Planning Application Supporting Statement

Outline Planning Application for a commercial development comprising of petrol filling station, restaurant with drive-thru facility, hotel and public house

Land to the south of Llanidloes Road, Newtown, Powys









APPLICANTS DETAILS

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PROJECT

Commercial development of petrol filling station, restaurant with drive-thru facility, hotel and public house on land to the south of Llanidloes Road, Newtown, Powys

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1. Introduction

- 1.1 This document provides supporting information in respect of a planning application that seeks outline consent for a commercial development comprising of a petrol filling station, restaurant with drive-thru facility, hotel and public house on land to the south of Llanidloes Road, Newtown.
- 1.2 The information contained in this document is supplementary to that provided on the completed planning application forms and is to be regarded as forming part of the application. The information contained in this statement is intended to assist the Planning Authority in determination of the proposals.

Background to the Development

- 1.3 The application site is a parcel of vacant former agricultural land that, following the construction of Newtown By-Pass and the granting of planning consent for residential development on land immediately to the east of the site, is of limited agricultural value and where a viable future use is being sought.
- 1.4 The site is located off the A489 Newtown By-Pass roundabout, on the eastern approach to the town. The site has therefore been identified as an ideal location for commercial facilities to serve those travelling through Mid-Wales along the A489.
- 1.5 A pre-planning application enquiry was therefore submitted to the Council to obtain advice on how national and local guidance and policies would be applied to a commercial re-use of the site, an indication of the acceptability of the proposed development in principle, and guidance on the information required to support any subsequent planning application. The detailed response received from the Council (reference 21/0119/PRE) concluded that the principle of the proposed development could be acceptable in this location and provided guidance on the information required to support an application. The application subject of this statement has therefore been informed by the response received.

2. The Site and Proposed Development

Introduction

2.1 This section explains the nature of the application site and its immediate environment. It also sets the context for demonstrating that a commercial development is suitable in this location.

The Site and its Environs

- 2.2 As previously detailed, the application site lies off the A489 Newtown By-Pass roundabout, on the eastern approach to Newtown. The site formed part of a larger parcel of agricultural land that has been developed with the construction of Newtown By-Pass and associated infrastructure (including balancing pond and access road bridge).
- 2.3 The land immediately to the east of the site also benefits from planning consent (reference numbers P/2016/0796 and P/2016/0797 for 60 dwellings and 30 dwellings respectively), as identified on figure 1, below.



Figure 1: Google Maps Aerial Image with application site location identified

- 2.4 As is demonstrated by the aerial image at figure 1, the application site is relatively well enclosed by existing (by-pass and caravan park) and proposed (housing) development. In addition, the site lies on relatively flat low-lying land at the entrance to Newtown where development will be relatively inconspicuous in the wider landscape, viewed as part of the town and not considered an inappropriate incursion into open countryside.
- 2.5 The site is free from any development constraints, including flooding (as demonstrated by the extract of Natural Resources Wales' Development Advice Mapping, provided at figure 2). Whilst access to the application site can be achieved with ease from Llanidloes Road and mains utilities are available to serve the proposed development.



Figure 2: Extract of Natural Resources Wales Development Advice Mapping with application site identified

2.6 Given the above, the application site is considered to be an appropriate location for the proposed commercial development with no unacceptable adverse impacts anticipated to arise as a result of its development.

The Proposed Development

2.7 The planning application subject of this statement seeks to establish the principle of the proposed development on the application site and is therefore in outline, with all matters reserved for future consideration aside from access. Nonetheless, whilst a detailed scheme for the site, including layout, landscaping, detailed design and appearance has yet to be drawn up, an indicative site layout has been provided that illustrates how it is envisaged that the site will be developed.

