

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 18/0581/OUT
Grid Ref: E: 326949
N: 318994
Community Council: Llandysilio Community
Valid Date: 21.09.2018

Applicant: Mr N Savage

Location: Land 200 Meters West Of Oldfield Farm, Llandysilio, Llanymynech, Powys, SY22 6RB

Proposal: Proposed affordable housing development and all associated works.

Application Type: Outline planning

The reason for Committee determination

In accordance with the Planning Protocol, Members are advised that the application was called in by the Local Member.

Consultee Responses

Consultee

Received

Ward Councillor

26th Oct 2018

Many thanks for the attached email.

Following a Community Council meeting last night the Councillors would like to call this application for committee determination.

Reasons being that the proposed site is outside the development plan and that the number of houses proposed at 24 is far too much given the recent planning history in the Village.

I look forward to receiving confirmation in due course.

Many Thanks, Cllr. Arwel Jones.

Community Council

29th Oct 2018

For the attention of Planning Dept/Gemma Bufton

Dear Sirs,

Re: 18/0581/OUT - Affordable housing etc at land west of Oldfield Farm, Four Crosses.

Llandysilio Community Council have considered the above application at a meeting held on Thursday 25th October 2018 and wish to OBJECT for the following reasons;-

1. Contrary to Policy SP1 - Housing Growth

The Powys Local development Plan has now been adopted and has identified a site within the Village (P18 HA1) for development which has the capacity for 32 dwellings. Part of this development will include a percentage of affordable homes and there is therefore no justification for a development outside the village development boundary. 32 Homes is considered an adequate supply of housing within the Plan period.

2. Contrary to Policy HP6 Affordable Housing Exemption sites

Policy HP6 states that any developments need to meet a proven, unmet local need. No evidence has been submitted with the application to demonstrate any local need. Planning permission has already been given to 49 dwellings on a site adjacent the Village Boundary (on the other side of the Village) and 10 houses have already been allocated as affordable housing in this development. The last large development in the Village was 57 dwellings at Parc Hafod and as part of this development 13 properties were designated as affordable.

Policy HP6 also states that the proposed development should be of a size and scale commensurate with the defined need and appropriate to the settlement tier - there is no justification for 24 affordable houses.

Policy HP6 also states that any sites allocated for affordable housing must show clear and adequate arrangements to ensure that the benefits of affordable housing are secured for subsequent occupiers. No evidence has been submitted to demonstrate this

3. Policy DM1 -Planning Obligations

In line with all the other applications we have received The Community Council wish to draw attention to the need to support the infrastructure of the Village- money is needed from developers to improve the Medical facilities in the Village (planning permission has

been obtained for an extension) as currently there is a 3 week wait for an appointment with a Doctor. Llandysilio Church in Wales School are also in need of assistance as they currently rely on mobile classrooms for some of their classes.

Wales & West Utilities - Plant Protection
Team

23rd Oct 2018

Wales & West Utilities acknowledge receipt of your notice received on 23.10.2018, advising us of the proposals for:

Llandysilio, LLANYMYNECH, Powys, SY22 6RB

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.

Building Control

9th Oct 2018

Building Regulations application required.

Hafren Dyfrdwy

15th Oct 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

The developer's attention is also drawn to the legal requirement for all sites to enter into a Section 104 sewer adoption agreement with Hafren Dyfrdwy before any sewer connection can be approved, in line with the implementation Schedule 3 of the Floods and Water Management Act 2010. Full details of this are provided on our website www.hdcymru.co.uk under the 'New Site Developments' section.

Environmental Health

17th Oct 2018

Re: Proposed affordable housing development, formation of vehicular access and access road and all associated works.

Foul drainage

Environmental Protection has no objection to the proposal to connect to the mains public sewer.

Construction-phase noise control

Due to the residential nature of the setting, Environmental Protection would recommend that the construction period working hours and delivery times be restricted as follows:

"All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

- o 0800-1800 hrs Monday to Friday
- o 0800-1300 hrs Saturday
- o At no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above."

Natural Resources Wales

25th Oct 2018

Thank you for consulting Natural Resources Wales (letter dated 09/10/2018) regarding the above.

