

Planning, Taxi Licensing & Rights of Way Committee

Meeting Venue
Council Chamber - County Hall

Meeting Date
Thursday, 16 June 2022

Meeting Time
10.00 am

For further information please contact
Carol Johnson
01597826206
carol.johnson@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

09-06-2022

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod, a bydd gwasanaeth cyfieithu ar y pryd ar gael.
You are welcome to speak Welsh or English in the meeting, and a simultaneous translation service will be provided.

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	MINUTES OF THE PREVIOUS MEETINGS
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To authorise the Chair to sign the minutes of the previous meetings of the Committee held on 28 April 2022 and 30 May 2022 as correct records.
(Pages 5 - 10)

Planning

3.	DECLARATIONS OF INTEREST
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- a) To receive any declarations of interest from Members relating to items to be considered on the agenda.
- b) To receive Members' requests that a record be made of their membership of town or community councils where discussion has taken place of matters for the consideration of this Committee.
- c) To receive declarations from Members of the Committee that they will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

d) To note the details of Members of the County Council (who are not Members of the Committee) who will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

4.	PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
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To consider the reports of the Head of Property, Planning and Public Protection and to make any necessary decisions thereon.

(Pages 11 - 14)

4.1. Updates

Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

4.2. 21/0186/FUL Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG

(Pages 15 - 62)

4.3. 20/2130/FUL Newbridge Farm, Meifod, Powys, SY22 6HS

(Pages 63 - 122)

4.4. 22/0422/FUL Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN

(Pages 123 - 168)

4.5. 22/0384/REM Hill View, Fron Grian, Cefn Coch, Welshpool, SY21 0AG

(Pages 169 - 170)

4.6. 21/1511/FUL The Old Orchard, Llanigon, Hereford, Powys, HR3 5PN

(Pages 171 - 172)

4.7. 21/2249/HH High Meadow, 3 Churchill Drive, Newtown, SY16 2LE

(Pages 173 - 190)

5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
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To receive for information a list of decisions made by the Head of Property, Planning and Public Protection under delegated powers.

(Pages 191 - 256)

Rights of Way

6.	DECLARATIONS OF INTEREST
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To receive any declarations of interest from Members relating to the following items on the agenda.

7.	APPOINTMENT OF COUNCIL REPRESENTATIVE TO POWYS LOCAL ACCESS FORUM
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To appoint a representative to the Powys Local Access Forum [LAF].

(Pages 257 - 258)

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MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT BY TEAMS ON THURSDAY, 28 APRIL 2022

PRESENT

County Councillor K Lewis (Chair)

County Councillors L V Corfield, L George, E M Jones, M J Jones, F H Jump, H Lewis, D R Price, P C Pritchard, G Pugh, D Selby, K S Silk, L Skilton, M Weale, G I S Williams, D H Williams, R Williams and J Wilkinson

1.	APOLOGIES
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Apologies for absence were received from County Councillor E Vaughan.

2.	MINUTES OF THE PREVIOUS MEETING
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 7 April, 2022.

Planning

3.	DECLARATIONS OF INTEREST
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- (a) There were no declarations of interest.
- (b) The Committee noted that no Member requested that a record be made of their membership of a Community Council where discussion had taken place of matters for the consideration of this Committee.
- (c) The Committee noted that no Member (who is a member of the Committee) would be acting as 'local representative' in respect of any application on the agenda.
- (d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application on the agenda.

4.	PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
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The Committee considered the report of the Head of Property, Planning and Public Protection (copies filed with the signed minutes).

4.1 Updates

There was no update report.

4.2 21/1536/FUL Land at Trawscoed and At Orchard Croft, Llandrinio, Powys

Grid Ref: E: 328093 N: 317507

Valid Date: 17/08/21

- Community Council:** Llandrinio and Arddleen Community Council
- Applicant:** Powys County Council Affordable Housing Team
- Location:** Land at Trawscoed and at Orchard Croft, Llandrinio, Powys
- Proposal:** Erection of 48 dwellings comprising 24 affordable homes at Trawscoed site and 24 open market dwellings at Orchard Croft site to include landscaping, sustainable drainage, car parking and all associated works.
- Application Type:** Full application

In response to a question regarding the highway safety of children from the Orchard Croft development accessing the play area to the south of the highway, the Highways Officer advised that the percentage increase in movements to the play area did not require the provision of a pedestrian crossing. He also advised that the Area Traffic Engineer had been consulted and had not raised issues regarding the current access.

The Principal Planning Officer advised, in response to a question regarding the provision of a tree protection plan rather than a Tree Protection Order [TPO], that as there was no immediate risk to the tree, which was outside the development curtilage, a tree protection plan was sufficient.

In response to a question regarding phosphates the Principal Planning Officer advised that as the development was outside the phosphates catchment of the River Wye, it was not an issue which had to be considered. In respect of contaminated land she advised that some site investigations had been undertaken regarding contaminated land and conditions were recommended requiring further investigations. The Committee was advised that a SUDs application would have to be made in respect of surface water drainage.

The Principal Planning Officer advised in response to a question about the provision of electric charging points that they were not a policy requirement but if the Committee was minded to approve the application an informative could be added to the approval.

It was moved and duly seconded to approve the application as recommended by the officer with the addition of an informative regarding the provision of electric charging points.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and with the addition of an informative regarding the provision of electrical charging	As officer's recommendation as set out in the report which is filed with the signed minutes.

points.	
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5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
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The Committee received for information a list of decisions made by the Head of Property, Planning and Public Protection during the period between 20 March 2022 and 14 April 2022.

As this was the last Committee meeting in the Council term the Chair thanked the Committee for their support during his time as Chair and for their involvement. He also thanked the previous Chair, Councillor David Price for his advice and support and thanked the current Vice Chair Councillor Gareth Jones and previous Vice Chair Councillor E Michael Jones for their support. He thanked all officers for their work with the Committee and thanked the press for their interest in the work of the Committee.

County Councillor K Lewis (Chair)

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MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT BY ZOOM ON MONDAY, 30 MAY 2022

PRESENT

County Councillor K Lewis

County Councillors G Pugh, A Davies, L George, H Hulme, P James, A Jones, G D Jones, G E Jones, C Kenyon-Wade, I McIntosh, T Colbert, R G Thomas, E Vaughan and J Wilkinson

1.	APOLOGIES
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Apologies for absence were received from County Councillors A Cartwright and D H Williams.

2.	ELECTION OF CHAIR
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Resolved that County Councillor K Lewis be elected Chair for the ensuing year.

3.	ELECTION OF VICE CHAIR
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Resolved that County Councillor G D Jones be elected Vice Chair for the ensuing year.

**County Councillor K Lewis
Chair**

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**Planning, Taxi Licensing and Rights of Way Committee
16th June 2022**

For the purpose of the Government (Access to Information) Act 1985, the background papers relating to each individual planning application constitute all the correspondence on the file as numbered in the left hand column.

Applications for consideration by Committee:

Application No:	Nature of Development:
Community:	Location of Development:
O.S. Grid Reference:	Applicant:
Date Received:	Recommendation of Head of Planning:

<p>21/0186/FUL</p> <p>Llandrinio and Arddleen Community</p> <p>329470 317006</p> <p>22/03//2021</p>	<p>Full: Change of use and minor extensions to previously approved nursing home to form: 15 no 1 bed apartments, 2 no 2 bed apartments. 3 no studio apartments with associated parking for 27 vehicles together with amenity space</p> <p>Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG</p> <p>Mr Charanjit Singh</p> <p>Recommendation: Conditional Consent</p>
<p>20/2130/FUL</p> <p>Llangyniew Community</p> <p>312778 310605</p> <p>13/02/2021</p>	<p>Full: Installation of earth banked slurry lagoon and associated works</p> <p>Newbridge Farm, Meifod, Powys, SY22 6HS</p> <p>J & E Williams</p> <p>Recommendation: Approve</p>

