

Planning, Taxi Licensing and Rights of Way Committee Report

Application No:	P/2017/0966	Grid Ref:	306333.52 300960.51
Community Council:	Dwyriw Com	Valid Date:	Officer: 22/08/2017 Gemma Bufton
Applicant:	Mr S Isaac, Plot 2, Adfa, Newtown, Powys, SY16 3DB		
Location:	Land East of Fron Olau, Adfa, Newtown, Powys, SY16 3DB		
Proposal:	Outline: Erection of 2 dwellings and all associated works (some matters reserved)		
Application Type:	Application for Outline Planning Permission		

The reason for Committee determination

The application is to be determined by Planning, Taxi Licensing and Rights of Committee as it represents a departure from the development plan and is recommended for approval.

Site Location and Description

The application site is located within the Community Council area of Dwyriw. The application site is located outside but adjoins the settlement boundary for Adfa and is therefore considered to be a departure from the Unitary Development Plan.

The application site is located with the County Class III highway, C2015 running to the north whilst to the east is a private access road. To the west is existing adjoining residential development whilst to the south is agricultural land.

Consent is sought in outline with all matters reserved except for the access for the erection of two detached dwellings.

Consultee Response

Dwyriw Community Council-

Dwyriw Community Council is happy to support this application.

Powys Highways-

The County Council as Highway Authority for the County Class III Highway, C2015

Wish the following recommendations/Observations be applied
Recommendations/Observations

This application should be refused/deferred.

Reasons for Refusal/Deferral

The access to the proposed development has not been included within the application site red line.

Visibility to the west from the access to be used for this development is substandard and as no improvement has been proposed by the applicant, the Highway Authority recommends that this application is refused or deferred.

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

Powys Building Control-

Building regulation approval will be required.

Wales and West Utilities-

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.

Severn Trent-

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- 1) 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
- 2) 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

Powys Environmental Health-

Thank you for your consultation in respect of this application, given that the applicant is intending to connect to the main sewer I have no objection to this application.

Powys Rights of Way-

I can confirm that public footpath 10 Adfa will be affected by the proposed development.

The agent on behalf of the client has been in informal discussions with us regarding the diversion of the footpath. We believe the proposed footpath route shown on the plan would be the most suitable diversion.

However, diverting a public right of way is a complex and lengthy legal procedure, which takes a minimum of six months to process and costs at least £2,000. The County Council is not obliged to make a diversion order and success of a Town & Country Planning Act 1990 Public Path Order cannot be guaranteed.

Development, in so far as it impacts any rights of way on a site, mustn't be started (and the paths must be kept open for public use) until any orders to close or divert the paths have come into effect.

Any development that interferes with a right of way before it has been formally closed or moved would be considered an offence and may lead to prosecution. At the very least it will hold up the development and the developer may incur further administration costs.

We would therefore recommend that the developer contacts us as soon as possible to formally apply for a diversion so as not to hold up the development.

The Council will expect any new or diverted routes to be created to a minimum width and of a suitable surface, at the developer's expense. Please see guidance set out in the Powys County Council's '*Rights of Way and Development - A Practitioners Guide*', available from Countryside or Planning Services' upon request or on-line at: <http://www.powys.gov.uk/index.php?id=1756&L=0>

For an application form and advice the developer should contact Sian Barnes, 01597 827595, sian.barnes@powys.gov.uk.

Powys Ecologist-

Thank you for consulting me with regards to planning application P/2017/0966 which concerns outline application for erection of 2 dwellings and all associated works (some matters reserved) on Land East of Fron Olau, Adfa, Newtown, Powys.

I have reviewed the proposed plans as well as local records of protected and priority species and designated sites within 500m of the proposed development. The data search identified 27 records of protected and priority species within 500m of the proposed development – including hazel dormice.

There are no statutory designated sites within 500m of the proposed development.

There was one non-statutory designated site within 500m of the proposed development:

- Local Wildlife Trust Reserve – Llandefaelog Wood

Having reviewed the location and nature of the proposed development in relation to the Local Wildlife Trust Reserve (LWTR) it is considered that the proposed development would not result in a negative impact to the LWTR or its associated features.