We recommend that you should only grant planning permission for the scheme if it can meet the following requirements, to address significant concerns that we have identified. Provided these requirements are met, we would not object to the scheme.

Summary of Requirements:

Requirement 1 - bats: The submission of additional information to demonstrate the proposal has taken into account the ecological recommendations and it will not be detrimental to the maintenance of the population of any species of bats concerned at a favourable conservation status in its natural range.

Protected Species

We note that the ecological submission in support of the above application (Arbor Vitae dated January 2018) has identified that several trees within the hedge boundaries have been found to have medium to high potential for bats. NRW holds record of bats in the area and it is likely that the trees and hedgerows present on site provide roosting opportunities and flight lines for foraging and commuting.

In this case, the report concludes that the proposed development is not likely to harm or disturb protected species or their breeding sites and resting places at this site because the above-mentioned trees will not be affected by the proposal and further habitat enhancement will be incorporated within the final design.

We have assessed the Design and Access Statement document and the block plan submitted with this application and we are unable to establish whether the recommendations and statements made in the ecological report have been considered at this outline stage of the design.

Provided the existing trees are retained, reasonable avoidance and some habitat enhancement measures are incorporated within the final design as described in section 6 of the report, we would have no concerns with this proposal.

We recommend that you seek the submission of plans demonstrating that appropriate ecological avoidance and enhancement measures have been considered at this stage.

Requirement 1 - bats: The submission of additional information to demonstrate the proposal has taken into account the ecological recommendations and it will not be detrimental to the maintenance of the population of any species of bats concerned at a favourable conservation status in its natural range.

If any of the mature trees are due for removal, a bat survey will be required prior to determination.

We will be able to revise our comments upon receipt of clarifications on the above.

Advice for the developer:

Foul Drainage

We note from the application form that the proposed method for foul drainage is to mains sewer. Welsh Water should be contacted to ensure that there is sufficient capacity.

Waste

Waste produced during the construction phase of your development must be dealt with appropriately, and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- o before it is collected, disposed of or recovered
- o to identify the controls that apply to the movement of the waste
- o to complete waste documents and records
- o to identify suitably authorised waste management options
- o to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Pollution Prevention

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be 110% of the capacity of the tank, all filling points, gauges, vents and sight glasses must be located within the bund. Associated pipe-work should be located above ground and protected from accidental damage.

All works at the site must be carried out in accordance with PPG6 'Working at construction and demolition sites' which is available at:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Welsh Government - Highways
Directorate

15th Oct 2018

I refer to your consultation of 08/10/2018 regarding the above planning application and advise that the Welsh Government as highway authority for the A483 trunk road does not issue a direction in respect of this application.

If you have any further queries, please forward to the following Welsh Government Mailbox
NorthandMidWalesDevelopmentControlMailbox@gov.wales

Clwyd Powys Archaeological Trust

18th Oct 2018

As with the prior application (P2017/1062), which covered this field and a wider area around it, the archaeological evaluation has shown that the whole field is archaeologically sensitive and contains archaeology spanning the Neolithic (4000 BC) to Post Medieval periods. There is a recorded Bronze Age (2000 - 700BC) burial mound within the application area which survives as a low earthwork and is likely to contain a central burial. We also know that Offa's Dyke runs down the west side of the field. The evaluation trenching identified a number of other pit and linear features that represent prehistoric and later archaeology and the surrounding fields include a dense scatter of sites.

We would therefore recommend once more that this field is subject to area excavation prior to development commencing so that a detailed record of the archaeology can be completed. I have included a suggested condition below:

Suggested planning condition to facilitate a scheme of archaeological investigation as a condition of consent:

A) No development shall commence until a Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI shall include;

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be commenced until the archaeological site investigation has been completed and the post excavation assessment report has been approved in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication, dissemination of results and archive deposition has been secured.

Reason: To secure preservation by record of all archaeological remains which will be impacted by the development

In effect the above combined condition means that:

- o Development may commence once the site investigation is complete.
- o The funding for post investigation analysis and reporting is secured and can take place after the development has commenced.

o Full analysis, publication, and archive deposition may take some years to complete, particularly for a large or complex investigation like this one, but the development is not delayed over this period.