<p>22/0422/FUL</p> <p>Newtown and Llanllwchaiarn Community</p> <p>310196 291341</p> <p>11/03/2022</p>	<p>Full: Residential development of 32 units and associated works</p> <p>Robert Owen House, Park Lane, Mewtown Powys, SY16 2EN</p> <p>Carol Gittins</p> <p>Recommendation: Conditional Consent</p>
<p>22/0384/REM</p> <p>Dwyriw Community</p> <p>306269 302447</p> <p>30.03.2022</p>	<p>Removal or Variation of Contion: Section 73 application to vary condition no's 4 and 5 attached to outline planning approval M96359 (to allow occupancy restriction rewording)</p> <p>High View, Fron Grain, Cefn Coch, Welshpool, SY21 0AG</p> <p>Gabrielle Prince</p> <p>Recommendation: Approval</p>
<p>21/1511/FUL</p> <p>Llanigon Community</p> <p>321636 241383</p> <p>16:08:2021</p>	<p>Full:: Erection of a new 4 bedroom dwelling and associated works.</p> <p>The Old Orchard, Llanigon, Hereford Powys HR3 5PN</p> <p>Mr and Mrs Metcalfe</p> <p>Recommendation: Refuse</p>

<p>21/2249/HH</p> <p>Newtown and Llanllwchaiarn Community</p> <p>311192 292065</p> <p>13:01:2022</p>	<p>Householder: Erection of a residential steel frame garage to replace existing garage, creation of new driveway and dropped kerb (part retrospective)</p> <p>High Meadow, 3 Churchill Drive, Newtown SY16 2LE</p> <p>Mr Karl Chapple-Gill</p> <p>Recommendation: Conditional Consent</p>
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4.2

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 21/0186/FUL **Grid Ref:** E: 329470
N: 317006
Community Council: Llandrinio And Arddleen **Valid Date:** 22.03.2021
Community

Applicant: Mr Charanjit Singh

Location: Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG.

Proposal: Change of use and minor extensions to previously approved nursing home to form: 15 no 1 bed apartments, 2 no 2 bed apartments. 3 no studio apartments with associated parking for 27 vehicles together with amenity space

Application Type: Full Application

The reason for Committee determination

The application was called in by the Local Member due to concerns over scale of the development, access and parking arrangements and flood risk concerns.

Consultee Responses

Consultee	Received
Community Council	19th Apr 2021

Llandrinio & Arddleen Community Council have considered the above application at a remote meeting held on the 14th April 2021.

It was agreed to Object to this application:-

a) Contrary to Policy DM5 Development and Flood Risk as this development within a flood plain. Photographs had been sent by residents showing the water in the access land and also the residents of the Nursing Home being evacuated in 2000. (please see attached) Although a bund has been constructed around the property this will not prevent water from rising within this bund and it is important to note that this water can stay for up to 3 weeks and that access to the property would only be possible via a boat as the water on the access road is too deep for a Fire Engine or a tractor. Discussions and consultations are currently taking place with regard to flooding of the River Severn and potential storage areas for

flood water and this site could be affected by these proposals.

b) Contrary to DM6 -Flood Prevention & Land Drainage

The increase in the number of inhabitants would lead to an increased capacity for a sewage system which would not be able to operate during times of flooding. This could mean that other buildings in close proximity such as Llandrinio Church, could be subjected to sewage ingress.

c) Contrary to Policy DM13 Design & Resources

The proposals will create apartments some of which will only have one window - this is totally out of keeping with this rural area of Llandrinio. There is also limited amenity space and not enough car parking space allocated for visitors.

d) Contrary to Policy H3 Housing Delivery

The conversion of Unity House into apartments is not an appropriate size and scale for this location which is on the fringe of Llandrinio. The site is not sustainable in that it is approx. 1 mile from any shops, only has 1 bus going past twice a day into Shrewsbury, nearest Medical facilities are 3 miles away in Four Crosses or 9 miles in Welshpool or Llanfyllin. There is limited local employment.

The Community Council would like to suggest that this property reverts back to a family residence with 2 Annexes.

The Community Council would like to request to speak at the Planning Committee

PCC-Building Control

30th Mar 2021

Building Regulations application required.

Ward Councillor

6th Apr 2021

I would like to ensure that this application comes to committee please.

I have major concerns with this application which include:

The size of this development is completely inappropriate to the location on the edge of the

village.

The access to the site has very poor visibility and also floods.

The proposed parking provision is inadequate for the number of residential units. There is a very limited bus service past this site and it is likely that anybody living there will need a car.

PCC-Built Heritage Officer

2nd Jul 2021

The proposal is for the conversion of an existing building to 20 flats. The building is sited to the SW of the grade II* listed Church of St Trunio.

I note the additional information received in response to my previous comments dated 10 June where I requested additional information in respect of the flood risk measures that is to raise the bund wall and access drive. The bund by 970mm, the wall by 600mm and the access drive by 840mm. I would request that my previous comments are attached as an appendix to these comments.

I duly acknowledge the Heritage Statement by Mercian Heritage Series 1750 dated June 2021 that confirms on page 15 that the raising of the bund would not result in much visual change and none to the significance of the setting of the church.

I note the details in the Flood Risk Assessment in section 4.1.4 however no details of the bund raising, wall raising or road raising have been submitted. Without full details of the proposed works I am unable to agree with the conclusions of the Heritage Impact Assessment as the details of the works have not been provided.

I would emphasize that I am not objecting to the proposal per se, however would seek clarification in respect of the flood measures in order to assess the impact on the flood risk assessment. I note that the bund is of a significant height now, and the increase in height has not been assessed, nor the changes to the road or wall. I would again ask for details of the flood risk measures as opposed to descriptions in order that the impact could be assessed.

In making this comment I am mindful of the advice in Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer

and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development."

However, I would also refer to more recent guidance in paragraph 6.1.10 of Planning Policy Wales 11th edition 2021 which states, " For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses."

Section 6.1.9 of PPW 11 advises that " Any decisions made through the planning system must fully consider the impact of the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place"

Section 6.1.7 of Planning Policy Wales 11th edition requires that " it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset should be managed in a sensitive and sustainable way"

PCC-(N) Highways

27th Aug 2021

The Highway Authority (HA) had reviewed the further detail submitted in support of the application and wish to make the following comments.

We understand from the LPA that no material start was made to consent P/2008/0100, therefore, the application has lapsed, and the extant Use reverts back to that of a private dwelling and bed & breakfast.

The HA therefore, maintain their previous objections.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW) about the above, and the additional Information which we received on 18/08/2021.

We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk and attach conditions regarding protected species to any planning permission granted. Without which we would object to this planning application.

Additional Information

We note the submission of an updated ecological report entitled 'Ecological Impact Assessment' by Churton Ecology dated July 2021. Having reviewed this information, we still have concerns regarding to the proposal.

Previous Responses

Concerns outlined in our previous responses remain, and the requirements and conditions, (as well as the advice regarding foul drainage) as set out in our Pre-app letter dated 5th June 2020, formal response to 21/0186/FUL dated 16th April 2021 and email dated 6th July 2021 still stand. Previous letters and the email are attached for your convenience. Without the requirement and conditions previously stated we would object to this planning application.

Update on Flood Risk/TAN 15

Notwithstanding the above advice, please be aware that TAN 15 and the Development Advice Map (published in 2004) are being replaced. The new TAN 15 and Flood Map for Planning will be available from 28th September 2021 to allow local planning authorities, developers, planning consultees and the public to prepare for when they come into force. The changes will then come into effect on Wednesday 1 December 2021 and from this date onwards, applications will be determined based on the new TAN 15 and Flood Map for Planning. We therefore advise you to consider how this change may affect your determination of this application. Should you require further advice from us once the new TAN 15 has been published, please reconsult us.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and

do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

If you have any queries on the above, please do not hesitate to contact us.

Cadw - SAM

20th Apr 2021

Thank you for your letter of 6 April 2021 inviting our comments on the information submitted for the above planning application.

Advice

Having carefully considered the information provided with this planning application we have no objections to the proposed development. Our assessment of the application is given below.

The national policy and Cadw's role in planning are set out in Annex A.

Assessment

MG046 Llandrino Bridge

The application area is located some 320m west of scheduled monument MG046 Llandrino Bridge. The monument consists of a road bridge over the River Severn and associated anti-invasion defences. The bridge became the focus for anti-invasion works in the early period of World War II (AD 1940-41). It was equipped with a roadblock at both ends and a pillbox disguised as an agricultural building to the northwest. The defences formed part of Western Command Stop Line No. 1 that followed the course of the River Severn from Tewkesbury via Worcester and Shrewsbury to Llandrino.

