

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: P/2016/1163

Grid Ref: 320360.3, 297956.31

Community Council: Montgomery

Valid Date: 11/11/2016
Officer: Bryn Pryce

Applicant: Mr James Evans & Mrs Lisa Ayers Evans & Ayers Goulfian Lane 34, The Paddock, Aldridge, Walsall WS9 OLX

Location: Land adjoining The Sidings, Caerhowel, Montgomery, Powys SY15 6HF

Proposal: Erection of 9 dwellings with garages, improvements to existing vehicular access and formation of new vehicular access and all associated works (outline)

Application Type: Application for Outline Planning Permission

The reason for Committee Determination

The application is to be determined by planning committee as it represents a departure from the development plan as is recommended for approval.

Site Location and Description

This site is located off the C2007 classified highway adjacent to the settlement of Caerhowel. The site is currently overgrown with an existing red brick building to the south west corner of the site. The site is bound by mature hedgerows to the north adjacent to the highway and mature trees to the south east adjacent to the railway line.

This application represents a departure from the current Unitary Development Plan and seeks outline consent for the erection of 9 dwellings with garages, improvements to existing vehicular access and formation of new vehicular access and all associated works. Two of the proposed nine dwellings are to be affordable. This outline application considers access only as part of this application all other matters are reserved. An indicative layout of the site and scale of the dwellings proposed are given.

Consultee Response

Montgomery TC

No comments received by Development Management at the time of writing this report.

Highways Dept north

Correspondence received 3rd April 2017

I refer to the revised plan numbered 08/11/2141 SK 001 B and confirm that the details submitted are acceptable in principle. However, the details of the highway surface water drainage and traffic calming measures will need to be conditioned as Grampian as the ground conditions are unknown in regard to soakaway suitability and the locations of the traffic calming measures need to be agreed.

In view of the above please attach the following conditions:-

“Prior to any works commencing on site detailed calculations, soakaway design details for the highway surface water drainage and footway engineering drawings along the C2007 shall be submitted to and agreed in writing by the LPA”

“Prior to any works commencing on site detailed engineering drawings to include signage for the traffic calming measures together with the road widening along the C2007 shall be submitted to and approved in writing by the LPA”

“Prior to the occupation of any dwelling the traffic calming measures, together with the road widening along the C2007 shall be fully completed to the written satisfaction of the LPA”

“Prior to the occupation of any dwelling the new footway together with the disposal of the highway surface water drainage along the C2007 shall be fully completed to the written satisfaction of the LPA”

HC1 Prior to the occupation of the dwelling any entrance gates shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

HC2 The gradient of the access shall be constructed so as not to exceed 1 in **15** for the first **5.5 metres** measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

HC3 The centre line of the first **5.5 metres** of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

HC4 Within 5 days from the commencement of the development the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and **2.4 metres** distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and **43 metres** distant in a North-East direction and 23 metres in a south-West direction measured from the centre of the access along the edge of the adjoining carriageway and **5.5 metres** distant from the edge of the adjoining carriageway and **10 metres** in each direction. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

- HC7** Within 5 days from the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of **5.5 metres** from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
- HC8** Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than **1 car per bedroom (maximum of 3)** excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
- HC11** Within 5 days from the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of **0.45 metres** in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
- HC12** The width of the access carriageway, constructed as Condition HC7 above, shall be not less than **4.8 metres** for a minimum distance of **5.5 metres** along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.
- HC21** Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of **5.5 metres** from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,
- HC29** All surface water run-off is to be collected and discharged via a piped system to a soakaway located within the site no less than **6.0 metres** from the highway. This system shall be retained and maintained for as long as the development remains in existence.
- HC30** Upon formation of the visibility splays as detailed in HC4 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
- HC32** No storm water drainage from the site shall be allowed to discharge onto the county highway.
- HC1a** Prior to the occupation of the dwelling any entrance gates shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

- HC2a** The gradient of the access shall be constructed so as not to exceed 1 in **15** for the first **5.5 metres** measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
- HC3a** The centre line of the first **5.5 metres** of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.
- HC4a** Within 5 days from the commencement of the development the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and **2.4 metres** distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and **43 metres** distant in each direction measured from the centre of the access along the edge of the adjoining carriageway and **5.5 metres** distant from the edge of the adjoining carriageway and **10 metres** in each direction. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
- HC7a** Within 5 days from the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of **0.45 metres** from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
- HC8a** Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than **1 car per bedroom (maximum of 3)** excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
- HC11a** Within 5 days from the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of **0.45 metres** in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
- HC12a** The width of the access carriageway, constructed as Condition HC7a above, shall be not less than **4.8 metres** for a minimum distance of **5.5 metres** along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

HC21a Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of **5.5 metres** from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,

HC29a All surface water run-off is to be collected and discharged via a piped system to a soakaway located within the site no less than **6.0 metres** from the highway. This system shall be retained and maintained for as long as the development remains in existence.

HC30a Upon formation of the visibility splays as detailed in HC4a above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

HC32a No storm water drainage from the site shall be allowed to discharge onto the county highway.

REASONS FOR RECOMMENDATIONS

RR1 In the interests of highway safety.