2.8 Design Principles and Concepts

- 2.8.1 Character (including appearance, layout, scale, amount and landscaping) It is envisaged that the proposed development will comprise of:
 - A single storey Petrol Filling Station, with a footprint of approx. 500m² (upper & lower dimensions: height 5-7m / width 14-16m / length 30-
 - A single storey Drive-Thru Coffee Shop, with a footprint of approx. 200m² (upper & lower dimensions: height 4-6m / width 12-15m / length
 - A two-storey Public House and Restaurant, with a footprint of approx. 400m² (upper & lower dimensions: height 5-7m / width 12-18m / length 25-28m);
 - A 4-storey Hotel; with a footprint of approx. 500m² (upper & lower dimensions: height 10-12m / width 15-18m / length 33-35m); and
 - A single access point off Llanidloes Road

All be constructed from a single palette of high-quality materials to provide a harmonious development that has regard to local building materials and contributes to a sense of place.

2.8.2 Environmental Sustainability

Efficient Use and Protection of Natural Resources

The development site itself is free from development constraints. Buildings on the site will therefore be able to take advantage of passive solar heating and solar energy installations may be included within the detailed design of the development.

Landscaping & Biodiversity

Native landscape planting will be included within the scheme to enhance the ecological value of the site and further assist in integrating the development into its landscape setting.

2.8.3 *Movement*

Whilst the facilities proposed on the site will predominantly cater for people travelling by car, the proposed development is on the outskirts of Newtown, the primary residential centre and focus of services and facilities in Powys. The site will be linked back to the settlement by footpath links constructed across the adjoining residential site to the east of the site.

2.8.4 *Community Safety*

The proposed development will enhance community safety in this location through an increase in natural surveillance in the area.

2.9 Utilities and Drainage

The site can be served by mains electricity, water and foul drainage. A sustainable drainage system will be developed for the disposal of surface water to meet Sustainable Drainage Approval Body (SAB) requirements.

2.10 Access

The site benefits from an existing access onto Llanidloes Road, which benefits from good horizontal and vertical alignment in this location. This access is considered to be more than sufficient to serve the proposed development. The site is also of sufficient size to enable the provision of an appropriate number of parking spaces and manoeuvring space for vehicles throughout the site.



3. Planning Policy Context

National Planning Policy

- National planning policy in Wales is provided in a number of documents, 3.1 including:
 - Planning Policy Wales (PPW); and
 - Technical Advice Notes.

Planning Policy Wales 3.2

- 3.2.1 PPW Edition 11 was adopted in February 2021 and is the key national land use planning policy document for Wales. PPW sets out the Welsh Government's land use planning policies with the aim to translate the Government's commitment to sustainable development within the planning system. This is highlighted in the Introduction at paragraph 1.2, which details that the "primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales", this should be considered during plan-making and decision-taking.
- 3.2.2 PPW provides a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise (paragraph 1.18). In this regard, it details that Local Planning Authorities should ensure that the social, economic, environmental and cultural benefits of a proposed development are considered in the decision-making process, recognising that, in doing so, there may be occasions when one benefit of a development proposal outweighs others. Key factors in the Local Planning Authority's assessment process include:
 - **Economic Considerations**

Economic considerations include the contribution the proposed development makes to job creation, the growth and regeneration of the local area and the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.

Social Considerations

Social considerations include the contribution the proposed development makes to meeting society's needs (including the provision of services and facilities), how people access employment and how they interact on a daily basis.

Cultural Considerations

Cultural considerations can include how far the proposal supports the provision of jobs and economic activity and how the area's distinctive offer, including the Welsh language and landscape, is protected and promoted.

- **Environmental Considerations**
- Environmental considerations include how important features of the natural and built environment are protected and enhanced, how environmental risks are prevented or appropriately managed and how efficient and most appropriate use of materials is made (e.g. by maximising energy efficiency, the efficient use of land and sustainable movement).
- 3.2.3 PPW specifically identifies that "development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation" and that "infilling or minor extensions to existing settlements may be acceptable, in particular where ... it can be demonstrated that the proposal will increase local economic activity" (paragraph 3.6).
- 3.2.4 PPW also details that the Welsh Government operates a sequential test when determining applications for new commercial and retail development, including food and drink (A3) and hotel (C1) development, where the first preference is "to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres" (paragraph 4.3.18). If no suitable sites within a centre are available, consideration may then be given to edge of centre sites. Only when no suitable sites are available within centres, or on the edge of centres, can an out of centre site be considered.
- 3.2.5 Within the section on Economic Development, PPW also makes clear that "Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration" (Paragraph 5.4.4).

