



T O M P K I N S T H O M A S

Planning Statement



APPLICATION FOR REPLACEMENT DWELLING

Long Nursery Coppice

New Radnor

LD8 2RE

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Client	Mr D Williams
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1. The Application and Background

1.1 Introduction

1.1.1 This Planning Statement is prepared by Tompkins Thomas Planning on behalf of Mr Daniel Williams ('the applicant') in support of an application seeking full planning permission for a replacement dwelling at Long Nursery Coppice, New Radnor.

1.1.2 The proposal is to replace the existing dwelling which is of limited architectural merit and very poor thermal value, with a bespoke 4-bed dwelling of a high-quality design, which respects its environmental setting. The scheme also includes a low energy use and a low embodied energy build, a 'fabric first' approach to include an airtight envelope, and provides onsite sustainable energy generation, SuDS and landscape planting. Cumulatively, these provisions will deliver a development which truly responds to the climate and ecological emergency declared by the Council.

1.1.3 The application follows the granting of a Lawful Development Certificate which established the lawful use of the dwelling on site, and subsequent pre-application advice in which the Council agreed the principle of a replacement dwelling and its design.

1.1.4 The statement should be read in conjunction with the following plans and reports which comprise the application:

- Location plan;
- Existing site plan, floor plan and elevations (RRA);
- Proposed site plan, floor plans, and elevations (RRA);
- Design and Access Statement including Green Infrastructure Statement (RRA);
- Preliminary Ecology survey (HEC); and
- Drainage Strategy (H + H Drainage).

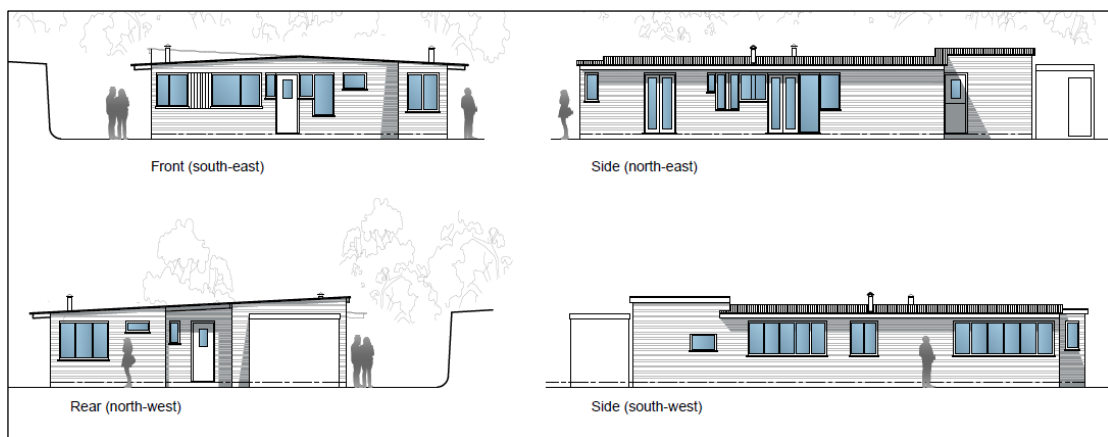
1.2 The Site and it's context

1.2.1 The site is a dwelling and associated planning unit at Long Nursery Coppice, New Radnor. It

comprises a clearing and access track within a narrow stretch of designated woodland, located on the lower slopes of the hill.

- 1.2.2 The access track connects with the C1341 c. 300 metres east – southeast of the clearing. The track slopes up from the road to the Site which is a part earth and part stoned plateau set deep into the woodland. The dense woodland screens the Site whereby there are no public views .
- 1.2.3 There are three buildings on the Site which comprise ‘the dwelling’ within the clearing at the end of the track, including the main dwelling, a detached toilet block and detached outbuilding. The main dwelling is shown in elevations below.

Figure 1: Existing elevations



- 1.2.4 The main dwelling comprises a timber framed structure set on a concrete slab. The roof structure is timber too. The elevations are clad in timber boarding with a small part in metal sheeting. The roof covering is corrugated tin. The dwelling is single storey with an eaves height of 2.4 metres and a ridge height of 3.2m. It has a gabled roof with shed roof projection, and a rectangular plan measuring 10.2m x 15.5m.
- 1.2.5 The dwelling provides two bedrooms, a kitchen, a shower room, a dining room, and a living area. There is a toilet in the small outbuilding.
- 1.2.6 The floor space of the existing dwelling, comprising it's three parts, is 162sqm.
- 1.2.7 Otherwise, the planning unit includes the parking area to the north of the buildings, a yard, and garden area immediately around the buildings.