RR2 To ensure that adequate provision is made for highway access onto the **County Class C2007 road** to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

RR3 To ensure that adequate provision is made for parking to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan

Wales & West Utilities

Correspondence received 24th November 2016

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.

Severn Trent Water

Correspondence received 30th November 2016

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

Waste Water Comments

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:

- 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
- 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

Environmental Health

Correspondence received 1st December 2016

The application site is in close proximity to a large industrial premises and also the railway line, which are both potentially significant sources of noise. However, no noise impact assessment has been submitted as part of the application. Please can the applicant/agent provide a noise impact assessment report to demonstrate that the amenity of the residents of this proposed development will be at an acceptable level, and that therefore the site is a suitable location for residential development?

Without the above information I must object to the application in its current form.

Contaminated Land Officer

Correspondence received 24th November 2016

In relation to Planning Application P/2016/1163 the following advice is provided for the consideration of Development Control.

Advice

1. Historic ordnance survey (OS) maps identify that the application site adjoined a railway line and sidings. The historic OS maps also identify that the sidings occupied part of the application site.

Land associated with railways has the potential to be affected by land contamination; the Department of the Environment 'Industry Profile: Railway Land' (1995) provides guidance on the potential sources of contamination associated with this land use.

Furthermore, the historic OS maps identify the presence of a Timber Yard to the West, which formerly adjoined (and may have occupied part of) the application site.

Former Timber Yards have the potential to be affected by land contamination; the Department of the Environment documents: 'Industry Profile: Timber Products Manufacturing Works' (1995) and 'Industry Profile: Timber Treatment Works' (1995) provide guidance on the potential contaminant sources associated with these land uses.

2. Paragraph 13.5.1, of Chapter 13 'Minimising and Managing Environmental Risks and Pollution', of the Welsh Government document 'Planning Policy Wales' (2016) advises: *"responsibility for determining the extent and effects of instability or other risks remains that of the developer. It is for the developer to ensure that the land is suitable for the development proposed, as a planning authority does not have a duty of care to landowners"*.

3. Based on the available information it appears that the application site could potentially be affected by land contamination. *Therefore, given the sensitivity of the proposed development (residential) it is recommended that the following Condition and Note to the applicant should be attached to any permission granted for Planning Application P/2016/1163:*

Condition A

Condition 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (*a contaminated land specialist with proven experience within the contaminated land industry*) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and the WLGA document '*Development of land affected by contamination: a guide for developers*' 2012 .

Item (iii) above should not be submitted until written approval has been obtained from the Local Planning Authority for items (i) & (ii).

Condition 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990, The Contaminated Land (Wales) Regulations 2001 in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 1 has been received from the Local Planning Authority.

Condition 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. *The verification report contents must be agreed with the Local Planning Authority before commencement of the remediation scheme.*

Condition 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Condition 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of duration to be agreed in writing with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Within six months following the completion of the measures identified in that scheme and the achievement of the remediation objectives, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy ____ of the adopted Local Plan (date)].

Note to Applicant

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 0870 1923757.

PCC Ecologist

Correspondence received 12th December 2016

Ecological Topic		Observations
EIA Screening Requirement	No	The site area is understood to be 0.49 hectares and includes 9 dwellings. Therefore, under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 it is not considered to be Schedule 1 development nor meet or exceed the thresholds of Schedule 2 for the screening of dwelling house developments for EIA, since it does not exceed five hectares; include more than 150 dwellings; or include more than one hectare of urban development that is not a dwelling house development.
Protected Species & Habitats ¹	European Species <input checked="" type="checkbox"/>	An Ecological Appraisal (Oakwood Ecology, August 2016) has been completed and involved a desk study (historic records and protected sites), an extended Phase 1 habitat survey (22/06/16) and a bat emergence survey of the brick building located within the site (14/07/16). None of the trees on the site contained potential roost features for bats. An internal inspection of the small brick building during the initial site visit revealed a deposit of bat droppings on the floor, and a follow up emergence survey supplemented by the use of static detectors (8 days data) revealed that this building is used as a night roost for a small number of lesser horseshoe bats. The report suggests that the building may be used by a population of LHBs affiliated with a

¹ Species records within 1km (minimum). Change distance dependant on project type, scale, etc.

		<p>major maternity roost approximately 1.5km from the site of the proposal.</p> <p>The current proposals involve the demolition of this building in order to accommodate new housing plots and subsequently section 5.2.1 of the Ecological Appraisal report makes recommendations regarding siting and construction of a replacement roost building, though there is no evidence elsewhere in the application that a replacement roost has been incorporated within the current proposals. Section 5.3 of the report also makes recommendations regarding bat enhancement measures within roofs of all proposed dwellings, and recommendations for a sensitive lighting design to limit disturbance upon adjacent areas of retained vegetation.</p> <p>According to good practice guidance prepared by NRW (<i>NRW Approach to Bats and Planning, October 2015</i>) the loss of the night roost currently provided by the brick building would constitute a higher risk case and accordingly NRW have been supplied with a copy of the submission for comment before planning permission is granted. The response received from NRW (08/12/16) indicates that more information is required to demonstrate that the proposal can accommodate LHBs, principally by confirming the location and orientation of a replacement roost. Until this information is provided the proposal is unlikely to obtain an EPS licence from NRW and it is respectively recommended that a decision to grant planning permission should be deferred in the meantime.</p> <p>There are no ponds on the site of the proposal therefore potential impacts upon breeding GCNs have been dismissed. However there is a single pond approximately 460m to the east of the site which was not accessed as part of the Ecological Appraisal. The appraisal report concludes that due to the distance from the pond and the nature of the land connecting the pond to the proposal, it is highly unlikely that newts which may be breeding in the pond would be regular visitors to the proposed site. Section 5.2.2 of the Ecological Appraisal report includes measures to further reduce the risk of harming GCN during construction.</p> <p>The Ecological Appraisal also considered potential effects upon otters and dormice but the site was not deemed suitable for any other European Protected Species.</p>
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Environment