Please contact me if you wish to discuss any of the above recommendation or require more information. If there are any alterations to the suggested condition before consent is given please contact me to agree the changes.

Representations

The proposed development has been advertised by site display and within the local press. At the time of writing this report two representations have been received by Development Management. The concerns expressed therein can be summarised as follows;

- Failure of the applicant or other body to notify neighbouring property of proposal;
- Inadequate notice period for consultation;
- Proposal will place strain upon local amenities and facilities including Primary Schools;
- Unacceptable noise impact – adverse impact on the health of existing residents;
- Disturbance of archaeological remains;
- Residential development outside of the settlement boundary;
- Lack of information regarding renewable energy measures.

Planning History

P/2017/1062 - Outline: Residential development, formation of vehicular access and access road, and all associated works. Refused 15th March 2018.

Principal Planning Constraints

Residential development outside of the settlement development boundary;

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN1	Joint Housing Land Availability Studies		National Policy

TAN2	Planning and Affordable Housing	National Policy
TAN5	Nature Conservation and Planning	National Policy
TAN11	Noise	National Policy
TAN12	Design	National Policy
TAN18	Transport	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
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM1	Planning Obligations	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
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
H3	Housing Delivery	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
H5	Affordable Housing Contributions	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

Supplementary Planning Guidance - Affordable Housing (2018)

Supplementary Planning Guidance – Biodiversity and Geodiversity (2018)

Supplementary Planning Guidance – Landscape (2018)

Supplementary Planning Guidance – Planning Obligations (2018)

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Planning (Listed Buildings and Conservation Areas) Act 1990

Officer Appraisal

Site Location and Description

The application site adjoins the settlement development boundary of Four Crosses. The site is bound by agricultural land to the north and east. Located to the south are existing residential properties whilst the public highway bounds the site to west.

Consent is sought in outline for the provision of 24 affordable dwellings. Matters relating to access, appearance, landscaping, layout and scale have been reserved for future consideration whilst access is to be considered at the outline stage. The site area extends to approximately 8074 square metres/0.80 hectares and proposes a housing density of 30 units per hectare. The proposed affordable housing scheme comprises of the following;

- 10 x 2 bed semi-detached units – approximately 59.9 square metres (House Type 1);
- 2 x 3 bed detached and integral garage - approximately 91.3 square metres (House Type 2);
- 12 x 3 bed semi-detached units – approximately 80.3 square metres (House Type 3).

Access to the proposed residential development will be provided off the highway located to the west whilst parking and turning provision will be provided within the application site boundary.

Planning History

Members are advised that a previous planning application for the erection of 34 dwellings (P/2017/1062) was considered and refused in March 2018, the reasons for refusal as cited on the decision notice being;

1. The proposed development within the open countryside is considered to be unsustainable development contrary to Planning Policy Wales (9th Edition, 2016) and policies SP5, HP4, HP5, HP6 and HP8 of the Powys Unitary Development Plan 2010.
2. The proposed development would result in the unjustified loss of Grade 2 agricultural land, contrary to Planning Policy Wales (9th Edition, 2016) and policy ENV1 of the Powys Unitary Development Plan (2010).

The application site relating to the above proposal included an area of land within the development boundary, located to the south of the current application area. The refused application was considered in accordance with the former Unitary Development Plan, justifying the scheme on the basis that a 5-year housing land supply could not be demonstrated by the Council.

Although the application site as proposed (18/0581/OUT) comprises of land subject to the previous refusal, the proposal differs considerably in that the scheme now includes 100% affordable housing as an exception to normal housing policy and is also to be considered in accordance with the Local Development Plan, adopted in April 2018.