1.3 Local designations

- 1.3.1 The site is not subject to landscape, heritage, or ecology designation.
- 1.3.2 We have consulted CADW's records and cannot find a designated heritage asset which is on or near to the site. There are two listed buildings at Bryn Gorse which is to the west of the Site, both of which are Grade 2. "Bryn" is a mid 19th Century dwelling set over two stories and constructed of course rubble. It is 180 metres from the Site. "L-Plan Farm Ranges to N of the Bryn" are barns to the north of the farmhouse of a similar age. They are constructed of course rubble and studwork clad in weatherboarding. They are 185 metres from the Site. Both listed buildings are entirely screened from the Site, and vice versa, by the thick woodland to the immediate west of the Site.
- 1.3.3 Given the distances involved and the existing screening, the proposed development would not impact on the setting or significance of the assets whereby they are not considered further.
- 1.3.4 The site is within the catchment for the River Wye Special Area of Conservation.
- 1.3.5 The site is in Flood Zone 1 according to Environment Agency mapping which has the lowest probability of fluvial flooding. No surface water flood risks are identified as the site either.
- 1.3.6 There are no PROW which would be affected by the development.

1.4 Planning history

- 1.4.1 Lawful Development Certificate **23/0703/CLE** confirmed the lawful residential use of the dwelling and the Site. The Decision Notice was issued on 27th June 2023 and explained that, *"Long Nursery Coppice has been used as a permanent residential dwelling for a period in excess of four years and as such the use is now lawful."*
- 1.4.2 There is no other planning history for the site.

1.5 Pre-application advice

- 1.5.1 The applicant entered into pre-app advice with the Council under reference 23/0160/PRE. A meeting was held on site with the case officer, before written advice was issued on the 8th November 2023.
- 1.5.2 The letter explained that Policy H9 was the main policy in the LDP concerning replacement dwellings. The letter agreed that the existing dwelling on site had a lawful use and was not of

any special architectural or historic interest whereby it is capable of being replaced by a new dwelling.

- 1.5.3 The letter also agreed the proposed design approach was the correct one for the Site and setting, including the form, height, and material use.
- 1.5.4 The only element of expressed concern in respect of compliance with Policy H9 was the “substantial increase in footprint without justification” which was proposed. It was recommended that this should be reduced.
- 1.5.5 The applicant has acceded this advice and reduced the size of the dwelling to 185sqm, which is an increase of just 14%. Bearing in mind the provisions of the policy are to *reflect* the size of the existing building, the applicant considers that the scheme is now policy compliant. It is also the case that the small uplift would result in an improved design, a more thermally efficient building, and provide a family dwelling which is sought by the applicant. These are all tangible planning benefits associated to the small uplift.
- 1.5.6 Otherwise, the letter set out that the application would have acceptable impacts on landscape character and appearance, heritage assets, highway safety, contaminated land, and residential amenity. It required the submission of a Drainage Strategy and Ecology Survey to demonstrate no harm in those respects. Both documents accompany this application.

1.6 The Proposals

- 1.6.1 The proposal is to erect a replacement dwelling at the site which provides a better living standard, a more appropriate response to the built and natural setting of the site and reduces the carbon footprint of the occupants. The design of the development is described in detail in the accompanying Design and Access Statement.
- 1.6.2 The development is described as:

The erection of a replacement dwelling and associated works

- 1.6.3 The application site is defined by the redline on the Location Plan. It follows precisely the outer edge of the Site which was deemed to have a lawful residential use under application 23/0703/CLE.

- 1.6.4 All existing buildings on the site would be removed.
- 1.6.5 The proposed dwelling is on the same site as the existing dwelling. The dwelling is arranged over a single storey. There are four bedrooms (two with ensuite) and a bathroom in the northwest wing of the dwelling, with an open plan kitchen/living/dining area and snug in the southeast wing. The internal floor area of the proposed dwelling is 185sqm.
- 1.6.6 Each wing of the 'H' plan comprises a modest single storey gabled building. The two wings are linked by a small flat-roofed glazed section. The buildings are clad in vertically hung timber under a metal standing seam roof. The flat-roofed section will benefit from a green roof. The main entrance is via a recessed porch on the southwest elevation of the building.