Great crested newts

I note from aerial images that there are ponds located to the east of the proposed development site, the closest being approximately 280m from the site of the proposed development. Given the identification of great crested newt records in the surrounding areas (within 1.2km) and the proximity to the ponds it is considered that the proposed development has potential to impact great crested newts - in the loss of potential terrestrial habitat for this species or as the result of creation of a barrier to their dispersal to surrounding suitable habitat.

The onsite photographs indicates that that the habitat present is suitable terrestrial habitat for supporting great crested newts in that the vegetation on site appears unmanaged rough/tussock like grass with suitable refugia including rubble piles.

Therefore it is considered that there is insufficient information with regard to potential impacts to Great Crested Newts, a European protected species, to determine this application. Further information is required to be submitted prior to determination of the application.

Great crested newts are European protected species the animals and their resting and breeding habitats are fully protected under European law, where impacts to EPS are identified, the LPA have to apply the three tests of the Habitats Regulations to ensure that there will be no adverse impact on the favourable conservation status of the EPS. In order for the LPA to satisfy this requirement, full details of the potential impacts and proposed mitigation, are required to be submitted for approval prior to determination.

The three tests that must be satisfied are:

1. That the development is “in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. That there is “no satisfactory alternative”
3. That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”

Appropriate surveys in line with national guidelines will need to be undertaken by a suitably qualified and licensed ecologist at the correct time of year. Further details regarding likely survey effort and timings can be found at <https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects#survey-effort-required>

The recommended survey season for Great Crested Newts is between March and June, therefore the survey seasons for 2017 has now passed and the next optimal time will be Mar-June 2018 to obtain survey data in order to determine the likely hood of the development to impact on great crested newts – if presence.

Alternatively it could be assumed that great crested newts are present at the development site and the proposed developments will impact terrestrial habitat suitable to support great

crested newts. Given the scale of the development it is suggested that an alternative to a great crested newt survey being undertaken that a Reasonable Avoidance Method Statement (RAMS) could be submitted to minimise the impact to the possible great crested newts present on site and in the wider area.

Hedgerow Protection

Given the proximity of the proposed development works to the existing hedgerow on the proposed development site, it is considered prudent to require information from the applicant as to how these features of biodiversity importance will be protected during the construction period of works.

Wildlife Sensitive Lighting Plan

Careful consideration will need to be given to any external lighting, measures will need to be identified to minimise impacts to nocturnal wildlife commuting and foraging in the local area. It is therefore recommended that a Wildlife Sensitive Lighting Plan is secured through an appropriately worded condition.

Landscaping Plan

If it is proposed to provide landscaping as part of the potential development consideration should be given to the development of a native landscape planting scheme. It is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes, planting and aftercare schedules. It is therefore recommended that a Landscaping Plan is secured through an appropriately worded condition.

Representations

One letter of objection has been received. The letter can be summarised as follows:

- Access is not safe
- Current access is unauthorised
- Where are the limits with respect to this village which already has a number of limited services
- Is it allowed to expand beyond its boundaries

Planning History

M/2007/0160- Erection of 2 dwellings and formation of vehicular access.

Principal Planning Constraints

Public Right of Way

Principal Planning Policies

National Planning Policy

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 1 – Joint Housing Land Availability Studies (2015)
Technical Advice Note 2 – Planning and Affordable Housing (2006)
Technical Advice Note 5- Nature Conservation and Planning (2009)
Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
Technical Advice Note 11- Noise (1997)
Technical Advice Note 12 – Design (2016)
Technical Advice Note 15- Development and Flood Risk (2004)
Technical Advice Note 18 – Transport (2007)
Technical Advice Note 20- Planning and the Welsh Language (2017)
Technical Advice Note 23 – Economic Development (2014)

Welsh Government Practice Guidance: Planning for Sustainable Buildings (2014)

Welsh Government Circular 016/2014: The Use of Conditions

Welsh Office Circular 10/99: Drainage

Local Policies

Unitary Development Plan (March 2010)