Principle of Development

Strategic policy SP5 confirms that the LDP spatial strategy is based on a sustainable settlement hierarchy which takes account of a settlement's size, levels of service provision and the capacity and suitability of a settlement to accommodate sustainable growth. The sustainable settlement hierarchy comprises:

- Towns
- Large Villages
- Small Villages
- Rural Settlements
- Open Countryside including the Undeveloped Coast

The development limits for Towns and Large Villages are set by designated Development Boundaries shown on the LDP inset maps. For the purpose of the plan, Members are advised that Four Crosses is defined as a Large Village. In such locations, the LDP anticipates at least 25% of the Plan's housing growth will be directed through commitments, new allocations or affordable housing on exception sites where these form a logical extension to the settlement.

Affordable Housing Exception Sites & Delivery

As an exception to normal housing policy, LDP policy H6 allows the development of sites for 100% affordable housing to meet local needs in locations not normally acceptable for residential development in accordance with PPW and TAN 2. Sites adjacent to Towns and Large Villages are likely to be suited to accommodating the larger affordable housing schemes and therefore these sites are reserved for development by Registered Social Landlords, or equivalent organisations, or the Strategic Housing Authority.

In accordance with policy H6, new affordable homes should be of a size, scale and tenure that is commensurate with the defined need. The Powys Local Housing Market Assessment (LHMA) provides robust evidence of local housing need and confirms that there is an overall need for affordable housing across all areas of Powys however identifies a greater need for additional affordable housing for smaller households of 1 or 2 bedrooms. The Affordable Housing SPG indicates that the LHMA is currently undergoing review and therefore the Council will consider other sources of evidence in order to determine need, including the Common Housing Register (identifies need for social housing) and the Affordable Housing Register (Tai Teg).

Whilst the site subject to this application is, for the purposes of the Plan defined as open countryside, the site immediately adjoins the settlement development boundary of Four Crosses and proposes 100% affordable housing. The proposed scheme includes the provision of 10 x semi-detached units (2 bed), 2 x detached units (3 bed) and 12 x semi-detached units (3 bed). Based upon the evidence accompanying the application, it is understood that the housing types proposed in terms of size and nature reflect the proven local need within Four Crosses as demonstrated by the Common Housing Register (CHR).

It is noted by Officers that concerns regarding the principle of the proposed development have been expressed by the Community Council and interested third parties. In particular, concerns relate to the perceived oversupply of affordable housing within the Village given recently consented schemes together with an LDP allocation (P18 HA1, 32 dwellings). Whilst acknowledging the concerns put forward, Officers are satisfied that the proposal includes an appropriate mix of housing, reflective of the housing need as evidenced by the Commons Housing Register. On this basis, it is considered that the proposal is in accordance with LDP policies H1, H3 and H6.

Housing Density

All housing development proposals should seek to make the most sustainable and efficient use of land. The density for any proposed housing development should be in accordance with the guide ranges detailed within the LDP unless justified by evidence of local circumstances or constraints. Within Towns and Large Villages, the LDP indicates a density of a minimum of 27 units per hectare.

The application site area extends to approximately 0.80 hectares and proposes the erection of 24 dwellings, achieving a density of 30 units per hectare. As such, it is considered that the proposal is compliant with policy H4.

Sustainability & Services

Members are advised that third party concerns have been expressed regarding the sustainability of the development, particularly the increased pressure on local services including health care facilities. Whilst noting the concerns raised, it is considered that the overall sustainable growth and development of the settlement and wider area is controlled via the LDP settlement hierarchy and identified settlement development boundaries.

As discussed, for the purposes of the LDP, Four Crosses is defined as a Large Village. Although smaller than Towns, at least 25% of the anticipated housing growth is to be directed to these locations within the LDP, and whilst they do not possess the range of facilities within Towns, they are regarded as having the capacity to accommodate larger developments.

In light of the above and notwithstanding the concerns expressed, Officers do not consider there to be sufficient evidence to indicate that the proposed development will have an unacceptable impact on existing services within Four Crosses.

Agricultural Land

Planning Policy Wales confirms that agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future. When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special

importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development.

Members are advised that the application site comprises of a small parcel of land classified as Urban (south-western corner) whilst the remaining area of land is classified as Grade 2 – good quality agricultural land.

In considering the proposal, Members are encouraged to balance the delivery of affordable housing against the desire to safeguard the most versatile agricultural land, both of which are defined as key planning objectives within Planning Policy Wales.