When constructed views from the bridge would not have been important with its setting being concerned with its' relationship with the river: however, views are very important in

regard to the World War II defences that were located to protect the bridge and to have wide open views and fire zones. These were predominantly northwest along the B4393 and over the fields to the west. The significant views from the scheduled monument are therefore to the west in an arc from northwest to southwest.

The proposed development will see the existing Unity House converted from a nursing home into residential apartments some small extensions to the existing building will be required and the grounds will be landscaped to include a formal car park. The proposed development will be visible in the identified significant view from the bridge, but will be heavily screened by a building and existing vegetation. As such the visual change from the scheduled monument will be very slight and will not have any effect of the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of scheduled monument MG046.

PCC-Built Heritage Officer

10th Jun 2021

The proposal is for the conversion of an existing building to 20 flats. The building is sited to the SW of the grade II* listed Church of St Trunio.

I am mindful of the advice in Sections 66 of the Planning (Listed Buildings and Conservation areas) Act 1990, which require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development."

However, I would also refer to more recent guidance in paragraph 6.1.10 of Planning Policy Wales 11th edition 2021 which states, " For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses."

Section 6.1.9 of PPW 11 advises that " Any decisions made through the planning system must fully consider the impact of the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place"

Section 6.1.7 of Planning Policy Wales 11th edition requires that " it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset should be managed in a sensitive and sustainable way"

TAN24 addresses setting with some of the factors to consider and weigh in the assessment including

- o the prominence of the historic asset
- o the expected lifespan of the proposed development
- o the extent of tree cover and its likely longevity
- o non-visual factors affecting the setting of the historic asset

Cadw have prepared guidance on the setting of historic assets that in an annexe to TAN24 that came into effect on 31 May with advice on how to assess the setting of listed buildings. This document outlines the principles used to assess the potential impact of development or land management proposals on the settings of all historic assets but is not intended to cover the impact on the setting of the historic environment at a landscape scale.

It is noted that section 2.2 of Managing Setting of Historic Assets which came into effect on 31 May advises that applicants for planning permission should provide the local planning with sufficient, but proportionate, information to allow the assessment of the likely impact of proposal for development on a historic asset and its setting. I note the sentence in section 9.1 of the Planning Statement which serves to address the consideration of setting, and would not consider that the impact of the car park has been adequately assessed. .

The document advises that "Setting is the surroundings in which a historic asset is

understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape.....The setting of a historic asset is not fixed and can change through time as the asset and its surroundings evolve. These changes may have a negative impact on the significance of an asset; for example, the loss of the surrounding physical elements that allow an asset to be understood, or the introduction of an adjacent new development that has a major visual impact. But changes can also have a positive impact that may enhance the setting, such as the removal of traffic from part of a historic town, or the opening up of views, or the return of a sense of enclosure to sites where it has been lost"

The document provides advice on how to assess the setting

This section outlines the general principles that both assessors and decision makers should consider when assessing the impact of a proposed change or development on the setting of historic assets. There are four stages.

Stage 1: Identify the historic assets that might be affected by a proposed change or development and their significance.

Stage 2: Define and analyse the settings to understand how they contribute to the ways in which the historic assets are understood, appreciated and experienced.

Stage 3: Evaluate the potential impact of a proposed change or development on those settings.

Stage 4: Consider options to mitigate the potential impact of a proposed change or development on those settings.

The Church of St Trunio is located on the S side of road, , within its large churchyard. A parish church dating from the C12,C14, C15 and altered in 1829. The south elevation which faces the site and has the C12 south door which is the entrance to the Church. An important church historically, originally dedicated to the C7 Breton confessor, St Trunio,

later conflated with SS Peter and Paul (probably due to the coincidence of the 29th June festival day).

<http://cadwpublic-api.azurewebsites.net/reports/listedbuilding/FullReport?lang=en&id=7613>

The church and churchyard are in a rural location with the churchyard surrounded by mature trees, which add to the tranquillity and sense of place of the Church and churchyard. The proposed car park would be in proximity to the churchyard. Unity House is readily visible from the B4390 with the car park facing the B4390. It is noted that there are mature trees on the boundary of the church yard, however it is acknowledged that the car park would be substantially increased.

In addition to the visual assessment of the setting of the listed church, Paragraph 1.26 of TAN24 identifies the other factors that may affect the setting of an historic asset to include inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact. As such an assessment of the non visual elements that could affect the setting on a Church and Churchyard should have accompanied the application, this would include vehicular movements and car engines.

I note that the flood risk assessment includes photographs of the site and the fact that the site is surrounded by a bund to act in flood defence measures. The bund in itself currently screens the car park from the church. I note that it is proposed in the Flood Risk Assessment to raise the bund wall and access drive. The bund by 970mm, the wall by 600mm and the access drive by 840mm.

This increase in height may potentially aid in the screening of the car park and the reduction in the non visual elements of the proposal, however they could imping on the setting of this grade II* church. As these details were not apparent on the planning portal, I could not agree with the sentence in section 9.1 of the Planning Statement that there will be no harm to the setting of this group of listed buildings as this information is not available on the planning portal for me to consider the impact of the changes.

Without this information I regret that I am not able to support this application. I would therefore request further details in this regard.

Holding objection - further information is required

Policy background:

- o Planning Policy Wales, Edition 11, 2021
- o Technical Advice Note (TAN) 5
- o Powys Local Development Plan 2011 - 2026:

DM2 - The Natural Environment

DM4 - Landscape

DM7 - Dark Skies and External Lighting

- o Powys Supplementary Planning Guidance: Biodiversity and Geodiversity (2018)

Legislative background:

- o The Conservation of Habitats and Species Regulations 2017 (as amended)
- o Environment (Wales) Act 2016

Comments:

Previous comments provided 18/05/2021.

The application is informed by the following additional information:

Thorne, RG. & Thorn, K. (July 2021) Ecological Impact Assessment at Unity House.
Churton Ecology

Survey effort and methods employed in accordance with current national guidelines?

Yes

The updated ecology report provides result of bat activity surveys focussed on the northern wing of the building where evidence of bat use and potential access points was identified. The results confirm the presence of a soprano pipistrelle maternity roost; three access points were confirmed. The roost is considered to be of significant local importance and a European Protected Species licence will be required for the development.

Required mitigation includes retention of roost access points following cosmetic works to the northern wing and installation of a small awning immediately above the existing window located below the main roost access points closest to prevent light disturbance. (The window is shown located closest to the gable end on Elevation 5 of the Proposed Elevations Sheet 2 of 2.) Insulated and non-insulated bat boxes and inter-rafter squeeze boxes will be installed in the north loft space as enhancement of the roost, which is welcome.

To ensure that the mitigation and enhancement measures will be installed appropriately during construction, the measures should be identified clearly on revised elevation plans.

Careful consideration will need to be given to any external lighting of the proposed development. Measures will need to be identified to minimise impacts to roosting bats and other nocturnal wildlife commuting or foraging around trees and hedgerows. Any external lighting proposed will need to demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). Full details can be found at <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

It is, therefore, recommended that submission of a wildlife sensitive lighting scheme is secured through an appropriately worded planning condition.

A mature oak with potential bat roost features and a semi-mature aspen will be retained within the development, which is welcome. Previous comment has identified the need for submission of a Tree Protection Plan to avoid impact to the trees during construction. However, the proposal will result in some loss of habitat for nesting birds which will be mitigated for through additional landscape planting and undertaking works at an appropriate time of year. It is, therefore, appropriate for consideration to 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 to include proposed species mixes, planting and aftercare schedules.

It is recommended that submission of a Landscaping Plan is secured through an appropriately worded planning condition.

Precautionary measures were recommended during site clearance works to avoid harm to hedgehog (priority species) which is considered likely to be present on site. It was recommended that additional habitat piles or hedgehog houses be placed on site to mitigate for the lost habitat.

It is recommended that adherence to the identified mitigation measures for bats, nesting birds and hedgehogs is secured through a suitably worded planning condition.

