



Any proposed diversion or culverting of the Nant yr Adrian watercourse will require the prior consent from the LLFA under the terms of the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).

It is presumed Riparian rights and responsibilities exist in respect to the Nant yr Adrain watercourse.

Recommendation: No development shall commence until full engineering details and drawings to reflect the flood risk mitigation works recommended in WHS' FCA report dated March 2017, have been submitted and approved in writing by the Local Planning Authority. These details shall include the agreed scheme for the Nant yr Adrian watercourse approved by the LLFA.

The flood risk mitigation works shall be operational prior to first occupation on the site.

Reason: To ensure that the proposed development does not compromise the function of the existing waterbody and that any proposed alterations are fully compliant with regulations and are of robust design.

### Surface Water Drainage

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.

No proposed surface water drainage details or layout drawing(s) have been submitted.

Comment: This site should be regarded a Greenfield site. 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.

The use of soakaways and or other sustainable drainage 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 of 30% 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 + 30% 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 plots are occupied.

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

### **Officer Appraisal**

In light of the above comments received by the Powys Land Drainage Officer, to ensure that the drainage of the site is acceptable it is considered acceptable to attached the requested conditions to any grant of consent.

### **RECOMMENDATION**

Having carefully considered the development, Officers conclude that the principle of development accords with the provision of local and national planning policy and that there are no other material considerations that would warrant the refusal of this planning application. Therefore, subject to the use of the conditions set out below and the withdrawal of the direction from Welsh Government with regards to highway safety, it is recommended that the development be granted consent.

### **Conditions**

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans and documents stamped as approved (2550 L\_001, PL\_001A, PL\_002A, PL\_003B and PL\_004B).
3. The occupation of the site shall only be by Gypsies and Travellers as defined by paragraph 3 of Circular 30/2007 and their resident dependents.
4. There shall be no more than five pitches on the site hereby approved with no more than ten caravans being stationed at any time, of which only five shall be static caravans.
5. Prior to the occupation of the site for the development proposed, the site must be raised to a minimum level of 18.4m AOD and remain as such over the lifetime of the development.
6. 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 pitches are occupied.
7. The reptile reasonable avoidance measures detailed in Appendix 1 of the Extended Phase 1 Habitat Survey Produced for Powys County Council by Rachel Probert (PCC) dated 16/01/17 shall be adhered to and implemented in full.
8. The recommendations regarding nocturnal wildlife, breeding birds, reptiles, hedgerows, woodland and watercourse identified in Section 10 of the Extended Phase 1 Habitat Survey Produced for Powys County Council by Rachel Probert (PCC) dated 16/01/17 shall be adhered to and implemented in full.

9. Prior to commencement of development, a Biodiversity Enhancement Plan (see Section 10.8 of the Ecology Report, 16/01/17) shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter. The scheme shall include a Species List for the Landscape Planting.

10. Prior to commencement of development a Pollution Prevention Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.

11. Prior to commencement of development, a lighting design scheme to take any impacts on nocturnal wildlife into consideration shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.

12. 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, implemented as approved and maintained thereafter.

13. In the event that contamination is encountered at any time when undertaking the approved development immediate contact must be made with the Local Planning Authority. The development must not proceed until an investigation and risk assessment has been undertaken, by a qualified and experienced environmental consultant, and where remediation is necessary a Remediation Strategy must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of the remedial works identified in the approved Remediation Strategy a Verification Report that demonstrates compliance with the agreed remediation objectives must be produced by a qualified and experienced environmental consultant, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.

14. No development shall commence until full engineering details and drawings to reflect the flood risk mitigation works recommended in WHS' FCA report dated March 2017, have been submitted and approved in writing by the Local Planning Authority. These details shall include the agreed scheme for the Nant yr Adrian watercourse approved by the Local Lead Flood Authority. The flood risk mitigation works shall be operational prior to the first occupation of the site.

15. 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 plots are occupied.

## **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
- 3 & 4. To define the extent of the permission hereby granted in accordance with policy HP20 of the Powys Unitary Development Plan (2010).

5. To ensure that the site remains flood free and does not pose a risk of flooding in accordance with Technical Advice Note 15 (2004).
6. To ensure that the proposed development does not compromise the function of the existing surface water drainage systems and that any proposed alterations are fully compliant with regulations and are of robust design in accordance with policy DC13 of the Powys Unitary Development Plan.
- 7 to 12. To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV6 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
13. 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 Powys Unitary Development Plan (2010).
14. To ensure that the proposed development does not compromise the function of the existing waterbody and that any proposed alterations are fully compliant with regulations and are of robust design.
15. To ensure that the proposed drainage systems for the site are fully compliant with regulations and are of robust design.

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