3.3 Technical Advice Notes

- 3.3.1 The Technical Advice Notes of most relevance to the development proposal are:
 - Technical Advice Note 4 (TAN4): Retail and Commercial Development;
 - Technical Advice Note 13 (TAN13): Tourism; and
 - Technical Advice Note 23 (TAN23): Economic Development.
- 3.3.2 TAN4 considers retail and commercial development and details retail need and sequential test requirements. Nonetheless, TAN4 also identifies that retail impact assessments are only required for developments that are considered likely to have a significant impact on a retail and commercial centre (generally retail developments with over 2,500m² floor area).
- 3.3.3 TAN13 is relevant in respect of the hotel proposed on the site and recognises the important contribution that hotel development can make in bringing benefits for the local community and supporting amenities and activities for residents and tourists.

3.3.4 TAN23 highlights the importance of sustainable economic development in building strong rural economies and vibrant communities. In addition, it recognises that not all economic development is accommodated on allocated sites and Local Planning Authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.

Local Planning Policy

3.4 Powys Local Development Plan

- 3.4.1 Powys adopted its Local Development Plan (LDP) on the 17th April 2018. This document provides the local context in which planning applications should be assessed and determined. The LDP policies of most significant to the development proposal are as follows:
- 3.4.2 Policy E2 Employment Proposals on Non-allocated Employment Sites This policy supports the economy of Powys by enabling the provision of employment development on non-allocated sites in specific circumstances. Such circumstances include where no other suitable existing or allocated employment sites or previously developed land can reasonably accommodate the proposal, and where the proposal is appropriate in scale and nature to its location and is supported by a business case which demonstrates that its location is justified.
- 3.4.3 Policy R1 New Retail Development

Policy R1 sets out a retail settlement hierarchy and supports new retail development of a scale and design that would be appropriate to its location and place in the settlement hierarchy, whilst resisting retail development that would undermine the retail hierarchy.

The supporting text to the policy identifies that where new edge of centre or out-of-centre developments are proposed, they will need to demonstrate a need for the additional retail provision, that it can be satisfactorily located and that it will not have an unacceptable adverse impact on existing retail centres.

3.4.4 *Policy TD1 – Tourism Development*

The provision of tourism development in the open countryside is supported by policy TD1 where it is compatible in terms of location, siting, design and scale and is well integrated into the landscape so that it does not detract from the overall character and appearance of the area.

The supporting text to the policy detailing that the Local Planning Authority supports new tourist development due to its contribution to the economy (in terms of visitor spending, supporting local business and employment generation).

4. Planning Assessment

- 4.1 The main planning issues concern the following:
 - Principle of Development (including retail need and impact)
 - Sustainable Development
 - Ecology
 - **Built Heritage**
 - Highways
 - Noise and Lighting

Principle of Development (including retail need and impact)

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. The Development Plan in Powys consists of the adopted Local Development Plan (LDP).
- 4.3 The application site lies outside of the development boundary of Newtown as defined within the Powys LDP and is therefore considered to be open countryside.
- 4.4 LDP policy TD1 and TAN13 enable the provision of Hotels within the open countryside as they recognise the significant economic benefits, such as visitor spend, employment and support for local businesses (as detailed elsewhere in this statement), that arise as a result of such development. However, for hotel development in the open countryside to be acceptable policy TD1 requires that it must be compatible in terms of location, siting, design and scale and well-integrated into the landscape, so that it does not detract from the overall character and appearance of the area.
- 4.5 This application is in outline, with matters of appearance, landscaping, layout and scale to be subject of a future 'Reserved Matters' application. Nonetheless, since the adoption of the LDP, Newtown By-Pass has opened and now forms a logical and defensible physical boundary to the built form of Newtown in this area. The application site lies within the line of the By-Pass on land that is, as a result of the construction of the By-Pass, vacant and a logical location for development at the entrance to the town. The proposed hotel is therefore considered to be compatible in terms of location and will not give rise to any unacceptable adverse landscape impacts. Whilst matters of siting, design and scale can be adequately addressed at the reserved matters stage. As a consequence, the hotel proposal on the application site is considered to directly accord with both national planning policy guidance contained within TAN13 and LDP Policy TD1.
- 4.6 Similarly, given the economic benefits of the proposed petrol filling station, public house and restaurant with 'drive-thru' retail facilities, these uses are also permissible on appropriate 'non-allocated' sites in the open countryside