Montbretia, a non-native invasive plant (a garden escape) was identified from various locations across the site. An eradication plan will be required prior to commencement of any ground works to avoid further spread.

It is recommended that submission of a Biosecurity Risk Assessment is secured through an appropriately worded planning condition.

Biodiversity enhancement:

In addition to enhancements to the bat roost, and proposed landscaping including a native species hedgerow nesting boxes for house sparrow on the building are also recommended within the ecology report. All of the measures are welcome and considered appropriate to the scale, location and nature of the development.

Further information required prior to determination:

- i. Revised elevation plans identifying the required bat roost mitigation and enhancement measures

20th Apr 2021

PCC-(N) Highways

The Highway Authority are unable to support the above-named application for the following

reasons.

The Highway Authority have reviewed the submitted details and drawings in relation to the proposed access visibility splays, forward visibility splays. We note that the access details shown on Drawing Number 148-17-05 Rev A are not within the redline application site and not in the applicant's control. We further note that Notice has not been served on the relevant landowner[s].

The submitted Highway Assessment (SHA) reports movement detail in relation to the previous Use of a Care Home, however, we note from the Planning Statement that a material start was made to application number M2001-01019 and therefore the fallback position is a private dwelling, Bed & Breakfast and holiday accommodation.

No daily movement detail in relation to the fallback position has been submitted for consideration.

Section 5.8 of the SHA states "The determination of visibility splays is based on the actual speed of vehicles along the road and not the speed limit." Section 5.10 states "Since an ATC has not been installed along the B4393, an assessment of the vehicle speed was made by driving along the road, and it is considered that the 85th percentile speeds would be in the region of 47mph."

The method of vehicle speed measurement is not in accordance with CA185 - The Design Manual for Roads and Bridges. Further no evidence has been submitted which evidence that the survey was undertaken during wet weather, which would allow the adjustment made.

Therefore, the HA do not consider Sections 5.8 - 5.12 and Appendix 5 of the SHA to be relevant nor accurate enough.

Should the applicant wish to submit revised drawings which address the above points, we shall certainly review any such submission.

Hafren Dyfrdwy

6th Apr 2021

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

I have reviewed the proposed plans, aerial images as well as local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 28 records of protected and priority species within 500m of the proposed development with no records found for the site itself. Species recorded within 500m of the proposed development include pipistrelle bat, badger, house sparrow and starling.

No statutory or non-statutory designated sites were identified within 500m of the proposed development.

The proposed development is located on the site of a an existing building which was granted planning permission in 2008 for change of use and extension from bed and breakfast to nursing home use, it is understood that whilst the 2008 planning approval was implemented the nursing home use is no longer considered viable and an alternative use is now proposed. The development impacts the existing structure and is also likely to impact areas of unmanaged amenity planting and hard standing, habitats considered to be of relatively low ecological value.

Bats - European Protected Species

The proposed development requires alterations to an existing building, consideration therefore has been given to the potential for the building to support roosting bats - bats being a European protected species - and for the proposed development to impact roosting bats.

I have reviewed the Ecological Impact Assessment Report produced by Churton Ecology dated December 2020. The ecological report confirms that the existing building supports a pipistrelle maternity roost in addition to a second roost that includes myotis bats. Two options have been given as to how works could be undertaken at the site.

The first relies on the only roosting, entry and exit points being positively identified without any emergence/re-entry surveys. Given that a number of roosts have been identified within the building it is likely that bats will utilise other areas of the building. Therefore without undertaking emergence/re-entry surveys it is not possible to categorically state whether the proposed works will or will not have an impact on the bats roosting on site - particularly with regards to damage/obstruction of bat roost features. The second option indicates that further surveys are required.

Therefore it is considered that currently the application includes insufficient information to

enable the LPA to assess the impact of the proposed development to biodiversity- biodiversity is a material consideration in planning process and sufficient information to enable assessment of impacts to these features and demonstrate appropriate long term mitigation provisions is required prior to determination of the application to demonstrate that the development would not result in negative impacts to the favourable conservation status of the species present in their natural range and to ensure the development is not contrary to local and National Planning Policy.

Further information is therefore required to be submitted in the form of:

- o A minimum of three bat activity survey
- o Surveys should be undertaken during the maternity period; May - September
- o Surveys will need to be undertaken by a sufficient number of surveyors to ensure full coverage of the building affected by the proposed development
- o Surveys must be undertaken in appropriate weather conditions as defined by the guidelines
- o Survey start and end times will need to follow the guidance provided in the BCT survey guidelines

Tree Protection Plan

I note from reviewing the proposed plans and aerial images that there are a number of mature trees surrounding the existing building. It is considered that there may be potential for construction works including use of machinery or storage of materials to take place within the root protection area (RPA) and canopy of the mature hedgerows and trees identified.

Given the proximity of the proposed development and associated works to the identified trees, it is considered prudent to require information from the applicant as to how this feature of biodiversity importance for wildlife will be protected during the construction period of works.

A Construction Phase Tree Protection Plan could be secured through a planning condition, however as further information has been requested the provisions of details submitted at this stage would avoid the need for a pre-commencement condition requiring this information.

Wildlife Sensitive Lighting Plan

Careful consideration will need to be given to any external lighting design provided through the proposed development, measures will need to be identified to minimise impacts to

nocturnal wildlife commuting and foraging in the local area. This information could be secured through a planning condition, however the submission of a Wildlife Sensitive Lighting Plan with a planning application would avoid the need for a pre-commencement condition requiring this information. Any external lighting proposed will need to demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018) full details can be found at <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>.

Biodiversity Enhancements

Section 5.2 of the Ecological Impact Assessment Report includes recommendations regarding provision of biodiversity enhancements through the proposed development including provision of new native hedgerow planting and provision of bat and bird boxes. Whilst these suggested enhancements are welcomed and would provide additional benefits to biodiversity in accordance with the requirements of Part 1 Section 6 of the Environment (Wales) Act 2016 and Local and National Planning Policy, the level of detail provided within the Ecological Impact Assessment Report and lack of reference to these proposals on the submitted plans is considered to be insufficient to enable these proposals to be enforceable without submission of further details, the need for identification of biodiversity enhancements has been clarified in the letter from Welsh Government to Wales LPA Heads of Planning dated 23rd October 2019 which states that 'where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission'. Submission of a detailed Biodiversity Enhancement Plan including types, numbers, locations, species mixes, planting schedule and aftercare measures etc. could be secured through a planning condition however as further information is required to be submitted, the applicant may wish to provide this information prior to determination to avoid the need for pre-commencement planning condition.

Further details regarding biodiversity and requirements associated with planning applications can be found in the Powys Local Development Plan (2011 to 2026) Supplementary Planning Guidance Biodiversity and Geodiversity (Adopted October 2018) which can be found at <https://en.powys.gov.uk/article/4907/LDP-Supplementary-Planning-Guidance-SPG>

Environmental Protection

16th Apr 2021

The following information has been submitted in support of planning application 21/0186/FUL:

- o Application for Planning Permission (ref: PP-09484001) 03/02/2021.
- o Sumner Consultancy Ltd 'Flood Risk Assessment Issue 3: Unity House, Llandrinio' (ref: 148-16) 25-11-20.

Based on the submitted information, referenced above, the following advice is provided on behalf of Environmental Protection.

1. Section 13 'Foul Sewage' of the 'Application for Planning Permission' (ref: PP-09484001) confirms that foul sewage will be disposed of to an existing package treatment plant, and identifies that the details of the existing system can be seen in the FRA (Flood Risk Assessment).

Under section 7 'Foul Water Drainage' of the 'Flood Risk Assessment' (ref: 148-16) it is stated: "[...] foul water drainage from the building drains to a treatment plant, however there is no information available as to the location of the soakaway or drainage field [...] It is however recommended that the size and capacity of the treatment plant is checked to ensure it can accommodate the number of residential units based on the current design standards [...] It is also recommended that the location and size of the soakaway or drainage field from the treatment plant is checked to establish if it has sufficient capacity to accommodate the discharge from the treatment plant and that it is working correctly."