Notwithstanding the previous reason for refusal and policy presumption to safeguard agricultural land of grades 1, 2 and 3a, in this instance, Officers consider that the need to deliver affordable housing in an area where there is a proven need for such housing provides sufficient weight to override the desire to safeguard agricultural land. Therefore, on balance, the proposal is considered to be in accordance with Planning Policy Wales.

Appearance, Layout and Scale

Proposals for new development outside the Towns, Large Villages, Small Villages and Rural Settlements defined in the Settlement Hierarchy must not, individually or cumulatively, have an unacceptable adverse effect, on the valued characteristics and qualities of the Powys landscape and therefore must be appropriate and sensitive in terms of integration, siting, scale and design. The objectives of policy DM4 as above are further endorsed within policy DM13 which emphasises the need for development proposals to complement and/or enhance the character of the surrounding area.

Guidance within the recently adopted Landscape SPG indicates that outside of settlements, applications for residential development of ten dwellings or more should be supported by a Landscape and Visual Impact Appraisal together with details within the Design and Access Statement confirming how the proposal accords with policy DM4.

Officers note that the application is not accompanied by a LVI Appraisal as its validation pre-dates the adoption of the SPG. Nevertheless, it is considered that there is sufficient information available to make an informed assessment of the potential impact. Whilst the site of development is located within the open countryside, the area of land immediately adjoins the settlement development boundary and in the opinion of Officers, will be read as a logical extension to the built form. Details relating to appearance, layout and scale have been reserved for future consideration however on the basis of the information submitted to date, Officers are satisfied that an appropriate scheme which complements the surrounding area whilst safeguarding residential amenity is capable of being secured. The proposal is therefore considered to be in accordance with LDP policies DM4 and DM13.

Open Space Provision

Policy DM3 of the Powys LDP states;

Development proposals either partially or wholly located on existing Open Space will only be permitted where it can be demonstrated that:

1. There is an excess of such provision in the area; and
2. There is no longer a requirement for that type of open space in the area; and
3. The site would not be suitable to provide an alternative type of Open Space for which there is a shortfall; or
4. It can be demonstrated that alternative provision can be made available that is of enhanced or equivalent community benefit in terms of its size, characteristics, location and accessibility.

Provision for new Open Space will, subject to viability, be sought from all housing developments of 10 or more dwellings. The type and nature of the provision will be determined by the deficiencies identified in the Open Space Assessment for the locality and, depending on the individual circumstances, may be provided on or off site.

On reviewing the Open Space Assessment, whilst the site has access to an outdoor pitch, cemetery and amenity open space, it is noted that there is no Local Area of Play (LAP) or Local Equipped Area of Play within Four Crosses. Whilst no formal area of open space has been identified within the proposed scheme, Officers consider that this is capable of being secured through an appropriate legal agreement. Should Members be minded to grant consent, it is recommended that a S106 agreement be prepared to secure the provision and future maintenance of the open space provision on site in accordance with policy DM3 of the Powys LDP.

Cultural Heritage

Technical Advice Note 24 confirms that the conservation of archaeological remains is a material consideration in determining a planning application. When considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation *in situ*, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains. In cases involving less significant archaeological remains, local planning authorities need to weigh the relative importance of the archaeological remains and their settings against other factors, including the need for the proposed development.

Where development might reveal, disturb or destroy archaeological remains, it is important that the opportunities to record archaeological evidence are taken and that archaeological remains are not needlessly destroyed.

An archaeological evaluation of the application site area has shown that the whole field is archaeologically sensitive and contains archaeology spanning the Neolithic (4000 BC) to Post Medieval periods. It is understood from CPAT, that there is a recorded Bronze Age (2000 - 700BC) burial mound within the application area which survives as a low

earthwork and is likely to contain a central burial. Furthermore, Offa's Dyke runs down the west side of the field. In order to ensure a record of any unearthened remains is secured, an appropriate condition has been recommended by CPAT. Subject to the inclusion of the said condition, Officers are satisfied that a record of archaeological evidence can be secured, compliant with Technical Advice Note 24 as above.

Highway Safety and Movement

The development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.