Version 1

	UK Species	<input checked="" type="checkbox"/>	<p>The Ecological Appraisal report (Oakwood Ecology, August 2016) considers potential effects upon badgers, breeding birds, reptiles, water voles and white clawed crayfish.</p> <p>The report concludes that the whole site provides highly suitable habitat for reptiles, and a slow worm was observed in some low scrub during the site visit. Subsequently recommendations are provided in section 5.2.2 of the Ecological Appraisal report to safeguard reptiles during ground disturbance activities. Measures are also included in section 5.2.3 of the report to avoid affecting nesting birds during site clearance activities.</p>
	Section 7 Species & Habitat	<input checked="" type="checkbox"/>	<p>Summary of protected species identified within the proposed site is provided above; no other Priority Species identified during the Ecological Appraisal (Oakwood Ecology, August 2016).</p> <p>Hedgerows are a Section 7 Priority Habitat. Hedgerow currently encapsulates the perimeter of the whole site other than a short length on the north west corner. The Ecological Appraisal report confirms that two sections of hedgerow, along the northern frontage and part of the hedge along the back of the site, are species rich and intact. The remaining sections are made up of exotic conifer species.</p> <p>The extent of site clearance is currently unknown and a landscape proposal for the site has not been presented. However the proposal does involve the realignment of the species rich hedgerow along the north-west boundary of the site to accommodate a new access road and a pedestrian walkway in front of the proposal. A broad methodology for translocation of the existing hedgerow is included in section 5.2.4 of the Ecological Appraisal report.</p> <p>It is recommended that a plan is provided to outline the extent of vegetation clearance and hedgerow realignment and loss as a result of the proposal. Subsequently a landscape design should be presented which would demonstrate that any loss of hedgerow (as a Section 7 Priority Habitat) has been offset by the introduction of new planting.</p>
	LBAP Species & Habitat	<input checked="" type="checkbox"/>	<p>Summary of species and habitats identified within the proposed site is provided above; no other LBAP Species or Habitats identified during the Ecological Appraisal.</p>

Protected Sites	International Sites (within 2km) ² <input type="checkbox"/>	Montgomery Canal SAC is located approximately 1.35km to the north-west of the proposal. Due to this distance, the nature of the proposal and lack of pollution pathways no effects upon the integrity of the site are expected.
	National Sites (within 500m) ³ <input type="checkbox"/>	None identified within the search area.
	Local Sites (within 500m) <input type="checkbox"/>	None identified within the search area.
Invasive Non-Native Species	No	None identified within the Ecological Appraisal report (Oakwood Ecology, August 2016).
Cumulative Effect	No	
Summary of recommendations / further assessment or work		<p>In consideration of the above, an EPS Licence is required to develop the site legally with regard to bats. Outline bat mitigation is provided in Section 5.2.1 of the Ecological Appraisal report (Oakwood Ecology, August 2016), however further information is required to demonstrate that the mitigation recommendations have been incorporated into the proposals. Confirmation is also required that NRW are satisfied with these detailed proposals for a replacement roost before planning consent should be granted.</p> <p>It is recommended that the developer provides information regarding the extent of vegetation translocation and removal required to facilitate the proposal which will allow the adequacy of a soft landscaping design to be determined.</p>

² Identify International designated site within 2km of the proposals. Consider International sites within 15km of proposals with bats as qualifying features, and 10km with otters as qualifying features if the proposal is likely to affect these features.

³ Any designated sites within 500m of the proposal, extending to 2km dependant on features of interest i.e. wetlands (Powys LDP)