SP3 – Natural, Historic and Built Heritage
SP5 – Housing Developments
SP14- Development in Flood Risk Areas
GP1 – Development Control
GP3 – Design and Energy Conservation
GP4 – Highway and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV3 – Safeguarding Biodiversity and Natural Habitats
HP3 – Housing Land Availability
HP4 – Settlement Development Boundaries and Capacities
HP6 – Dwellings in the Open Countryside
HP9 – Affordable Housing in Rural Settlements
HP10 – Affordability Criteria
TR2- Tourist Attractions and Development Areas
DC9- Protection of Water Resources
DC10- Mains Sewage Treatment
DC11 – Non-Mains Sewage Treatment
DC13 – Surface Water Drainage
DC14- Flood Prevention Measures

Affordable Housing for Local Needs Supplementary Planning Guidance (SPG) (2011)

Powys Residential Design Guide (2004)

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

The application site is located entirely outside but adjoins the settlement development limits for Adfa as defined by the Powys Unitary Development Plan (2010). Outside of settlement boundaries, UDP Policy HP4 applies and states that *'outside settlement boundaries, proposals for new residential development will only be approved where they comply with UDP Policies HP6, HP8 or HP9'*. Policy HP6 relates to rural enterprise dwellings, policy HP8 relates to affordable dwellings adjoining a settlement boundary and Policy HP9 relates to affordable dwellings within rural settlements. It is considered that the proposed development does not comply with UDP Policy HP6, HP8 or HP9. The proposed development is therefore not in accordance with the UDP and should be considered as a departure.

Housing Land Supply

The departure is being justified by the applicant on the basis that Powys County Council does not have a 5 year housing land supply.

Paragraph 9.2.3 of Planning Policy Wales states that *'Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan.'*

The Powys Joint Housing Land Availability Study (JHLAS) 2016 states that there was 2.2 years supply of housing land in the Powys Local Planning Authority (LPA) area. Failure to have a 5-year housing land supply is an important material consideration that should be taken into account when determining this scheme. Technical Advice Note 1: Joint Housing Land Availability Studies (2015) states as follows:

"The housing land supply 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".

Whilst TAN 1 confirms that the need to increase housing land supply should be given considerable weight, it is emphasised that this is only where the development would otherwise comply with development plan and national planning policies. Therefore, all material planning considerations are required to be taken into account as are all relevant

national and local planning policies and balanced with the undersupply of housing land currently available in Powys.

Sustainability

When providing additional housing it is important to consider whether the scheme can be considered to be sustainable development. This can relate to a wide range of matters including public transport provision and access to education, employment opportunities and other services.

The site itself is adjacent to the development boundary of Adfa which is identified in the UDP as a large village. Adfa is served by a small range of community services and facilities including a Chapel, Community Centre and Garage.

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. Therefore, the proposed site is considered to be a sustainable location for residential development.

Scale, Design and Appearance

UDP policy HP5 (Residential Development) indicates that development proposals will only be permitted where the scale, form and appearance of the development generally reflects the character and appearance of the existing settlement.

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. The proposed scheme indicates 2 detached dwellings forming a natural extension of the settlement of Adfa and following the form of development directly adjoining to the application site which has a strong road frontage upon the entry into Adfa. Whilst a departure from the UDP it is considered that this plot of land does form a natural extension to the village. The application site is currently used as an area of waste land containing building material resultant from the adjoining house building as is cut off from agricultural fields by an access track therefore forming the site as a standalone plot of land currently unutilised following the building of the adjoining plots.

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 the 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.

Furthermore, a full consultation was held with site notices erected within the adjoining residential estate and no objections have been received in relation to amenity concerns i.e. over-looking, loss of privacy etc.

This layout is for indicative purposes only however it is considered that the layout indicated is considered to be appropriate and would provide ample space for the proposed dwellings to be developed without compromising the amenity of neighbouring residential properties and therefore 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 the 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.

Whilst the site would be visible from public vantage points including the public highways, taking into account the location of the application site which is adjacent to existing residential development it is considered that the visual impact and the proposed scale of the dwellings, it is considered that a satisfactory detailed design could come forward to reflect the overall character and appearance of the settlement and 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. Access to the site would be gained off the C2015, County Class III highway.

The Highway Authority have been consulted and have noted that the visibility to the west is substandard and as no improvement has been proposed by the applicant, the Highway Authority recommends that this application is refused.