As advised previously, in respect of pre-application enquiry 20/0116/PRE, full details and information relating to the capacity and condition of the existing package treatment plant and drainage field will be required - and must be submitted in support of planning application 21/0186/FUL. An example of the information that would be appropriate, to confirm the condition and capacity of the existing package treatment plant and drainage field, is an inspection report produced by an appropriately experienced foul drainage contractor.

The above information will be required, by Environmental Protection, to demonstrate that the existing system is sufficient for the future intended loading and will not cause pollution, a health hazard or a nuisance.

The design of any foul drainage system must comply with Approved Document H 2010 (Wales), Section H2 of the Building Regulations.

Natural Resources Wales (Mid Wales)
DPAS

15th Apr 2021

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the

above, which we received on 30/03/2021.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met and you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Requirement: Amended Flood Consequences Assessment (FCA) to be submitted which demonstrates that the risks and consequences of flooding can be acceptably managed for the lifetime of the development.

Condition 1: submission and approval of a Bat Conservation Plan

Condition 2: submission and approval of Biosecurity Risk Assessment

Condition 3: submission and implementation of an approved ecological compliance audit (ECA) scheme

We received a statutory pre application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 05/06/2020.

A copy of our response to the statutory pre-application consultation is attached for your information. Flood Risk

The planning application proposes Highly Vulnerable Development (HVD), residential apartments. The proposal site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Severn, a main river.

We refer you to Section 6 of TAN15 and the Chief Planning Officer letter from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development in Zone C2.

Notwithstanding this policy position, we understand that the site benefits from extant planning permission for a nursing home and although it was never occupied as a nursing home, the principle of HVD has therefore been established at this site. For this reason, we have reviewed the Flood Risk Assessment Issue 3 by Sumner Consultancy, Ref 148-16 (no date) to provide technical advice on the acceptability of flooding consequences, in

accordance with Appendix 1 of TAN15.

We leave it to your Authority to determine whether or not the proposal is acceptable on policy grounds. We would, however, be grateful if you could inform us of your position regarding this and any pre-application advice given in relation to this proposal.

Our advice is that the Assessment fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in line with TAN15.

We note that the Assessment document has been updated since we reviewed it at statutory pre-application stage. However, the updated version does not take into account any of our comments made at statutory pre-application stage. Therefore, our flood risk advice remains unaltered from that provided in our statutory pre-application response dated 05/06/2020.

European Protected Species

We have reviewed:

- o Ecological Impact Assessment at Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG by Churton Ecology dated December 2020

Legislation and Policy

Regulations 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) requires public bodies in exercise of their functions, to have regard to the provisions of the 1992 'Habitats' Directive (92/43/EEC) and the 2009 'Birds' Directive (2009/147/EC) so far that they might be affected by those functions.

Where a European Protected Species is present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if: The development works to be authorised are for the purpose:

(a) of preserving public health or 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;

(b) There is no satisfactory alternative; and

(c) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

These requirements are translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4, and Technical Advice Note (TAN) 5, Nature

Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.

Bats - Condition 1

The above assessment confirms the application site supports pipistrelle bats. The proposal has the potential to cause disturbance to bats and/or loss or damage to their resting places.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and they are a material consideration for planning under the provisions of Technical Advice Note 5: Nature Conservation and Planning (TAN5).

Paragraph 6.3.7 of TAN5 states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

In this case, the bat report concludes that the proposal is likely to impact adversely on the bats present at this site and, therefore, implementation of the proposal will be subject a European protected species derogation licence.

We note that the ecological submission advises two possible options to safeguard bats. We understand that Option B is likely to harm or disturb the bats or their breeding sites and resting places at this site. We therefore advise that it is carried out under licence.

Therefore, provided the following planning conditions and informative are secured to any planning permission granted, we consider that the proposed development is not likely to be detrimental to the maintenance of the favourable conservation status of the local populations of bat present at this site.

Condition

No development shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to :

- o Building upon the principles outlined in the ecological report (Ecological Impact Assessment at Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG by Churton Ecology dated December 2020).

- o Submission of details concerning bat mitigation and compensation measures including plans. (This to include confirmation of the option to safeguard bats in Section 5.1.2 of the ecology report).

- o Details of timing, phasing and duration of construction activities and conservation measures.
- o A timetable for implementation demonstrating that works are aligned with the proposed phasing of the development.
- o Actions to be taken in event previously unidentified species of bat are found.
- o Persons responsible for implementing the works.
- o An ecological compliance audit.
- o Post construction monitoring and record dissemination for a period of not less than 5 years.
- o Submission of details outlining any external lighting schemes together with plans. Plans shall illustrate current and/or proposed bat emergence points together with features that currently or are planned to be functionally used by bats for dispersal purposes. We advise that details of the submission references the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

The Conservation Plan shall be carried out in accordance with the approved details.

(Note: We have no objection to the conservation plan including other species considered necessary by the LPA)

Justification: To ensure that an approved species Conservation Plan is implemented, which protects species affected by the development.

This advice applies to the proposal in its present form. If the plans are changed in ways that may affect the bats on this site, a revised bat report that takes account of such changes would be required.

Informative

in line with the 'Dear CPO' letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison

for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-species-licensing/european-protected-species-licensing/information-on-european-protected-species-licensing/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to us.

Biosecurity - Condition 2

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include :

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme

Condition

No development, including site clearance, with the potential to impact on invasive species, shall commence until a site-wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-

native species at the site.

Ecological Compliance Audit - Condition 3 We advise that any planning permission granted includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA. The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals.

Great Crested Newts

We are satisfied with the submitted assessment and its conclusions regarding Great Crested Newts and have no further comments in this regard.

Foul Drainage

We refer you to our statutory pre-application response dated 05/06/2020.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Community Council

26th Jul 2021

We note that additional information has been submitted onto the Planning Portal.

We must take issue with Point 3.6 with regard to the D74 Bus - this is very misleading as there are only 2 buses a day and with the first passing through at 9.50 a.m it would not be suitable for anyone wishing to get to work and the latest bus home leaves Shrewsbury at 13.55

Please add this to the Community Council's comments

9/9/2021

Llandrinio & Arddleen Community Council have considered the additional information submitted and wish to continue to Object to this application:-

a) Contrary to Policy DM5 Development and Flood Risk as this development within a flood plain. Photographs had been sent by residents showing the water in the access lane and also the residents of the Nursing Home being evacuated in 2000. (as previously submitted) Although a bund has been constructed around the property this will not prevent water from rising within this bund and it is important to note that this water can stay for up to 3 weeks and that access to the property would only be possible via a boat as the water on the access road is too deep for a Fire Engine or a tractor. Discussions and consultations are currently taking place with regard to flooding of the River Severn and potential storage areas for flood water and this site could be affected by these proposals.

b) Contrary to DM6 -Flood Prevention & Land Drainage

The increase in the number of inhabitants would lead to an increased capacity for a sewage system which would not be able to operate during times of flooding. This could mean that other buildings in close proximity such as Llandrinio Church, could be subjected to sewage ingress.

c) Contrary to Policy DM13 Design & Resources

The proposals will create apartments some of which will only have one window - this is totally out of keeping with this rural area of Llandrinio. There is also limited amenity space and not enough car parking space allocated for visitors.

d) Contrary to Policy H3 Housing Delivery

With regard to the Design & Access statement submitted the Community Council does not agree that housing numbers need 'bolstering'. A development of 49 houses is now 50% complete on the outskirts of the village and plans have recently been submitted by Powys County Council to create 24 affordable homes and 24 open market dwellings in the centre of the Village.

The conversion of Unity House into apartments is not an appropriate size and scale for this location which is on the fringe of Llandrinio. The site is not sustainable in that it is approx. 1 mile from any shops, only has 1 bus going past twice a day into Shrewsbury, nearest Medical facilities are 3 miles away in Four Crosses or 9 miles in Welshpool or Llanfyllin. There is limited local employment.

The Community Council would like to suggest that this property reverts back to a family residence with 2 Annexes.

The Community Council would like to request to speak at the Planning Committee

PCC-(N) Highways

29th Jun 2021

The Highway Authority are unable to support the above-named application for the following reasons.

Whilst the Highway Authority (HA) acknowledge that the application site benefitted from consent in 2008 for Change of Use from a Bed and Breakfast to a Nursing Home (M/2008/0100), the consent was never implemented. Therefore, the extant Use is that approved under M2001/1019.