Recommended Conditions	<p>Should you be minded to approve this application, I recommend the inclusion of the following conditions. Please note that further conditions may be applied following receipt of the further information requested above:</p> <p><i>1) The work shall not commence until the LPA has been provided with a bat licence that has been issued to the applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitat and Species Regulations (2010) authorising the specified work, or a letter provided by Natural Resources Wales informing the applicant that such licence is not required.</i></p> <p>Reason: To comply with Powys County Council's UDP Policies SP3, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), Welsh Governments TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p><i>2) The mitigation and recommendations regarding great crested newts, reptiles, breeding birds and hedge translocation methods identified in Section 5.2 of the Ecological Appraisal report by Oakwood Ecology dated August 2016 shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.</i></p> <p>Reason: To comply with Powys County Council's UDP Policies SP3, ENV2 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p><i>3) Prior to commencement of development, a detailed Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.</i></p> <p>Reason: To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p>
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	<p>4) A lighting design scheme to take any impacts on nocturnal wildlife into consideration (particularly the hedgerows at the site boundaries) shall be submitted for written LPA approval.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p>5) Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh Government strategies, and the Environment (Wales) Act 2016.</p> <p>6) Prior to commencement of development, a Species List for the Landscape Planting, shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p>7) Prior to the first use of the site, an ecological consultant shall visit the site to check that all of the ecology mitigation and enhancements have been implemented and are fit for purpose and a written report shall be submitted to the LPA confirming that this is the case.</p> <p><u>Reason:</u> To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and to comply with Powys County Council's UDP Policies SP3, ENV3 and ENV7 in relation to The</p>
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	<p>Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p>Informatives</p> <p>Birds - Wildlife and Countryside Act 1981 (as amended)</p> <p>All nesting birds, their nests, eggs and young are protected by law and it is an offence to:</p> <ul style="list-style-type: none"> • intentionally kill, injure or take any wild bird • intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built • intentionally take or destroy the egg of any wild bird • intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. <p>The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.</p> <p>The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.</p> <p>Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)</p> <p>It is an offence for any person to:</p> <ul style="list-style-type: none"> • Intentionally kill, injure or take any bats. • Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses
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	<p>for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.</p> <p>Under the Habitats Regulations it is an offence to:</p> <ul style="list-style-type: none"> • Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved. <p>The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0845 1300 228 or email enquiries@bats.org.uk</p> <p>EPS Licence Required</p> <p>The Ecological Reports (Jon Sloan Ecological Consultants) suggest that a European Protected Species (EPS) licence is required in support of this development.</p> <p>Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 (as amended) is likely to occur in respect of this permission hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact on bats or great crested newts unless a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority.</p> <p>Great Crested Newts – Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)</p> <p>Great Crested Newts are known to be present in the vicinity of the proposed development site.</p>
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	<p>The great crested newt is fully protected under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended).</p> <p>It is therefore an offence to:</p> <ul style="list-style-type: none"> • Deliberately capture, injure or kill a great crested newt; • Deliberately disturb a great crested newt in such a way as to be likely to significantly affect the local distribution, abundance or the ability of any significant group of great crested newts to survive, breed, rear or nurture their young; • Damage or destroy a great crested newt breeding site or resting place; • Intentionally or recklessly disturb a great crested newt; or • Intentionally or recklessly obstruct access to a breeding site or resting place. <p>If a great crested newt is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. This advice may include that a European protected species licence is sought.</p>
Relevant UDP Policies	<p>SP3 Natural, Historic and Built Heritage ENV 2: Safeguard the Landscape ENV 3: Safeguard Biodiversity and Natural Habitats ENV 6: Sites of Regional and Local Importance ENV 7: Protected Species</p>
Comments on Additional Information	N/A

PCC Land Drainage Officer

Correspondence received 23rd November 2016

In response to your enquiry regarding the above mentioned application, the LLFA would make the following comments/recommendation.

Land Drainage / Flood Risk

Comment: The Authority holds no historical flooding information relating to the site.

Surface Water Run-off

Observation: Reference to the management of surface water run-off is indicated under Item 13 – ‘Assessment of Flood Risk’ on the planning application form, where it states surface water is to be disposed to a sustainable drainage system and soakaway. Further reference is made within the Planning Statement where it indicates the use of soakaways and sustainable drainage techniques to manage surface water run-off. The indicative layout plan also shows a surface water drains and a trench soakaway system for disposal.

Comments: The site is classed as Greenfield. Therefore, proposed surface water flows should be equivalent to existing Greenfield run-off in accordance with the principles of TAN15 – *Development and Flood Risk* and good practice drainage design such as that recently published by Welsh Government “Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – designing, constructing, operating and maintaining surface water drainage systems” dated January 2016 (<http://gov.wales/topics/environmentcountryside/epq/flooding/drainage/?lang=en>).

The use of soakaways and or other infiltration techniques should be investigated in the first instance for surface water disposal. Porosity tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance for climate change.

If soakaways are not feasible, drainage calculations to limit the discharge rate from the site no greater than the Greenfield run-off rate shall be applied. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year plus an allowance for climate change and will not cause flooding either on site or elsewhere in the vicinity. There must be no discharge to a surface water body that results from the first 5mm of any rainfall event.

No surface water run-off shall flow onto the existing public highway.

Recommendation: No development shall commence until a scheme for the surface water drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.

Reason: To ensure that the proposed drainage systems for the site are fully compliant with regulations and are of robust design.

Environment Protection

Informative: Foul drainage from the proposed development should be conveyed to the main foul sewer, subject to the agreement by Severn Trent Water Ltd. There must be adequate

capacity at the receiving sewage treatment works to treat the additional flows. Consent is required from the service provider to connect into the foul main sewer.

Network Rail

Correspondence received 12th December 2016

Thank you for your email dated 23rd November, together with the opportunity to comment on this proposal.