Amended plans have been submitted which highlight that a visibility of 59 metres can be achieved in the westerly direction which is located in a 30mph speed limit. The Highway Authority has been consulted on these amended plans but no comments have been received at present.

An update will therefore be presented to Members prior to the meeting.

Ecology

The Council acknowledges the need to protect biodiversity from adverse development through careful monitoring, maintenance and the protection of habitats and species worthy of conservation. Therefore the nature conservation polices in the UDP seek to safeguard and enhance biodiversity, and these objectives are also echoed in national policy (TAN5 and Planning Policy Wales).

It is noted that the development site is located within 500 metres of one non-statutory Wildlife Trust Reserve (Llandefaelog Wood) and there are also records of protected and priority species located within 500 metres of the proposed development site.

The Powys Ecologist has been consulted and noted that there is identification of great crested newt records in the surrounding area and given the proximity to the ponds it is considered that the proposed development has potential to impact of great crested newts and the loss of potential terrestrial habitat. The Powys Ecologist therefore identified two ways in which to progress the application the first being to complete further surveys to identify whether great crested newts are present on site or the second being to assume great crested newts are present and to condition Reasonable Avoidance Method Statement (RAMs) appropriately.

The agent has been consulted and is satisfied for the conditions to be attached to any grant of consent. It is therefore considered subject to appropriately worded conditions the proposed development can be mitigated to an appropriate level and therefore fundamentally complying with relevant planning policy.

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.

Policy SP1 (Social, Community and Cultural Sustainability), states as follows:

“In assessing proposals for new development due regard will be given to the need to sustain and where possible enhance the social, cultural and linguistic characteristics of the area and to the contribution that the proposal can make towards meeting the needs of local communities and residents”.

Policy GP5 (Welsh Language and Culture), states as follows:

“In the following settlements, the Welsh language has been identified as being important to the social, cultural and community fabric.

Within the identified settlements proposals will only be acceptable where developers can demonstrate that they have taken full account of the importance of the Welsh language and culture, including through the provision of an appropriate level of affordable housing.

ABERCEGIR	DOLANOG	LLANWDDYN
ABERCRAF	DERWENLAS	LLANWRIN
ABERHOSAN	ESGAIRGEILIOG CEINWS	LLAWR Y GLYN
ABERTRIDWR	FOEL	LOWER CWMTWRCH
ADFA	FORGE	MACHYNLLETH
BONT DOLGADFAN	GLANTWYMYN	PENEGOES
CAE HOPKIN	GURNOS	PENRHOS
CAER BONT	LLAN	PENYBONTFAWR
CAER LAN	LLANBRYNMAIR	PONTROBERT
CARNO	LLANERFYL	TALERDDIG
CEFN COCH	LLANFAIR CAEREINION	TREFEGLWYS
CEMMAES	LLANFIHANGEL	UPPER CWMTWRCH
COELBREN	LLANFYLLIN	YSTRADGYNLAIS
COMMINS COCH	LLANGADFAN	YNYS ISAF
CWM LLINAU	LLANGYNOG	YNYS UCHA F «
CWMGIEDD	LLANRHAADR YM MOCHNANT	
DAROWEN	LLANSILIN	

Planning Policy Wales (November, 2016)

Planning Policy Wales (PPW) notes the Welsh Governments commitment to ensuring the Welsh Language is supported and encouraged to flourish as a language of many communities all over Wales. It highlights that it should be the aim of local planning authorities to provide for the broad distribution and phasing of housing development taking into account the ability of different areas and communities to accommodate the development without eroding the position of the Welsh language. It does however also note that policies must not introduce any element of discrimination between individuals on the basis of their linguistic ability, and should not seek to control housing occupancy on linguistic grounds.

With regards to the Development Management function, PPW states as follows:

“Consideration relating to the use of the Welsh Language may be taken into account by decision makers so far as they are material to applications for planning permission. If required, language impact assessments may be carried out in respect of large developments not allocated in, or anticipated by, a development plan proposed in areas of particular sensitivity or importance for the language. Any such areas should be defined clearly in the development plan. Decisions on applications for planning permission must not introduce any element of discrimination and should not be made on the basis of any person(s) ‘linguistic ability.’”