In accordance with policy DM13, development proposals should meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

Members are advised that the application has been amended to remove highway matters as a consideration of the current submission. It is however understood that in principle, a safe access together with adequate on site provision is capable of being provided, detailed consideration of which will be given upon receipt of any future application for the approval of reserved matters.

Ecology and Biodiversity

Development proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site. In accordance with policy DM2, development proposals will only be permitted where they do not unacceptably adversely affect designated sites, protected species and their habitats together.

Following initial consultation, Natural Resources Wales (NRW) requested the submission of additional information to demonstrate that the proposal has taken into account the ecological recommendations and would therefore not be detrimental to the maintenance of the population of any species of bats. Subsequent to the above, a method statement in respect of bats was submitted and has been subject to further review by NRW. Additional comments have since been received which indicate that subject to compliance with the measures contained within the method statement, the proposal would not unacceptably adversely affect protected species at this location.

On the basis of the advice received, Development Management considers the proposal to be in accordance with policy DM2 of the Powys LDP, Technical Advice Note 5 and Planning Policy Wales.

RECOMMENDATION

Having carefully considered the proposed development and notwithstanding the concerns expressed, Officers consider the principle of development to be acceptable. The LHMA evidences a proven need to deliver a greater supply of affordable housing across the County which is further supported by the Commons Housing Register.

Based upon the evidence accompanying the application, it is considered that the proposed housing reflects the housing need within Four Crosses, which given its Large Village status is considered to be a sustainable location. For the reasons indicated above, the proposal is considered to accord with planning policy, therefore the recommendation is one of consent subject to a S106 agreement, and the conditions detailed below.

Conditions:

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out in accordance with the following approved plans (drawing no. P-01 & P-02) and documents (Planning and Design Statement, Extended Phase One Habitat Survey & Method Statement: Bats).
5. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

0800-1800 hrs Monday to Friday
0800-1300 hrs Saturday

At no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above.

6. No development shall commence until a Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI shall include;

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Thereafter, the development shall be undertaken strictly in accordance with the Written Scheme of Investigation as approved.

7. No development shall commence until the archaeological site investigation has been completed and the post excavation assessment report has been approved by the Local Planning Authority in accordance with the programme set out in the Written Scheme of Investigation as approved (condition 6) and the provision made for analysis, publication, dissemination of results and archive deposition has been secured.
8. Notwithstanding the approved plan, prior to commencement of development a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include: i) the numbers, type (including no. of bedrooms) tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces; ii) the arrangements for the transfer of the affordable housing to an affordable housing provider; iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
9. The affordable dwellings shall have a maximum gross floor area of 115 square metres (measured internally and including garages where designed as an integral part of the dwelling) and notwithstanding the provisions of schedule 2, part 1,

classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), the affordable dwelling shall not be subject to extensions, roof alterations and buildings other than those expressly authorised by the reserved matters approval.

10. Prior to the commencement of development, detailed drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved prior to the first occupation of any of the dwellings hereby consented.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
4. To ensure adherence to the approved plans.
5. In order to safeguard the amenities enjoyed by occupants of neighbouring properties in accordance with policy DM13 of the Powys Local Development Plan (2018), Technical Advice Note 11 and Planning Policy Wales (2018).
6. To secure preservation by record of all archaeological remains which will be impacted by the development in accordance with policies SP7 and DM13 of the Powys Local Development Plan (2018), Technical Advice Note 24 and Planning Policy Wales (2018).
7. To secure preservation by record of all archaeological remains which will be impacted by the development policies SP7 and DM13 of the Powys Local Development Plan (2018), Technical Advice Note 24 and Planning Policy Wales (2018).
8. To ensure that affordable housing is secured in accordance with policies SP3 and H6 of the Powys Local Development Plan (2018) and Affordable Housing SPG (2018).
9. To ensure that affordable housing is secured in accordance with policies SP3 and H6 of the Powys Local Development Plan (2018) and Affordable Housing SPG (2018).

10. 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 in accordance with policies DM6 and DM13 of the Powys Local Development Plan (2018) and Planning Policy Wales (2018).

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