Whilst there is no objection in principle to this proposal I give below my comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

LEVEL CROSSINGS

As there is a level crossing in the vicinity then no part of the development shall cause any existing level crossing road signs or traffic signals or the crossing itself to be obscured. Clear sighting of the crossing must be maintained for the construction/operational period and as a permanent arrangement. The same conditions apply to the rail approaches to the level crossing, This stipulation also includes the parking of vehicles, caravans, equipment and materials etc, which again must not cause rail and road approach sight lines of the crossing to be obstructed. At no point during construction on site or after completion of works should there be any deterioration of the ability of pedestrians and vehicles to see the level crossing and its signage. There must be no reduction in the distance that pedestrians and vehicles have sight of the warning signs and the crossing itself. Network Rail reserves the right to provide and maintain existing railway signals/signs (whistle boards etc) and level crossing equipment along any part of its railway.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land to the public mains system. Soakaways are not acceptable where the following apply:

- Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works. The initial point of contact is assetprotectionwales@networkrail.co.uk. The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

Public Response

Two letters of objection received. Points raised include:

- Scale and height of indicative dwellings proposed
- Potential impact upon amenity
- Potential issues of Overlooking
- Mains foul drainage issues in local area
- Proximity to railway line and Commercial Food Business
- Narrow classified highway
- Proposed access from site itself.

Planning History

M/2007/0882 - Resubmission of outline for residential development - Planning Appeal granted 22.12.08 (but originally refused)
M/2006/1108 - Outline for Residential development - REFUSED 12.2.07
M/2004/1163 - Outline Residential development - REFUSED (2005)
M25456 - Renewal of outline for Residential development - CC 5.6.95
M22282 - RENEAL of outline for res dev - 9.7.92
M18048 - Outline for res dev - CC 30.8.89
plus older history
M98242 - erection of dwelling and alteration to access - CC (1998)
M14116 - Extension to touring caravan park and provision of new toilets and septic tank - CC
M12419 - holiday caravan site - CC 18.11.71
M3352 touring caravan and camping site - 10.2.77

Principal Planning Constraints

Historic Landscapes Register Outstanding

Principal Planning Policies

National Policies

Planning Policy Wales (9th Edition, 2016)
Technical Advice Note (TAN) 1 - Joint Housing Land Availability Study (2015)
Technical Advice Note (TAN) 2 - Planning and Affordable Housing (2006)
Technical Advice Note (TAN) 5 - Nature Conservation and Planning (2009)
Technical Advice Note (TAN) 12 - Design (2016)
Technical Advice Note (TAN) 18 – Transport (2007)
Technical Advice Note (TAN) 23 - Economic Development (2014)

Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Local Policies

Powys Unitary Development Plan 2010

SP2 – Strategic Settlement Hierarchy
SP4 – Economic and Employment Developments
SP5 – Housing Developments
SP6 – Development and Transport
SP12 – Energy Conservation and Generation
GP1 – Development Control
GP2 – Planning Obligations
GP3 – Design and Energy Conservation
GP4 – Highway and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV3 – Safeguarding Biodiversity and Natural Habitats
ENV7 – Protected Species
HP3 - Housing Land Availability
HP4 - Settlement Development Boundaries and Capacities
HP5 - Residential Development
HP6 - Dwellings in the Open Countryside
HP8 - Affordable Housing Adjoining Settlements with Development Boundaries
HP14 – Sustainable Housing
T1 – Highway Improvement Schemes
T2 – Traffic Management
TR2 - Tourist Attractions and Development Areas
DC1 – Access by Disabled Persons
DC3 – External Lighting
DC8 – Public Water Supply
DC10 – Mains Sewage Treatment
DC13 – Surface Water Drainage

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

Officer Appraisal

Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Principle of Development

This application site lies adjacent to the settlement boundary limits of Caerhowel. The proposal is for nine dwellings only two of which are proposed to be affordable and therefore the proposed development cannot be considered under policy HP8. Seven open market dwellings in the proposed location represents a departure from the adopted Unitary Development Plan.

Housing Land Supply

Planning policy (TAN1 and UDP HP3) states that the Council needs to have a five year supply of land available for housing. The Powys Joint Housing Land Availability Study (2016) concludes that there is 2.2 years of housing supply.

Housing supply is a material consideration that should be given considerable weight in the determination of this application. TAN 1 states:

'The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies'

Sustainability

In considering a departure from the Powys Unitary Development policies Members must consider the location of the proposed development in terms of the wider sustainability of the development, taking into account the range of services and facilities available within close proximity to the site and within a short travelling distance.

Caerhowel is defined in the UDP as a small village with no allocated sites designated within the plan. The settlement benefits from a public house, garage and post box. The site is located approximately 3.5 km north west of the key settlement of Montgomery. Montgomery offers a full range of services and community facilities and is easily accessible via public transport from the site.

In light of the range of services located within a short travelling distance of the development site, officers consider that there is an argument to support the principle of residential development at this location given its siting adjacent to the development boundary of an existing small village. Therefore, it is considered that the proposed site is considered to be a sustainable location for residential development.

Scale, Design and Appearance

Policy GP3 of the Powys Unitary Development Plan seeks to ensure that development proposals are of an appropriate design, scale, layout and of materials that shall complement or where possible enhance the character of the surrounding area.