The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 seeks to improve the social, economic, environmental and cultural well-being of Wales. It contains seven well-being goals which certain public bodies (including local authorities) must seek to achieve in order to improve the well-being both now and in the future. One of the well-being goals is:

‘A Wales of vibrant culture and thriving Welsh Language’

This well-being goal will be achieved through a ‘society that promotes and protects culture, heritage and the Welsh Language and which encourages people to participate in the arts, and sport and recreation’.

Census Information

2003 Census

2003 CAS ward	All people aged 3 and over	Understands spoken Welsh only	Speaks but does not read or write Welsh	Speaks and reads but does not write Welsh	Speaks, reads and writes Welsh	Other combination of skills	No knowledge of Welsh
00NNSX: Rhiwcynon	1,805	137	47	29	339	87	1,166

2011 Census

2011 ward	All usual residents aged 3 and over	No skills in Welsh	Can understand spoken Welsh only	Can speak Welsh	Can speak but cannot read or write Welsh	Can speak and read but cannot write Welsh	Can speak, read and write Welsh	Other combination of skills in Welsh
W05000343 : Rhiwcynon	2,116	1,416	161	467	64	31	366	78

Adfa is within the Ward area of Rhiwcynon, as shown within the Census information the number of residents aged 3 and over has increased and the number of people who can speak and/or understand Welsh has increased. The Census information suggests that people are moving to the Ward area and support the use of Welsh language and Culture.

Members are advised that the impact of the proposed development on Welsh language is a material consideration and as such needs to be allocated consideration weight when determining this planning application.

Impact on the existing community facilities

Adfa is served by facilities which include the following; Chapel, community centre, post box, post office, public telephone box and adopted open space amenity area. It is considered that the introduction of the proposed two dwellings would help sustain the viability of the facilities that are vital in supporting Welsh language and culture. It is not considered that a development of the proposed scale would threaten the existing facilities or force sections of the population away from these facilities.

The dwellings are well located, adjoining the settlement boundary allowing the existing infrastructure to be utilised, the development would appear part of the existing settlement and within easy access to facilities.

Impact on the social fabric of Adfa

Planning Policy Wales states “*Decisions on applications for planning permission must not introduce any element of discrimination and should not be made on the basis of any person(s) ‘linguistic ability.’*”

The above Census information confirms the population and use of the Welsh language within the Ward for which Adfa is located has increased over the last 7 years. These findings

suggest Adfa can accommodate housing development of an appropriate scale without detriment to the social fabric of the Ward.

With regard to social tensions, conflict or divisions, given the scale of the proposed development, it is not considered that the proposal would have a significant uneven effect on different parts of the local community, which would potentially advantage some groups and disadvantage others. No evidence has been identified that the proposed development would violate traditional values of certain parts of the community.

Impact on the local economy

It is considered small scale construction schemes are likely to contribute to the economy of the local area through employment of local trades people. It is concluded therefore that construction of the dwellings would have a neutral or positive impact on the local economy which is considered a positive from a Welsh language and cultural perspective.

Given the scale of the development it is therefore not considered that the proposed development would have an unacceptable adverse impact on Welsh language and culture. The proposal is therefore considered to comply with relevant planning policy.

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.

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

Although it is noted that the proposed development is a departure from the adopted development plan, considerable weight must be given to the need to increasing housing land supply. It is considered that the need to increase housing land supply within the county warrants the approval of this development contrary to the provisions of the development plan. The recommendation is therefore one of conditional consent.

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 plans stamped as approved on XXX (drawing no's: Location Plan 5140/17/01 Rev A and Proposed Block Plan, 5140/17/03 Rev A).
5. Prior to commencement of development, a great crested newts Reasonable Avoidance Method Statement shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.
6. Prior to the first installation of any external lighting a lighting design scheme to take into account any impacts on nocturnal wildlife into consideration shall be submitted for written Local Planning Authority approval and implemented as approved and maintained thereafter.

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 comply with Powys County Council's UDP Policies SP3, ENV2, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and the NERC Act 2006.

6. To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and the NERC Act 2006.

Case Officer: Gemma Bufton- Principal Planning Officer
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