The HA objected to both previous applications due to the increase of movements through the junction which is substandard in terms of visibility to the southeast and forward visibility (rear) to the northwest. Whilst the applicant[s] for both applications proposed improvements these could not be conditioned as they required third party land of which the applicant[s] had no control and Notice was not served.

The applicant acknowledges that the 85th percentile speed in the submitted highway assessment (SHA) does not comply with CA185 (Vehicle Speed Measurement), yet their proposed visibility splays are based on the unreliable calculations. The B4393 in the area of the access is subject to a 50mph speed limit, and as such the design speed of the access visibility & forward visibility splays should be 160m.

The proposed Y distance of 104m is based on the principle of 'Absolute Minimum' SSD (CD109), subject to the submission of actual traffic speeds, the HA are not averse to using this principle in accordance with the guidance. The applicant should note that they would be required to submit actual traffic count data which has been collected in accordance with CA185 in order for the HA to consider the data valid.

Notwithstanding this, the available forward visibility to right turning traffic is 80m and visibility to the southeast is 83m which are significantly less than the applicants proposed

104m.

M/2001/1019 granted consent for the ground floor of Unity House to be used as a combination of five bed & breakfast rooms and five 1No. bed self-contained holiday lets. At full occupancy, the development would generate 2 - 4 movements per day from each of the letting rooms, and bed and breakfast rooms. Therefore, generating a total of 40 movements.

The first and second floors of Unity House were to remain as a private residence, and the HA considers that the domestic element of the premise would generate 6 - 8 daily movements.

Therefore, the total number of daily movements generated by M/2001/1019 is 48.

The proposed development for a mixture of 1 & 2 bed apartments and studio flats, is considered to generate 6 - 8 movements per day for the apartments and 4 - 6 per day for the studio flats, giving a total figure of 154 daily movements.

To increase the visibility and forward visibility (rear), third party land is required, therefore, the applicant may wish to consider the size/number of the proposed units to bring the number of additional movements more closely aligned with the extant planning use.

We note that the proposed waste/recycling collection point is located within the application site and have previously advised that the PCC waste/recycling vehicles do not enter private premise such as this for the removal of waste and recycling. Therefore, a waste/recycling collection point should be located in close proximity to the junction with the B4393.

Should the applicant wish to submit actual traffic count data which has been collated in accordance with CA185, any revised layout, and a revised waste/recycling collection point, we shall certainly review any such submission.

Natural Resources Wales (Mid Wales)
DPAS

6th Jul 2021

Thank you for consulting us on the addition information. We note the submission of an updated FCA, however, this is in relation to foul drainage requirements only, and does not address our concerns as outlined in our previous responses pre-app letter dated 5th June 2020 and formal response to 21/0186/FUL dated 16th April 2021 (which are attached for your convenience). Therefore, our previous response stands and we advise further information is submitted prior to determination.

If you have any queries please do not hesitate to contact me.

Community Council

23rd Feb 2022

Llandrinio & Arddleen Community Council have considered the revised access statement submitted at a meeting held on the 17th February 2022.

The Community Council feels that the comparison of trip rates with the block of flats, all of which are outside a major town, cannot be compared to that which will be generated at Unity House.

Edge of town developments will have much better pedestrian links to shopping centres, better provision of bus services and more cycle lanes.

The Community Council wishes to maintain its OBJECTION

PCC-(N) Highways

25th Feb 2022

The Highway Authority (HA) has reviewed the most recently revised drawings/detail submitted in support of the application and have been in discussion with the LPA and the applicant's appointed agents.

The applicant has submitted evidence to the LPA which demonstrates that a material start was under P/2008/0100, which includes confirmation from Building Control that they

undertook inspections of the works at the time.

In view of the evidence in relation to P/2008/0100 having been implemented, the HA are satisfied that a trade-off of movements exists.

The number of vehicle movements associated with the proposed residential conversion are considered to be less than the extant use as a Nursing Home. The applicant has submitted TRICS data analysis which further demonstrates this.

Whilst we previously raised issue with the access visibility and forward visibility onto the B4393, it is well established that in instances where the proposed use would generate equal/lower vehicle movements to the extant use, and that those movements are by the similar vehicle types that improvements cannot be sought. Therefore, the HA withdraw their earlier objections in relation to the access onto the B4393, as the proposed use equates to a reduction of vehicle movements through the access.

We advise the applicant that our Refuse and Recycling collection vehicles do not enter private land, therefore, it is unlikely that Powys County Council shall remove waste from the bin store shown on the Site Plan. We recommend the applicant contact Waste Awareness to discuss collection arrangements for the site. It would not be acceptable for residents to leave their 20 wheeled bins and 80 recycling receptacles on the footway.

The HA recommend that the following condition be attached to any consent given.

1. Prior to the occupation of each of the apartments hereby approved, provision shall be made within the site plot for the parking and turning of vehicles as detailed on the approved site plan 18.008 1.02 Rev B. The parking areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

Representations

17 public representations have been received against the proposed development. The concerns can be summarised as follows:

- No need for apartments
- Increase in traffic/access problems
- Increase in sewerage
- Flooding Issue
- Emergency Service Access
- Noise

- Location of recycling boxes/dustbins
- Something needs to be done to the site as it is an eyesore
- Not enough car parking space within the site
- Safeguarding for nearby Outdoor Education Centre
- Trees could be disturbed
- Increase traffic on single track lane
- Broadband Performance
- Inadequate Public Transport Provisions

Planning History

P/2008/0100 - Change of use and extensions from bed and breakfast to nursing home. Consented May 2008.

M2001/1019 - Change of use from residential nursing home to private house with self-catering holiday apartments and bed and breakfast accommodation. Consented January 2002.

Principal Planning Constraints

Flood Zone
Listed Building
Scheduled Monument

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Development Plan 2021
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN 15	Development and Flood Risk		National Policy
TAN18	Transport		National Policy

TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP5	Settlement Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
H5	Affordable Housing Contributions	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026
SPGRES	Residential Design SPG	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

Officer Appraisal

Site Location and Description

Unity House is located within the Community Council area for Llandrinio and Arddleen and is located within the settlement development boundary for the Large Village of Llandrinio.

The application site is located to the south of the B4393 County Highway to which access to the application site is gained from.

To the east and west of the application site are neighbouring residential properties, whilst to the north is St Trunio Church Grade II* listed and to the south is agricultural land.

Consent is sought for the change of use of an existing building to form 20 residential apartments/studios together with associated car parking area and a slight extension and alteration to the existing building.

Planning Background

It is acknowledged that Unity House is currently unoccupied and the property itself has historically had several planning applications and permissions.

The most recent is planning application P/2008/0100 which was granted consent in May 2008 for the change of use of the building from bed and breakfast to a 44 -bed nursing home and erection of extensions.

Whilst it is noted that the use of the building was never implemented, evidence has

been provided which confirms that the works for the extension of the building were commenced within the 5-year period which means that planning application P/2008/0100 is extant and the use as a nursing home can therefore be implemented at any time without further planning permission being required.

This therefore represents a lawful fall-back position in respect to the current application and further consideration will be given to this later in the report.

Principle of Development

Under the Powys Local Development Plan (LDP) (2018), Unity House is located within the settlement development limits for Llandrinio which for the purposes of the LDP is classified as a 'Large Village'. Policy H1 of the LDP seeks to ensure that housing development is appropriately located and suitable in scale and type in accordance with strategic policies. Housing developments will only be permitted in large villages:

- i. On sites allocated for housing or on other suitable sites within the development boundary; or
- ii. On sites forming logical extensions outside development boundaries for affordable housing in accordance with Policy H6.

As identified above, the application site is located within the settlement development boundary for Llandrinio and therefore the principle of residential development within this location is supported in principle.

The proposal also seeks to convert an existing building rather than to demolish the existing building and therefore reduces waste and re-using the existing site.

It is therefore considered that the principle of the proposed development fundamentally complies with relevant planning policy subject to the following considerations.

Flood Risk

Under Technical Advice Note 15 (TAN15) Development Advice Maps the application site including parking, access routes and amenity space are all located within a C2 floodzone (and Flood Zone 3 under the Flood Maps for Planning).