Figure 2: Rendering of the proposed development



- 1.6.7 The proposals also include the creation of a new terrace which wraps around the north corner of the building. Parking is to the fore (south-east) of the building at the end of the access track.
- 1.6.8 The plan also identifies the removal of a single tree, new tree planting within the surrounding woodland, and the erection of bird and bat boxes.
- 1.6.9 Site drainage is set out in the Drainage Strategy by H+H Drainage. It explains that the scheme proposes to replace the existing septic tank with a new Graf One2clean Package Treatment Plant discharging to ground via a drainage field. Roofwater would be collected in a rainwater harvester which will be used for non-potable purposes. Exceedance roofwater will be discharged to ground via soakaways which include silt-traps. Surfaces are porous which will

reduce run off and pollution.

1.6.10 The proposal also includes sustainability measures to address climate change and ecological impact as sought by the Council's climate emergency. The proposal's sustainability approach is explained in detail in the accompanying Design and Access Statement. In summary, those measures are as follows:

- Reduce heat loss through high levels of insulation, air tightness, and high performance glazing.
- Use of natural ventilation.
- Utilisation of the surrounding woodland to minimise overheating.
- Air Source Heat Pump to providing heating.

1.6.11 Additional biodiversity enhancement features are also included both at the architect and ecologists' recommendations as follows:

- Creation of a green roof which provides habitat for priority species and other fauna;
- No external lighting, during construction and post construction of external boundaries and internal site sensitive lighting design to be adopted with Dark Sky Principles used.
- Bat boxes and bird boxes to be incorporated within the site.
- Hibernacula to be constructed around boundaries along with enhancements for amphibians, hedgehogs and insects.
- Removal of Invasive species on margins which will be beneficial to woodland.

2. Planning Policy and Other Material Considerations

2.1 The Planning and Compulsory Purchase Order 2004

2.1.1 Section 38(6) explains that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.1.2 In this case, the statutory Development Plan for the area comprises the **Powys Local Development Plan** ('LDP') only. Relevant policies include:

- SP5 – Settlement Hierarchy
- SP6 – Distribution of Growth Across the Settlement Hierarchy
- DM2 – The Natural Environment
- DM4 – Landscape
- DM10 – Contaminated and Unstable Land
- DM13 – Design and Resources
- T1 – Travel, Traffic, and Transport Infrastructure
- H1 – Housing Development Proposals
- H3 – Housing Delivery
- H9 - Replacement Dwellings

2.1.3 **Planning Policy Wales – Edition 12** ('PPW') and the suite of **Technical Advice Notes** ('TAN') are national policy and are important material considerations for all planning applications in Wales.

2.1.4 We discuss relevant policies throughout the statement.

3. The principle of erecting a replacement dwelling

3.1 Policy context

- 3.1.1 PPW 12 sets out at paragraph 3.60 that, *“All new development should be of a scale and design that respects the character of the surrounding area.”*
- 3.1.2 It does not comment on replacement dwellings in the open countryside, other than where the Site is within the Green Belt or a Green Wedge. In those circumstances, PPW 12 explains that replacement dwellings will not be inappropriate development. Whilst the Site is not within the Green Belt or a Green Wedge, given that they are designations whose aim is to restrict development, we consider it reasonable to presume from a reading of PPW12 in the round, that replacement dwellings in the Countryside is permissible.
- 3.1.3 TAN 6 – Planning for Sustainable Rural Communities does not refer to replacement dwellings directly. However, it advises that new residential development should be located where it would not decrease the sustainability of the area at Chapter 2. Chapter 4 considers rural housing. It discusses the need to provide good quality housing throughout rural areas.
- 3.1.4 The LDP deals with replacement dwellings explicitly. Policy H9 explains that such proposals will be permitted where three criteria are met. We have set out each criterion in bold with an explanation of how the proposal responds in the “Assessment” below.

3.2 Assessment

- 3.2.1 The proposed development has been designed to comply with Policy H9 as follows.
- 1. The existing dwelling shall not have been abandoned and remains clearly recognisable as a permanent dwelling under Class C3 of the Use Class Order 1987 (as amended).**
- 3.2.2 The existing dwelling has not been abandoned having been lived in until July 2023, at which point the previous occupant sold the dwelling and moved to a home elsewhere. The dwelling is clearly recognisable as being a permanent structure and has not been abandoned. This point is beyond doubt given the recent (27th June 2023) issuing of a LDC confirming the lawfulness of the dwelling.
- 2. The proposal shall not result in the loss of a building of special architectural or historic**

interest or local vernacular character. Where this is the case, proposals will only be permitted where the building is proven to be beyond realistic repair.