under TAN4, TAN23 and policies E2 and R1, subject to there being a need for the proposals and no unacceptable adverse impact on existing retail centres.

4.7 Retail Need

The test of retail need identified in PPW and TAN4 relates to major retail proposals such as supermarkets which would take trade from town centre retail outlets. The proposal subject of this application is effectively a Trunk Road Service Area predominantly aimed at travellers through Mid-Wales who would otherwise not stop within the local area. Whilst it is recognised that the site is located close to the boundary of Newtown, the type of use proposed is understandably not available within the Town Centre. In addition, the rule of thumb for Trunk Roads is that they should have a service area every 14 miles or 30 minutes (whichever is the lesser). No modern roadside facilities are located along the Newtown By-Pass, with the closest comparable facilities being located to the east of the site, on the A483 at Buttington Cross roundabout, Welshpool (approx. 17 miles / 25 minutes). Given the above, it is considered evident that there is a need for the development. This view has been confirmed by the Local Planning Authority in its detailed response to pre-planning application enquiry 21/0119/PRE.

4.8 Impact on Retail Centres

As previously detailed, national and local planning policy seeks to ensure that new retail development does not unacceptably adversely impact upon existing retail centres. However, the development proposal subject of this application is significantly below the scale of retail development (at 2,500m² floor area) identified in TAN4 as having the potential to significantly impact on a retail and commercial centre.

In addition, national planning policy sets out a sequential test to the identification of sites for retail development with the aim of directing new retail development firstly to sites within retail centres, then to edge-ofcentre locations and finally, where no centre or edge of centre sites have been identified, to out of centre sites. Again, this test is more specifically applicable to major retail (supermarket) proposals than the application proposal. In addition, it is evident that locating the proposed use in the centre of Newtown is neither practical or viable. The proposed use is best located on a site that is visible from the Newtown By-Pass and where it can be accessed without the need to create further access points onto the by-pass, ensuring that it does not impede the free flow of traffic along that route. Given the above, it is evident that the proposed site of the development proposal is fully justified and, given the nature and scale of the proposed use, will not give rise to any unacceptable adverse impacts upon the existing retail centre.

4.9 In summary, the proposed development is considered to accord with the aims and objectives of both the national and local planning policy frameworks, including LDP policies TD1, E2 and R1 and TAN4, TAN13 and TAN23.

Sustainable Development

4.10 As previously detailed, PPW states that the planning system provides for a presumption in favour of sustainable development. There are different dimensions to "sustainable" development (economic, social, cultural and environmental) and it is considered that this development will contribute to all of these, as set out below:

Economic Impact of the Development

The proposed development would provide significant economic benefits including, most significantly:

- the provision of job opportunities, during both the construction phase of the development and thereafter through the operation of the hotel, filling station, restaurant and public house; and
- support for existing local businesses, through increased custom for businesses in supply chains and increased visitor spend in the local area.

Social Impact of the Development

The proposed development will play a significant role in social well-being though the provision of local employment opportunities which would typically provide local people with increased income and, as a result, higher living standards, financial independence, positive health benefits and an increased sense of identity and self-worth.