Whilst scale, appearance, layout and landscaping are reserved matters not to be considered as part of this application process, the applicant has provided an indicative layout for the site and stated that the nine dwellings proposed are to be detached two storey dwellings with three/four bedrooms each with approximately 110m² of habitable floor space. The proposed dwellings are to be of an indicative size of 10 metres in width, 6 metres in length, 4.8 metres in height to the eaves with a 40 degree pitched roof. The proposed garages will range up to 3.6 metres in width, 6 metre in length, 2.4 metre in height to the eaves with a 40 degree roof pitch. No indicative details of design of the dwellings or materials to be used in their construction are given at this stage, but they are intended to reflect the character and appearance of the surrounding area.

Although Officers acknowledge that matters relating to appearance, layout and scale have been reserved for future consideration, on the basis of the plans provided, it is considered that the application site is capable of accommodating nine dwellings without unacceptably adversely affecting the character and appearance of the area or amenities enjoyed by occupants of neighbouring properties compliant with UDP policies SP5, GP1, GP3, ENV2 and HP5.

Amenity

Policy GP1 of the Powys Unitary Development Plan states that the amenities enjoyed by the occupants of nearby neighbouring properties should not be unacceptably affected by development proposals and the proposal should complement and where possible enhance the character of the surrounding area.

As part of this application process layout of the site is not to be determined at this stage, however the indicative site layout plan indicated that dwelling to the far north east of the proposed site would be located approximately 23 metres to the nearest neighbouring property known as Arglyn. The indicative layout shows that the dwelling is slightly off set on the site and it is considered that there is sufficient distance between the existing property and the proposed dwellings as to not have a significant adverse impact upon the amenities enjoyed by the occupants of this neighbouring property. To the south west of the site the indicative layout shows the proposed nearest dwelling to be approximately 8 metres at its closest point to the neighbouring property to the site known as The Sidings. Although this is a relatively short distance there is an existing mature hedgerow on this boundary of the site and the orientation of The Sidings is offset to the proposed dwellings, which is considered to be acceptable in this case.

This layout is for indicative purposes only and the layout of the site could be altered to increase the distances between the properties if deemed necessary at any reserved matters application stage. The indicative layout is considered to be appropriate and would comply with policy GP1 and GP3 of the Powys Unitary Development Plan 2010.

Landscape and Visual Impact

Policy ENV2 of the Powys Unitary Development Plan seeks to ensure that proposed development will not have an unacceptable adverse impact upon the Powys Landscape. Development proposals should be design in a way to be sensitive to the character and appearance of the surrounding area and landscape.

This site is located within the River Severn Flood Plain aspect are which is characterised as a significant open valley / vale with a patchwork of medium to large field parcels many displaying established field boundaries of managed and overgrown hedgerows with numerous hedgerow trees. Predominantly arable farming with some lowland dairy farming. Settlements of varying sizes are prevalent from farmsteads to significant urban areas such as Welshpool and Newtown. Open skies dominate with wooded valley sides fringing the valley bottom. Whilst LANDMAP recognises the rarity of the landscape as high, the scenic quality is considered to be moderate. The overall sensory and visual value is defined as moderate.

The proposed site is considered to be well integrated with the settlement being adjacent to the existing development boundary and bound by the railway line to the south. It is considered that the siting of the proposed dwellings is acceptable in the proposed location. Although landscaping is not considered as part of this application process it is considered that the proposed site is well integrated within the existing small village and would not have a significant adverse visual impact upon the character and appearance of the surrounding area.

In light of the above, it is considered that the proposed development complies with policy ENV2 of the Powys Unitary Development Plan 2010.

Highways Safety and Movement

UDP policy GP4 indicates that planning permission will be dependent upon adequate provision for access including visibility, turning and parking.

As part of this application process the highways authority have been consulted and they have responded. Initially the highways officers raised some concerns regarding the width of the existing highway in this location, the lack of a pedestrian footway and also the known increased speeds of vehicles through the village itself. The applicant has provided amended plans to demonstrate that traffic calming measures and a footway are to be introduced as a result of the proposal. The highways officer has raised no objection to the scheme given the proposed changes and the suggested conditions as listed above.

In light of the highways officers comments it is considered that the proposed dwellings fundamentally comply with Policy GP4 of the Powys Unitary Development Plan 2010.

Ecology

This application has a general ecological appraisal of the site submitted in support of the proposal which has been produced by Oakwood Ecology date August 2016. As part of this application process the county ecologist has been consulted and they have provided comments on the proposal. No objection has been raised to the scheme subject to the suggested conditions as listed above.

It is considered that subject to the inclusion of the suggested conditions that the proposed development fundamentally complies with policies ENV7 of the Powys Unitary Development Plan 2010 and Technical Advice Note (TAN) 5 Nature Conservation and Planning (2009).

Foul Drainage

The proposed foul drainage from the site is proposed to feed into the mains public sewer. As part of this application process the relevant bodies have been consulted who have raised no objection to the proposal. The indicative plan shows the proposed foul drainage to feed into the existing sewer system.

In light of the above, it is considered that the proposed development fundamentally complies with DC11 of the Powys Unitary Development Plan 2010.