- 3.2.3 The building has no special architectural or historic character, nor does it contribute to local vernacular. It was erected by the previous occupant using materials which were convenient and available at the time. No thought was given to the building's appearance – it was only built to provide the shelter required from a home. The result is a building which is discordant with local vernacular and which is unprepossessing.

3. The replacement dwelling shall:

i. be located within or adjacent to the footprint of the former habitable dwelling and reflect the form, size and scale of the former habitable dwelling unless there are demonstrable planning advantages to be gained from deviating from the former dwelling's orientation, position or size.

- 3.2.4 The proposed replacement dwelling is on the footprint of the dwelling it is replacing. It also broadly reflects the form, size and scale of the existing dwelling, being single storey and on a similar footprint. However, opportunity has been taken to design a building which is far more appropriate for the site and setting and which is more pleasing visually.
- 3.2.5 The existing dwelling has a floorspace of 162sqm. The proposed dwelling has a floorspace of 185sqm. This represents an uplift of 14%.
- 3.2.6 The Council's pre-application advice was that the proposed dwelling should have a similar floorspace to the dwelling it is replacing. Since the advice was issued, the applicant has reduced the size of the dwelling by 10sqm (11%). Clarity regarding the size of the existing dwelling has also been provided.
- 3.2.7 The policy requirement is that the proposed dwelling "reflects" the size of the existing dwelling. It does not require that the floor space be exactly the same. In our view, the increase in floor space is negligible and the building would reflect the size of its predecessor.
- 3.2.8 It is also relevant that the additional floor space assists in yielding a much more pleasing design and ensures that a family home can be provided.
- 3.2.9 The proposed box gable profile of the building will also increase the size of the building in terms of height and volume. However, we consider the greater size to be entirely justified in that it

yields a far more attractive building than the shallow roofed building it replaced.

3.2.10 It proposes a traditional roof pitch influenced by roofs of traditional agricultural buildings and outbuildings in the area. The plan form of the building, comprising two linked narrow structures, creates a building of low massing. The use of vertical timber boarding under a standing seam roof references local agricultural buildings too, whilst it also helps the building assimilate with its sylvan backdrop.

3.2.11 The proposed development would also improve the carbon footprint of occupants being built to a much greater thermal efficiency and air tightness, and in providing heating via an air source heat pump which uses less power to generate heat than a traditional gas boiler.

3.2.12 The result is a contemporary design which is influenced by local traditional agricultural buildings and outbuildings and which, in our view, is of a much higher design quality than the building it is replacing. The proposed dwelling is most suitable for the rural character of the area. It would also reduce carbon creation.

ii. respect or enhance the design of the original dwelling and those of surrounding properties and the locality.

3.2.13 There are no dwellings nearby, whilst the surrounding woodland obscures any view of the Site from neighbouring properties and vice versa. The Site is not influenced by, and nor does it influence, the visual setting of other buildings.

3.2.14 The proposal would uphold the general character of development in the area being appropriately influenced by local building design.

3.2.15 Overall, we consider that the proposed development would improve the appearance of the Site and would be more responsive to the character of the area, and the natural setting of the site. All the while, it would be sited on the footprint of the existing dwelling and would be of a broadly similar size, scale, and form to the existing building. Where there are variances in form, size, and scale, they are justified on the basis that those design choices combine to create a dwelling which is of a much higher design standard and which reduces energy usage.

3.3 Section conclusion

3.3.1 LDP Policy H9 supports the principle of replacement dwellings. We have explained the scheme

in the context of the three criteria set out under Policy H9. The existing dwelling has a lawful C3 use and is not abandoned, whilst the replacement dwelling is on the footprint of the existing dwelling. Furthermore, the proposed dwelling broadly reflects the form, scale, and size of the existing dwelling. The small increase in footprint and volume assists in yielding a dwelling which is of an improved design, and which reduces energy use. This variation, if material, is small-scale and justified based on the tangible planning gain it delivers.

- 3.3.2 The proposed development is thus one which improves the quality of housing in the area without reducing sustainability according with the principles of TAN6 and which is of an appropriate scale and design for its countryside setting in accordance with PPW 12.

4. Other matters

4.1 Biodiversity

4.1.1 LDP Policy DM2 requires that proposals demonstrate how they protect, positively manage and enhance biodiversity interests. Proposals will only be permitted where they do not unacceptably adversely affect those assets. TAN5 makes similar provisions.