TAN15 identifies C2 flood zones as areas of floodplain which are without significant flood defence infrastructure and where only less vulnerable development should be considered.

It is of importance to note that, as raised above, the last known uses and planning consents for the property are all highly vulnerable development. Therefore, whilst the application is proposed for a highly vulnerable development within a C2 floodzone, it does not in itself introduce a new highly vulnerable development.

NRW have raised an objection to the scheme when referring to the C2 floodzone but in their response confirm that it is for this Authority to determine whether the proposal is acceptable or not on policy grounds.

Consideration has therefore been given to the 'risk' associated with this proposed development.

Additional information was provided by the applicant in respect to the occupancy and fall-back position of the care home in respect to the proposed residential use. Consent has previously been granted for a 40+ bedroom care home whilst in comparison this proposal is for a 22- bedroom residential development, reducing therefore the level of occupancy associated with the development.

Whilst the Local Planning Authority (LPA) would not usually support a highly vulnerable development within a floodzone, we are in a situation where the flood risk associated with the development site already exists. In this instance the main consideration is whether the proposed re-use of the existing building is acceptable from a flood risk perspective compared to the extant / fall-back position. As a higher risk development (40+ bedroom care home) could be implemented at the site, this proposal would lead to a lower risk in terms of its reduced occupancy and for that reason it is considered acceptable.

Through a Flood Consequence Assessment, the following mitigation proposals have been put forward:

- Existing flood defences surrounding the property (bund).
- The site is located within an NRW Flood Alert Area (up to 2 hours notice).
- Recommended that internal electrical items are at least 1.0 metre above existing floor levels.
- Flood Evacuation Plan provided to all occupiers.
- Parking area to be permeable surfacing for infiltration.

In addition to the above, concerns from local residents have been raised over increased flows and loads as a result of the development, which may only add to the flood risk. Calculations have been completed in line with the British Water Code of Practice and it has been confirmed given the reduced level of occupancy the development would result in a betterment in terms of discharge from the site.

As part of the submission the applicants provided details for increasing the existing bund heights by 970mm and parking/access routes by 840mm. The impacts of those increased heights on flood impact elsewhere and impacts to the settings of nearby residential properties has not been appropriately investigated and therefore the Local Planning Authority will not be supporting that proposal and will be conditioning out those works from any future consent, if members are minded to grant permission.

However, given the fallback position, the reduced occupancy rates from lawful uses and

the proposed mitigation measures it is considered that through appropriately worded conditions the proposed development and periods during a flood event could be appropriately managed.

On balance it is therefore considered that the proposed development is acceptable as it would not increase the level of risk associated with the proposed development site.

Design and External Appearance

Policy DM13 of the Powys Local Development Plan also seeks to ensure that development is designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing and design detail.

The proposal will seek to convert the existing building through its re-use with only minor alterations externally proposed. The amendments proposed include the insertion of a window, doorways and alterations to some of the existing openings and slight increase in size of an existing extension off the south elevation to provide a staircase for fire escape.

It is considered that the proposed extension has been designed to replicate the height and design of the existing structure on site and therefore the visual impact of the extension is considered to be minor, located to the rear of the property.

Based on the scale, design and location of the works proposed it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Housing Need

Policy H5 states that new housing developments of five or more dwellings will be required to make contributions towards the provision of affordable housing. Llandrinio falls within the Severn Valley catchment area and therefore a 20% contribution will be required to be secured as part of the application.

Concerns have been raised through public representations that there is no need for the development as proposed.

It is noted that a total of 213 applicants are currently on the Common Housing Register for Llandrinio and surrounding settlements. It is noted that the overwhelming need is for smaller 1- and 2-bedroom properties. Whilst there have been recent consents in both Llandrinio and surrounding areas which will provide some of the recognised need it is considered that these development do not amount or address all of the recognised need locally.

This development proposes a mix of 18x one bedroom apartments/studios and 2x two

bedroom apartments.

It is therefore considered that there is a recognised need for the development and the units proposed on this site will contribute to meeting that recognised wider need.

Should the application meet with approval, a condition will also be attached to any grant of consent in line with the Conditions Circular by Welsh Government to secure the initial and subsequent occupation of the apartments allocated for affordable need.

Highway Safety

Policies DM13 and T1 of the Powys Local Development Plan (2018) indicate that development proposals should incorporate safe and efficient means of access to and from the site for all transport users, manage any impact upon the network and mitigate adverse impacts.

Through public representations, concerns have been raised over the increased use of traffic alongside the single-track lane to the site which is currently only used for an Outdoor education centre and farm use. Whilst these concerns are noted, the use of Unity House has not been considered as part of the concerns raised and whilst Unity House currently remains empty there is of course a fallback position of highway movements associated with its extant use.

It is noted that the proposed use would represent a reduced number of traffic movements than the extant permission/use associated with the development and the proposal would therefore represent a betterment in terms of traffic movements on the surrounding highway networks.

In addition, it is noted that concerns were raised over the level of parking provided on site. Concerns specifically raising that the parking spaces provided not being sufficient to the level of apartments proposed. Under the CSS maximum car parking standards it is acknowledged that new developments must provide one car parking space per bedroom. In this instance we have a development which includes a total of 22 bedrooms being proposed with 27 parking spaces being provided, allowing some visitor car parking also available to the development.

Whilst concerns were initially raised from the Highway Authority over the development proposed, following additional information and a review of the planning history for the site, Officers confirmed that they removed their previous holding objection to the scheme and recommend a condition is attached to any grant of consent securing the parking and turning areas proposed.

Subject to an appropriately worded condition it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Public Open Space

LDP policy DM3 deals with the provision of public open space. It requires that provision for public open space (POS) will be sought from all housing developments of ten or more dwellings.

It is noted that the land surrounding Unity House will be available as open amenity land.

Given the scale of the units proposed as predominately 1 bedroom flats it is considered that this open space is sufficient and appropriate to the development proposed. It is noted that facilities such as a bike store will also be provided within this area for use.

It is therefore considered that the proposed development fundamentally complies with relevant planning policy.

The Natural Environment

Policy DM2 states that proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests. Proposals which would impact on natural environment assets will only be permitted where they do not unacceptably adversely affect those assets. This is further emphasised within Technical Advice Note (TAN) 5.

The application is informed by the following additional information: Thorne, RG. & Thorn, K. (July 2021) Ecological Impact Assessment at Unity House by Churton Ecology.

Additional information was submitted through bat activity surveys which focussed on the northern wing of the building where evidence of bat use and potential access points were identified. The results confirm the presence of a soprano pipistrelle maternity roost where three access points were confirmed.

The roost is considered to be of significant local importance and a European Protected Species licence will be required for the development separate to this planning application.

As part of the survey mitigation proposals were proposed including:

- Retention of roost access points following cosmetic works to the northern wing
- Installation of a small awning immediately above the existing window located below the main roost access points closest to prevent light disturbance
- Insulated and non-insulated bat boxes and inter-rafter squeeze boxes will be installed in the north loft space as enhancement of the roost

The enhancements proposed are welcomed and NRW/Powys Ecologist have recommended a number of conditions to be attached to any grant of consent including a bat conservation plan which can be agreed prior to the commencement of development.

- External Lighting

Careful consideration will need to be given to any external lighting proposed as part of the future use of the development site.

Measures will need to be identified to minimise impacts to roosting bats and other nocturnal wildlife commuting or foraging around trees and hedgerows.

It is, therefore, recommended that submission of a wildlife sensitive lighting scheme is secured through an appropriately worded planning condition.

- Landscaping

Concerns were raised by public representations that insufficient information had been provided in respect to the protection of nearby mature trees. It has been confirmed through additional information that a mature oak with potential bat roost features and a semi-mature aspen will be retained throughout the development, which is welcomed.

It is however noted that the proposal will result in some loss of habitat for nesting birds which will be mitigated for through additional landscape planting throughout the curtilage of the site.

It is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme to include proposed species mixes, planting and aftercare schedules which can be agreed prior to the commencement of development.

- Biosecurity Risk

Montbretia, a non-native invasive plant (a garden escape) was identified from various locations across the site.