Surface Water Drainage

Policy DC13 of the Powys Unitary Development plan seeks to ensure that development proposals should provide adequate provisions for land drainage and surface water disposal. Development should not give rise to unacceptable on or off site flooding.

An indicative proposal for the disposal of surface water has been submitted in support of this application as shown on plan number SK.001 B. As part of this application process the county's land drainage officer has been consulted. We have received comments in response which considers flood risk and surface water potential arising from the proposed development. No historic flooding information relating to the site is held by the authority and further concerns have been raised by the officer in this respect.

The proposed soakaway system for surface water runoff is noted by the land drainage officer and further details in terms of porosity tests and a drainage scheme have been sought by the inclusion of a condition upon any grant of consent.

Officers consider that subject to the suggested condition that the proposed development fundamentally complies with policy DC13 of the Powys Unitary Development Plan 2010 in respect of surface water drainage.

Noise

As part of this application process no information has been submitted in support of the application in respect of noise. An existing garage is located to the south west and to the south the other side of the railway line is a commercial food production business. As part of this application process the council's Environmental Health Officer have been consulted and have raised an objection to the scheme and sought further information in respect of a noise assessment.

No further information in the form of a noise assessment has been submitted by the applicant at this time, however they have made reference to an appeal (APP/T6850/A/08/2080883) on this site which granted permission for residential development where issues of noise was address by the inspector. At the time of the appeal

a noise assessment was carried out by the appellant in support of their case and the inspector concluded (para.22) that the proposal would provide acceptable living conditions for the future occupiers of the dwellings with regard to noise and disturbance.

Although there remains an objection from Environmental Health Services regarding the potential implications of noise for future occupants of the proposed dwellings, the above appeal demonstrated that the living conditions at the site were considered to be acceptable. In light of this officers consider that the proposed development is considered to comply with policy GP1 of the Powys Unitary Development Plan 2010.

Other Legislative Considerations

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that there would be no unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material unacceptable effect upon the use of the Welsh language in Powys as a result of the proposed decision.

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the

evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

Recommendation

Whilst a departure from the development plan, in this instance, the provision of housing is considered to outweigh the plan and therefore justifies the grant of consent as an exception to normal housing policies. The recommendation is therefore one of conditional approval subject to conditions.

Conditions:

1. Details of the 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 strictly in accordance with the amended plans stamped as received on 14th March 2017 (drawing no's: SK.001 B).
5. No development shall commence until a scheme for the surface water drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.
6. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (a contaminated land specialist with proven experience within the contaminated land industry) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's :Model Procedures for the Management of Land Contamination, CLR 11 - and the WLGA document - Development of land affected by contamination: a guide for developers- 2012 . Item (iii) above should not be submitted until written approval has been obtained from the Local Planning Authority for items (i) & (ii).

7. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990, The Contaminated Land (Wales) Regulations 2001 in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 6 has been received from the Local Planning Authority.

8. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. The verification report contents must be agreed with the Local Planning Authority before commencement of the remediation scheme.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

10. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of duration to be agreed in writing with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Within six months following the completion of the measures identified in that scheme and the achievement of the remediation objectives, reports that demonstrate the effectiveness

of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

11. The mitigation and recommendations regarding great crested newts, reptiles, breeding birds and hedge translocation methods identified in Section 5.2 of the Ecological Appraisal report by Oakwood Ecology dated August 2016 shall be adhered to and implemented in full.

12. Prior to commencement of development, a detailed Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.

13. Prior to commencement of development a lighting design scheme to take any impacts on nocturnal wildlife into consideration (particularly the hedgerows at the site boundaries) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

14. Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.

15. Prior to commencement of development, a Species List for the Landscape Planting, shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.

16. Prior to the first use of the site, an ecological consultant shall visit the site to check that all of the ecology mitigation and enhancements have been implemented and are fit for purpose and a written report shall be submitted to and approved in writing by the Local Planning Authority confirming that this is the case.

17. Prior to any works commencing on site detailed calculations, soakaway design details for the highway surface water drainage and footway engineering drawings along the C2007 shall be submitted to and agreed in writing by the Local Planning Authority.

18. Prior to any works commencing on site detailed engineering drawings to include signage for the traffic calming measures together with the road widening along the C2007 shall be submitted to and approved in writing by the Local Planning Authority.

19. Prior to the occupation of any dwelling the traffic calming measures, together with the road widening along the C2007 shall be fully completed to the written satisfaction of the Local Planning Authority.

20. Prior to the occupation of any dwelling the new footway together with the disposal of the highway surface water drainage along the C2007 shall be fully completed to the written satisfaction of the Local Planning Authority.

21. Prior to the occupation of the dwellings any entrance gates shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

22. The gradient of the accesses shall be constructed so as not to exceed 1 in 15 for the first 5.5 metres measured from edge of the adjoining carriageway along the centre line of each access and shall be retained at this gradient for as long as the development remains in existence.