4.1.2 The Ecological Assessment by HEC surveyed the wider site. It confirms that the land was surveyed on 9th January 2024 and that the Site is of low ecological value. The survey confirms that the woodland margins of the Site are high value and include Ancient Woodland. The Survey explains that there is negligible potential for bats in the building given its construction type and the use of cladding materials which give high light levels and temperatures. There is bird nesting and bat flight paths in the adjacent wood but the development would not affect them.

4.1.3 The assessment advises that the replacement of the existing structures with a new dwelling in the proposed location would have minimal effect on the local species population and designated sites. It goes on to recommend mitigation and enhancement including the following which the applicant is happy to provide:

- A CEMP;
- Appointment of the Ecological Clerk of Works;
- A badger walkover prior to construction beginning;
- No external lighting of the site boundaries;
- Bat boxes to be incorporated;
- Amphibian and insect hibernacula; and
- Removal of invasive species from the adjacent woodland.

4.1.4 As the proposals, with recommended enhancement and mitigation, do not affect biodiversity assets including property species and their habitats, the development complies with LDP Policy DM2 and TAN5.

4.2 Landscape Impact

4.2.1 LDP policy DM4 is the Council's Landscape Policy. It states that proposals for new development outside the Towns, Large Villages, Small Villages and Rural Settlements should not have an

unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. It sets out two criteria with which schemes must comply as follows:

1. *Be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape including its: topography; development pattern and features; historical and ecological qualities; open views; and tranquillity; and*
2. *Have regard to LANDMAP, Registered Historic Landscapes, adjacent protected landscapes (National Parks and Areas of Outstanding Natural Beauty) and the visual amenity enjoyed by users of both Powys landscapes and adjoining areas.*

- 4.2.2 The Council's pre-application advice referred to LANDMAP's Visual and Sensory Evaluation which defines the area as being of high or regional importance and: *'a good example of wild, open, spacious, natural, diverse, tranquil upland moorland which is generally well managed with attractive views'.*
- 4.2.3 The Site itself is on the lower slopes of the hillside and comprises a developed clearing within a narrow stretch of woodland. The woodland is surrounded by agricultural land. Small woodland blocks are a characteristic of the immediate area. The Site is not visible from the public realm being screened from view by the extensive woodland.
- 4.2.4 The proposed development would replace an existing small-scale dwelling with another small-scale residential dwelling whereby the impact on the wider landscape character is minimal. Within the site, the character of the Site would be improved given the uplift in design quality.
- 4.2.5 Given the extensive screening of the Site, we have been unable to identify any vantage point which would experience change (positive or negative), whereby the impact on the appearance of the area is neutral.
- 4.2.6 The pre-application advice raised some concern for the decking area which protruded into the adjacent woodland. This has been scaled back and is now entirely within the redline and within the redline of the original LDC application whereby no loss of woodland would be caused by the development.
- 4.2.7 On this basis, the scheme has an acceptable impact on the appearance and landscape character of the site and its setting in accordance with LDP Policy DM4 and PPW12.

4.3 Movement and transport

4.3.1 LDP Policies DM13 and T1 require that development proposals should be designed and located to minimise the impacts on the transport whilst ensuring that highway safety for all transport users is not detrimentally impacted upon. They also require that proposals meet highway access requirements, 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.

4.3.2 The Highway Authority provided advice at the pre-application stage as follows:

1. *The access would need to provide visibility of 2.4m x 43m in each direction, which is the recommended standard for roads with speeds of 30mph, as detailed within Manual for Streets & Table A/B of TAN 18.*
 - *Such an access will need to conform to PCC standards in terms of:-*
 - *Construction – 450mm standard construction for first 5.5m*
 - *Gate set back – Minimum of 5.5m from edge of adjoining carriageway.*
2. *The proposed vehicular access shall be formed at 90 degrees to the adjoining county highway.*
3. *Off street parking provision shall be provided in accordance with CSS Wales Parking Standards. (1 space per bedroom up to max. of 3 spaces)*
4. *Once a site visit has been conducted, if a full application were to be submitted, the Highway Authority may request the construction of a passing bay(s) along the C1341 highway to mitigate the impact of the additional traffic generated by the proposed development.*

4.3.3 The advice is generic and relates better to a site for a new dwelling, and not a replacement dwelling. Keeping in mind that the replacement dwelling will create the same movements and have the same highway impacts as the existing dwelling, even if the access were kept as it is, it is our view that there would be no harm created by the development.