Cultural Impact of the Development

Cultural considerations include the provision of local jobs and economic activity and how the Welsh language and landscape, is protected and promoted. The proposed development therefore provides significant cultural benefits as it will result in the creation of jobs during the both the construction and operational phases of the scheme. The provision of local jobs will also enable local people to remain within their community. In addition, and significantly, the proposal will increase the number of people stopping/staying in the local area. The proposal will therefore enable people to visit and immerse themselves in the local area, increasing the enjoyment, and recognition of, the area's language, history, landscape and other cultural experiences.

Environmental Impact of the Development

The proposal is considered to protect the natural environment by directing development to a site of limited agricultural and ecological value, whilst the surrounding topography, vegetation and land uses limit the proposed development's visual impact.

The ecological implications of the proposed development are considered further in the following section of this statement. Nonetheless, as will be noted, no unacceptable adverse environmental impacts have been identified as arising from the proposed development.

4.11 Given the above, the development subject of this application is considered to meet with the definition of sustainable development contained within PPW.

Ecology

- The application is accompanied by a Preliminary Ecological Appraisal (PEA -4.12 Turnstone Ecology, September 2021) which highlights the key ecological considerations for the development proposal and identifies opportunities for biodiversity enhancement.
- 4.13 The PEA details that the proposed development will directly affect an area of semi-improved grassland which is a habitat of low ecological interest and may also have an indirect impact on the adjacent pond located to the west of the site. The loss of the area of grassland is unlikely to have a significant negative impact and specific mitigation measures for its loss are not considered necessary. Nonetheless, the proposals may include ecological enhancement measures that involve the planting of shrubs and trees within the forecourt and parking areas of the proposed development, which will improve ecological connectivity and biodiversity on site and connect to the pond and embankment areas.
- 4.14 Similarly, the PEA details in respect to fauna, that:
 - there were no setts and no definitive evidence of foraging or commuting Badger recorded on or adjacent to the proposed development site;
 - no suitable bat roosting habitat is located within the field boundaries semi-improved grassland provides limited foraging opportunities for bat species locally;
 - the habitats to be affected by the proposed development works are considered of low suitability for nesting birds;
 - the pond adjacent to the development site is of poor suitability for Great Crested Newt; and
 - due to the limited extent and low suitability of the habitats affected by the proposals, the presence of reptiles in areas affected by the proposals is considered unlikely.

Nonetheless, the PEA details mitigation and enhancement measures that may result in a positive impact on fauna at the site.

4.15 Given the above, the PEA concludes that the proposal is not considered to be limited by any ecological constraints but has the potential to provide significant ecological enhancements.

Built Heritage

4.16 The application is also accompanied by a Heritage Impact Assessment (HIA -Berrys, September 2021) which seeks to understand, assess the significance and to analyse the impact of the proposed development on any relevant historic assets.

- 4.17 The HIA identifies that the application site is of no historic, archaeological or communal value and does not contribute to the setting of the surrounding heritage assets, including Glandulais Farmhouse and Glanhafren Hall and its associated historic assets. In addition, the HIA details that the site has no historic relationship or intervisibility with these historic assets.
- In summary, the HIA concludes that the proposed development will result in 4.18 a neutral impact that would neither increase nor decrease the experience of the historic environment.

Highways

- In order to consider the highways implications of the proposed development, 4.19 a Transport Scoping Note (TSN - Local Transport Projects, 26/10/21) has been produced. The TSN will inform a subsequent Transport Assessment to support the planning application.
- 4.20 The TSN identifies a proposed study area for the five-year road casualty appraisal to be included within the Transport Assessment. It also details the projected traffic generation of the hotel, public house, drive-thru restaurant and petrol filling station. Conclusions from the TSN include that the overall development would be expected to generate up to 220 vehicle trips during the typical weekday AM peak hour (08:00-09:00) and 276 during the PM peak hour (17:00-18:00). A significant proportion of the vehicle trips generated by the proposed development will not be 'new' to the local highway network but would be either 'pass-by' trips (i.e. trips that currently take place on the A4811 and would therefore directly access the site without any detour) or 'diverted' trips (i.e. trips taking place on Newtown Bypass and the A489 which require a short detour via the A4811). However, there will be a number of new trips that would be generated by the site and, in this regard, it is assumed that all vehicle trips generated by the proposed hotel would be new to the highway network.
- 4.21 Given the scale of the development and the nature of the trips generated, it is considered likely that the local highway network is more than capable of accommodating the proposed development. Nonetheless, the TSN will be subject of further consultation with the Highway Authority prior to the preparation of a Transport Assessment that details the suitability of the proposals in terms of sustainable travel, road safety and traffic impact.