23. The centre line of the first 5.5 metres of the access roads measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

24. No other development shall commence until the south west access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in a North-East direction and 23 metres in a south-West direction measured from the centre of the access along the edge of the adjoining carriageway and 5.5 metres distant from the edge of the adjoining carriageway and 10 metres in each direction. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

25. Before any other development is commenced the south west access to be used by vehicles shall be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 5.5 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

26. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than 1 car per bedroom (maximum of 3) excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

27. Before any other development is commenced provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.45 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

28. The width of the south west access carriageway, constructed as Condition 25 above, shall be not less than 4.8 metres for a minimum distance of 5.5 metres along the access

measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

29. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

30. All surface water run-off is to be collected and discharged via a piped system to a soakaway located within the site no less than 6.0 metres from the highway. This system shall be retained and maintained for as long as the development remains in existence.

31. Upon formation of the visibility splays as detailed in condition 25 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

32. No storm water drainage from the site shall be allowed to discharge onto the county highway.

33. No other development shall commence until the north east access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway and 5.5 metres distant from the edge of the adjoining carriageway and 10 metres in each direction. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

34. Before any other development is commenced the development the area of the north east access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 0.45 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

35. The width of the north east access carriageway, constructed as Condition 35 above, shall be not less than 4.8 metres for a minimum distance of 5.5 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

36. Upon formation of the visibility splays as detailed in condition 34 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

37. Prior to commencement of development the development shall not begin until 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 type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 2 housing unit space;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) 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.

38. The affordable dwellings shall have a maximum gross floor area of 130 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.

Reasons

1. To enable the Local Planning Authority to exercise proper control over the development in accordance with Section 92 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
4. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
5. To ensure that the proposed drainage systems for the site are fully compliant with regulations and are of robust design in accordance with policy DC13 of the Powys Unitary Development Plan 2010.
6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DC15 of the adopted Unitary Development Plan 2010.
7. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DC15 of the adopted Unitary Development Plan 2010.

8. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DC15 of the adopted Unitary Development Plan 2010.

9. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DC15 of the adopted Unitary Development Plan 2010.

10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DC15 of the adopted Unitary Development Plan 2010.

11. To comply with Powys County Council's UDP Policies SP3, ENV2 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

12. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

13. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

14. To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh Government strategies, and the Environment (Wales) Act 2016.

15. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

16. To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and to comply with Powys County Council's UDP Policies

SP3, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

17. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

18. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

19. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

20. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

21. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

22. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

23. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

24. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

25. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

26. To ensure that adequate provision is made for parking to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan

27. To ensure that adequate provision is made for parking to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

28. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

29. To ensure that adequate provision is made for parking to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

30. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

31. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

32. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

33. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

34. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

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36. To ensure that adequate provision is made for highway access onto the County Class C2007 road to serve the approved development in accordance with policies GP1 and GP4 of the Powys Unitary Development Plan.

37. The dwellings are hereby permitted as an exception to normal housing policies. This condition is imposed to control the future affordability and management of the development in accordance with policies HP7 of the Powys Unitary Development Plan (2010).

38. In order to ensure the provision of affordable housing in accordance with policies HP5, HP7 and HP10 of the Powys Unitary Development Plan (2010), Technical Advice Note 2: Planning and Affordable Housing (2006) and Planning Policy Wales (2016).

Informative Notes

Environment Protection

Foul drainage from the proposed development should be conveyed to the main foul sewer, subject to the agreement by Severn Trent Water Ltd. There must be adequate capacity at the receiving sewage treatment works to treat the additional flows. Consent is required from the service provider to connect into the foul main sewer.

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 0870 1923757.

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)

It is an offence for any person to:

- Intentionally kill, injure or take any bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to:

- Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0845 1300 228 or email enquiries@bats.org.uk

EPS Licence Required

The Ecological Reports (Jon Sloan Ecological Consultants) suggest that a European Protected Species (EPS) licence is required in support of this development.

Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 (as

amended) is likely to occur in respect of this permission hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact on bats or great crested newts unless a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority.

Great Crested Newts - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)

Great Crested Newts are known to be present in the vicinity of the proposed development site. The great crested newt is fully protected under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended).

It is therefore an offence to:

- Deliberately capture, injure or kill a great crested newt;

Deliberately disturb an great crested newt in such a way as to be likely to significantly affect the local distribution, abundance or the ability of any significant group of great crested newts to survive, breed, rear or nurture their young;

- Damage or destroy a great crested newt breeding site or resting place;
- Intentionally or recklessly disturb a great crested newt; or
- Intentionally or recklessly obstruct access to a breeding site or resting place.

If a great crested newt is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. This advice may include that a European protected species licence is sought.

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 0870 1923757.

Foul Drainage

Foul drainage from the proposed development should be conveyed to the main foul sewer, subject to the agreement by Severn Trent Water Ltd. There must be adequate capacity at the receiving sewage treatment works to treat the additional flows. Consent is required from the service provider to connect into the foul main sewer.

Signed:.....B.Pryce.....
Bryn Pryce Planning Officer

Date: 06/04/17

Signed:.....
Principal Planning Officer

Date:

Susan Bolter
Pennaeth Adfywio, Eiddo a Chomisiynu/
Head of Regeneration Property & Commissioning
**Adfywio, Eiddo a Chomisiynu/
Regeneration, Property and Commissioning**

Applicant: Mr James Evans & Mrs Lisa Ayers
Location: Evans & Ayers
Land adjoining The Sidings,
Caerhowell, Montgomery