4.3.4 Nonetheless, every effort has been made to comply with the requests. Plan 4575 P(0)210

demonstrates that requisite visibility can be achieved at the Site access and that gates are set back more than 5m from the carriageway edge. It also shows that the standard construction will be used as requested. Three spaces are proposed for the 4-bed dwelling.

4.3.5 In respect of criterion 4, the applicant would reiterate that the proposal is to replace one dwelling with another whereby there is additional traffic created and thus no material impact on the highway whereby new passing bays are not justifiable.

4.3.6 On the above basis, the proposed development would not lead to increase in vehicle numbers on the highway but would improve the design of the existing access. The proposals will thus have a positive effect on highway safety in accordance with the provisions of LDP Policies DM13 and T1.

4.4 Drainage

4.4.1 LDP Policy DM6 requires that proposals do not increase flood risk for others and that Satisfactory provision is be made for land drainage including consideration of the use of Sustainable Drainage Systems (SuDS).

4.4.2 The proposed development is within the River Wye SAC whereby the applicant understands the need to demonstrate that the proposals will give rise to no likely significant effects on the SAC.

4.4.3 The Drainage Strategy by H+H Drainage advises on the design of foul and surface water. It advises that both will be treated separately.

4.4.4 For foul water, the proposal includes the replacement of the existing septic tank with a Graf One2clean packaged sewage treatment plant sized for a potential population of at least 6pe. This will discharge to a drainage field with the 'percolation test area'. That area has been tested and proven to drain sufficiently for a drainage field. The tests are included in the Drainage Strategy. The trial pits have been left open so that they can be inspected by the Council's drainage engineer.

4.4.5 The Drainage Strategy includes a section discussing Nutrient Neutrality. It explains that the existing development is one dwelling (2.3 persons per dwelling) draining to a septic tank, the effluent from which discharges at 11.6mg/litre of phosphate. The proposed development is one dwelling (2.3 persons per dwelling) draining to a new Graf One2Clean packaged sewage

treatment plant, which will discharge at 1.6mg/litre. The proposals will therefore improve significantly water quality discharging from the site and, as advised by NRW, the development can be screened out and an Appropriate Assessment is not required.

4.4.6 In terms of surface water, the Drainage Strategy explains that roofwater would be collected in a rainwater harvester which will be used for non-potable purposes. Exceedance roofwater will be discharged to ground via soakaways which include silt-traps. Surfaces are porous which will reduce run off and pollution. The soakaway size and design is informed by onsite tests and will ensure that run off leaves the site at not greater than greenfield run off rate.

4.4.7 The development would be appropriately safe for its lifetime taking account of the vulnerability of its users, would not increase flood risk elsewhere, and would reduce flood risk overall. It would also improve water quality at the site. The scheme complies with LDP Policy DM6 and NRW's advice in respect of water quality.

5. Should Planning Permission be Granted?

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this case is the Powys Local Development Plan. The proposal has been explained in the context of its policies. PPW12 and the suite of national TAN's are also material considerations we have identified.
- 5.1.2 LDP Policy H9 supports the principle of replacement dwellings. We have explained the scheme in the context of the three criteria set out under Policy H9. The existing dwelling has a lawful C3 use and is not abandoned, whilst the replacement dwelling is on the footprint of the existing dwelling. Furthermore, the proposed dwelling broadly reflects the form, scale, and size of the existing dwelling. The small increase in footprint and volume assists in yielding a dwelling which is of an improved design, and which reduces energy use. This variation, if material, is small-scale and justified on the basis of the tangible planning gain it delivers.
- 5.1.3 Further, the proposal is representative of good, contextual design that will greatly improve energy conservation and reduce the requirement for space heating compared to the existing dwelling. This must be accorded significant weight in the context of the current climate emergency.
- 5.1.4 The proposed development will also give rise to biodiversity enhancements and to economic benefits arising during the construction phase, most notably through direct and indirect employment.
- 5.1.5 Otherwise, this Statement has confirmed there is no other demonstrable technical harm arising including to landscape character and appearance, biodiversity, highway safety, and foul and surface water drainage.
- 5.1.6 When necessarily read in the round, the application proposal complies with the Development Plan. Without material considerations indicating to the contrary, S38(6) of the Act advises that planning permission should be granted.



info@ttplanning.co.uk