout and landscaping.

On the basis of the above, it is considered that the principle of development at this location is acceptable.

#### Scale, Design and Appearance

Policy DM13 of the Powys Local Development Plan seeks to ensure that development is designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing and design detail.

Developments should not have an unacceptable detrimental impact upon the amenities enjoyed by the occupants or users of nearby properties by means of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter.

The proposed residential development includes the provision of 7 dwellings to comprise of two 2 bed terrace houses, one 3 bed house and four 2 bed bungalows. The proposed terrace houses will measure approximately 8.7 metres in length, 6.8 metres in width, 5 metres in height to the eaves and 6.8 metres in height to the ridge individually. The combined length of the block of three, two storey dwelling will measure approximately 23.9 metres in length.

The proposed bungalows are to be semi-detached with an internal floorspace of approximately 65 square metres. The bungalows will measure approximately 10 metres in length, 8.1 metres in width, 2.8 metres in height to the eaves and 5 metres in height to the ridge. The bungalows are semi-detached blocks which measure a total of 20 metres length.

The proposed dwellings are to have walls finished in render, brick plinth, with roofs clad in slate, softwood joinery, aluminium clad porch covering and solar panels to the roof. Officers consider that the proposed materials will complement and enhance the character and appearance of the surrounding area.

In light of the above, Officers consider that the proposed design, scale, massing and proposed materials will complement and enhance the character and appearance of the surrounding area and fundamentally complies with policy DM13 of the Powys Local Development Plan.

#### Highways Safety and Movement

Policy T1 of the Powys Local Development Plan 2018 states that development proposals should incorporate safe and efficient means of access to and from the site for all transport users, manage any impact upon the network and mitigate adverse impacts.

Access to the proposed development will be provided off the county highway with parking and turning provision within the site boundary. As part of this application process the Highway Authority has been consulted. No objection has been received from the Highway Authority subject to a number of recommended conditions to be attached to any grant of consent. Officers are satisfied that subject to the recommended conditions the proposed development complies with the relevant policies.

In light of the Highway Officers comments, Officers consider that the proposed development is in accordance with planning policy, particularly policy DM13 and T1 of the LDP, Technical Advice Note 18 and Planning Policy Wales.



## Layout and Landscaping

The proposed dwellings form a frontage along the C2053 classified highway set behind the proposed highway turning and parking areas for the dwellings. The site is located adjacent to the village hall and opposite a school with the nearest residential dwellings being the other side of the A489 classified highway. This reserved matters application includes a landscaping plan which illustrates the proposed planting specifications and the boundary treatments for the site.

Officers consider that the proposed site layout and landscaping features are considered to be acceptable given the siting of the dwellings and the surrounding topography. The proposal fundamentally complies with policy DM13 of the Powys Local Development Plan.

## Foul and Surface Water Drainage

As part of this application process Hafren Dyfrdwy has been consulted and recommended that a condition be attached to any grant of consent requiring a foul and surface water drainage scheme to be submitted and agreed. Hafren Dyfrdwy were consulted as part of the outline application (P/2017/1489) process and recommended that the same conditions be applied to any grant of outline consent. A condition in respect of foul and surface water (condition 7) was attached to the outline consent at the time of determination and therefore Officers consider that unnecessary to attach a similar condition to any grant of reserved matters being considered under this application.

In light of the above the development is considered to comply with the relevant planning policies.

## Conclusion

In light of the above considerations the proposed scale, appearance and layout of the dwellings and site is considered to be acceptable with the proposed landscaping being satisfactory. Officers find the proposed dwellings to be of a scale and design that is considered to be appropriate given the sites location and the nature of the dwellings as affordable dwellings. Sufficient information has also been submitted to demonstrate that a safe access and adequate parking/turning provision is capable of being provided.

## **RECOMMENDATION**

In light of the above, the recommendation is one of conditional consent.

## **Conditions**

1. The development hereby granted approval of reserved matters shall be begun before the expiration of two years from the date of this approval, or before the expiration of five years from the date of the outline planning permission whichever is the longer.
2. The development shall be carried out in accordance with the following approved plans and documents (2647/P21/001 REV A, 2647/P21/002 REV B, 2647/P21/003 REV B, T057.2.1.101 REV E, T057.2.1.102 REV D, T057.2.1.103 REV D, T057.2.0.104)
3. Prior to any other works commencing on the development site, detailed engineering drawings for a road widening and footway along the Class III C2053 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.
4. Prior to occupation of any dwelling, all Highway Improvements, referred to above, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.
5. Prior to the commencement of any other works on the development site, the access and visibility splays shall be constructed in accordance with drawing number 2647/P21/002 Rev B.
6. Prior to the occupation of any dwelling any entrance gates shall be set back at least 10 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
7. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
8. Prior to the commencement of any other development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
9. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom in accordance with CSS Wales Parking Standards, excluding any garage space

provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

10. Prior to the commencement any other development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
11. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
12. Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
13. No surface water drainage from the site shall be allowed to discharge onto the county highway.

### **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 the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 and T1.
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