Noise and Lighting

The pre-planning application advice (reference 21/0119/PRE) received from the Local Planning Authority recognises that the application site lies adjacent to Glandulas Caravan Park and a site with the benefit of planning consent for 60 dwellings. As a result the Local Planning Authority has advised that the proposed development should not have a detrimental impact upon the amenities of any neighbouring residential property in terms of noise and lighting.

4.23 Given the above, whilst the application is in outline with a detailed scheme for the site to include layout, landscaping, detailed design and appearance yet to be drawn up, the application is supported by:

Environmental Noise Assessment (SLR, October 2021)

This assessment provides a baseline noise survey, an assessment to determine the impact of commercial noise from the proposed development upon both existing and proposed residential receptors and an assessment to determine the suitability of the site for hotel development.

The assessment concludes that the proposed development would have a low noise impact at receptor locations. Although, at Glandulas Holiday Park, whilst the impact is still expected to be low, the assessment recommends that an acoustic fence is positioned at the boundary of the site with the Holiday Park to reduce any perceived impact. In addition, with regard to the hotel proposal, the assessment states that it is not expected that mitigation of noise levels during the daytime would be required, although recommendations are provided in terms of glazing specifications and ventilation.

Outdoor Lighting Report (SHD Lighting Consultancy Ltd, September

This assessment provides a lighting strategy and indicative lighting scheme for the application site. The lighting impact assessment considers the maximum adverse scenario in relation to the proposed artificial lighting, in order to assess the significance of the potential effects on the local environment.

The light spill diagram provides an exaggerated and absolute worst-case scenario with regards to the light spill at ground level assuming no light limiting features are present. However, the report's conclusions include that:

- the lighting impact can be minimised by using accepted methods of lighting control, essentially limiting illuminance and controlling light spill;
- lighting shall be selected to provide safety and security without polluting the boundary site residents; and
- the desk top assessments on the proposed lighting installation indicate (with respect to identified sensitive receptors) that overall surrounding light pollution levels will not be significantly influenced by the proposed lighting.
- 4.24 The noise and lighting assessments accompanying the application provide reassurance that, at the reserved matters stage, a detailed design can be provided that will not give rise to any detrimental impact upon the amenity of any neighbouring residential property in terms of noise and lighting.

5. Conclusion

- 5.1 This statement relates to an outline planning application for a commercial development comprising of petrol filling station, restaurant with drive-thru facility, hotel and public house on land to the south of Llanidloes Road, Newtown.
- 5.2 As a result of the construction of Newtown by-pass, the application site is a vacant parcel of land of limited agricultural value where a viable future use is sought. However, as the site adjoins the by-pass at the westerly entrance to the town, it represents an ideal location for the provision of services to those travelling along the adjoining highways. Whilst it is recognised that the application site lies within an area of open countryside, it adjoins the settlement of Newtown and lies within the line of Newtown by-pass. No unacceptable adverse impacts upon the character and appearance of the area are therefore anticipated to arise from the proposed use of the site.
- 5.3 The proposed development will potentially provide significant economic, social, cultural and environmental benefits including job creation, support for local businesses, increased enjoyment and recognition of the area's cultural experiences and features to enhance the ecological value of the site.
- 5.4 This statement demonstrates how the proposed development meets with the definition of sustainable development contained within PPW and accords with the aims and objectives of the local planning policy framework. The presumption in favour of sustainable development is therefore engaged.
- 5.5 Given the above information, we respectfully request that the application is approved without delay.