An eradication plan will be required prior to commencement of any ground works to avoid further spread. It is therefore recommended that the submission of a Biosecurity Risk Assessment is secured through an appropriately worded planning condition.

- Biodiversity Enhancement

In accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Local Authorities are required to maintain and enhance biodiversity through all of its functions – this includes the planning process. As part of the application a biodiversity enhancement scheme has been submitted in support of the application. The enhancements are considered to be appropriate to the proposed development in accordance with the above recognised requirements.

In addition to enhancements to the bat roost, and proposed landscaping including a

native species hedgerow nesting boxes for house sparrow on the building are also recommended within the ecology report.

All of the measures are welcome and considered appropriate to the scale, location and nature of the development and will be secured in perpetuity through an appropriately worded condition.

- Biodiversity Conclusion

Subject to the proposed recommended conditions it is considered that the proposed development would not result in an adverse effect on the integrity of any protected sites and the proposal fundamentally complies with relevant planning policy.

Built Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. The Barnwell Manor case the Court of Appeal made it clear that in enacting Powys County Council s.66 (1), Parliament had intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carried out the balancing exercise. Therefore, special regard must be given to the desirability of preserving listed buildings and their setting and any harm caused should be given considerable weight within the planning balance.

In considering this application, consideration has been given to Technical Advice Note 24: The Historic Environment (2017) and LDP Policy DM13 (Part 3).

Nearby Designations:

Cadw ID 7613 Church of St Trunio grade II* included on the statutory list on 31/01/1953
Cadw ID 15400 Sundial opposite porch at Church of St Trunio on the statutory list on 29/12/1994
Cadw ID 15401 Old School Room at Church of St Trunio included on the statutory list on 29/12/1994

The application site is located to the south-west of the grade II* listed Church. The church and churchyard are in a rural location with the churchyard surrounded by mature trees, which add to the tranquillity and sense of place. The proposed car park would be in proximity to the churchyard.

The Built Heritage Officer acknowledged that Unity House as existing is surrounded by

a bund which acts as flood defence for the property. The bund, as existing, currently screens the car park from the church.

Initial proposals from the applicant were proposed to increase the height of the existing bund, access routes and parking areas. However, the impacts of these works have not been appropriately considered and therefore will be conditioned out of any decision.

In light of the above, given that the bund will not be increased in height and will remain as existing with mature planting surrounding the churchyard, both of which act as a boundary/screen between either development it is considered that the proposed development and increased parking area would not harm the settings of the nearby listed buildings.

The application area is also located some 320m west of scheduled monument MG046 Llandrinio Bridge. The monument consists of a road bridge over the River Severn and associated anti-invasion defences. The bridge became the focus for anti-invasion works in the early period of World War II (AD 1940-41).

The proposed development will see the existing Unity House converted from a nursing home into residential apartments some small extensions to the existing building will be required and the grounds will be landscaped to include a formal car park. Cadw note that the proposed development will be visible in the identified significant view from the bridge, but will be heavily screened by a building and existing vegetation. As such the visual change from the scheduled monument will be very slight and will not have any effect of the way that it is experienced, understood and appreciated.

Consequently, it is therefore concluded that the proposed development will have no impact on the setting of scheduled monument MG046.

Public Representations

Whilst a number of the concerns raised through the public representations have been considered throughout the above report there are a number of outstanding points which will be addressed as follows:

- Noise

Concerns have been raised over the potential noise impact to nearby properties. The nearest property is approximately 30 metres between either built development. Given therefore the distances involved, that Unity House is an existing building and the reduced levels of occupancy against extant permissions it is considered that the development would not result in any further harm or unacceptable levels of noise associated with the development.

- Bins

It is noted that a bin store will be provided within the curtilage of the site and will be walled to reduce risk of odours etc to nearby properties. The Highway Authority have confirmed that the developer will be required to liaise with the Waste team at PCC to discuss arrangements on bins and collection but it is likely that community facilities will be provided to accommodate all the flats to avoid each individual unit having separate recycling bins. This is typical throughout the county and reduces the number of bins required.

This will therefore need to be managed by the developer/landlord of the property.

RECOMMENDATION

In light of the above, whilst the concerns raised have been noted it is considered that the fall-back position of the site must be appropriately considered and weighed up when determining this planning application. In this instance the proposal reduces the occupancy of the highly vulnerable development and therefore provides a betterment in terms of the risks associated with flooding and highway movements. On this basis the recommendation is therefore one of conditional consent.

Conditions

1 The development shall begin not later than five years from the date of this decision.

2 The development shall be carried out in accordance with the following approved plans and documents: 1.00, 1.02 Rev B, 2.10, 2.11 Rev C, Rev D, 3.10 and 3.11.

3 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 numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- 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.

- 4 No development shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to :
- o Building upon the principles outlined in the ecological report (Ecological Impact Assessment at Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG by Churton Ecology dated December 2020).
 - o Submission of details concerning bat mitigation and compensation measures including plans. (This to include confirmation of the option to safeguard bats in Section 5.1.2 of the ecology report).
 - o Details of timing, phasing and duration of construction activities and conservation measures.
 - o A timetable for implementation demonstrating that works are aligned with the proposed phasing of the development.
 - o Actions to be taken in event previously unidentified species of bat are found.
 - o Persons responsible for implementing the works.
 - o An ecological compliance audit.
 - o Post construction monitoring and record dissemination for a period of not less than 5 years.
 - o Submission of details outlining any external lighting schemes together with plans. Plans shall illustrate current and/or proposed bat emergence points together with features that currently or are planned to be functionally used by bats for dispersal purposes. We advise that details of the submission references the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.
- The Conservation Plan shall be carried out in accordance with the approved details.

5 Prior to the commencement of development the submission and implementation of an approved ecological compliance audit (ECA) scheme shall be submitted to and approved in writing by the Local Planning Authority. The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works. Development thereafter shall be completed in full accordance with the details as approved.

6 No development, including site clearance, with the potential to impact on invasive species, shall commence until a site-wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

7 Prior to the commencement of development an emergency evacuation scheme (flood event) shall be submitted to and approved in writing by the Local Planning

Authority. The scheme shall also include an implementation scheme for all mitigation measures as identified in Section 8 of the Flood Risk Assessment for Unity House. Development thereafter must be completed in full accordance with the details as approved.

8 Notwithstanding the approved plans, no permission is hereby granted for the raising of the existing flood protection levels of the bund, wall and access drive as identified in Section 8 of the Flood Risk Assessment for Unity House.

9 Notwithstanding the details submitted, prior to commencement of development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures and implementation scheme. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and position. The approved scheme shall be implemented in full and maintained thereafter.

10 No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife, including bats and otter, in accordance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The development shall be carried out in accordance with the approved details.

11 Development must be completed in full accordance with Section 5 (Proposed Avoidance Measures, Mitigation and Enhancements) of the Ecological Impact Assessment by Churton Ecology dated July 2021.

12 Prior to the occupation of each of the apartments hereby approved, provision shall be made within the site plot for the parking and turning of vehicles as detailed on the approved site plan 18.008 1.02 Rev B. The parking areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

13 The parking area hereby approved shall be constructed using permeable surfacing only such as permeable block paving, porous tarmac or similar. The areas as constructed shall thereafter remain as above in perpetuity.

Reasons

1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 To ensure adherence to the approved plans in the interests of clarity and a satisfactory development.

- 3 To ensure an appropriate level of affordable housing is provided and secured through the lifetime of the development in accordance with policy H5 of the Local Development Plan (2018) and the Affordable Housing SPG.
- 4 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 5 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 6 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 7 To mitigate against the risk of floods in accordance with Technical Advice Note 15 and policies DM5 and DM6 of the Local Development Plan (2018).
- 8 To mitigate against the risk of floods in accordance with Technical Advice Note 15 and policies DM5 and DM6 of the Local Development Plan (2018).
- 9 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 10 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 11 To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
- 12 In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
- 13 To mitigate against the risk of floods in accordance with Technical Advice Note 15 and policies DM5 and DM6 of the Local Development Plan (2018).

Informative

1 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:

- o Intentionally kill, injure or take any bats.
- o 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.

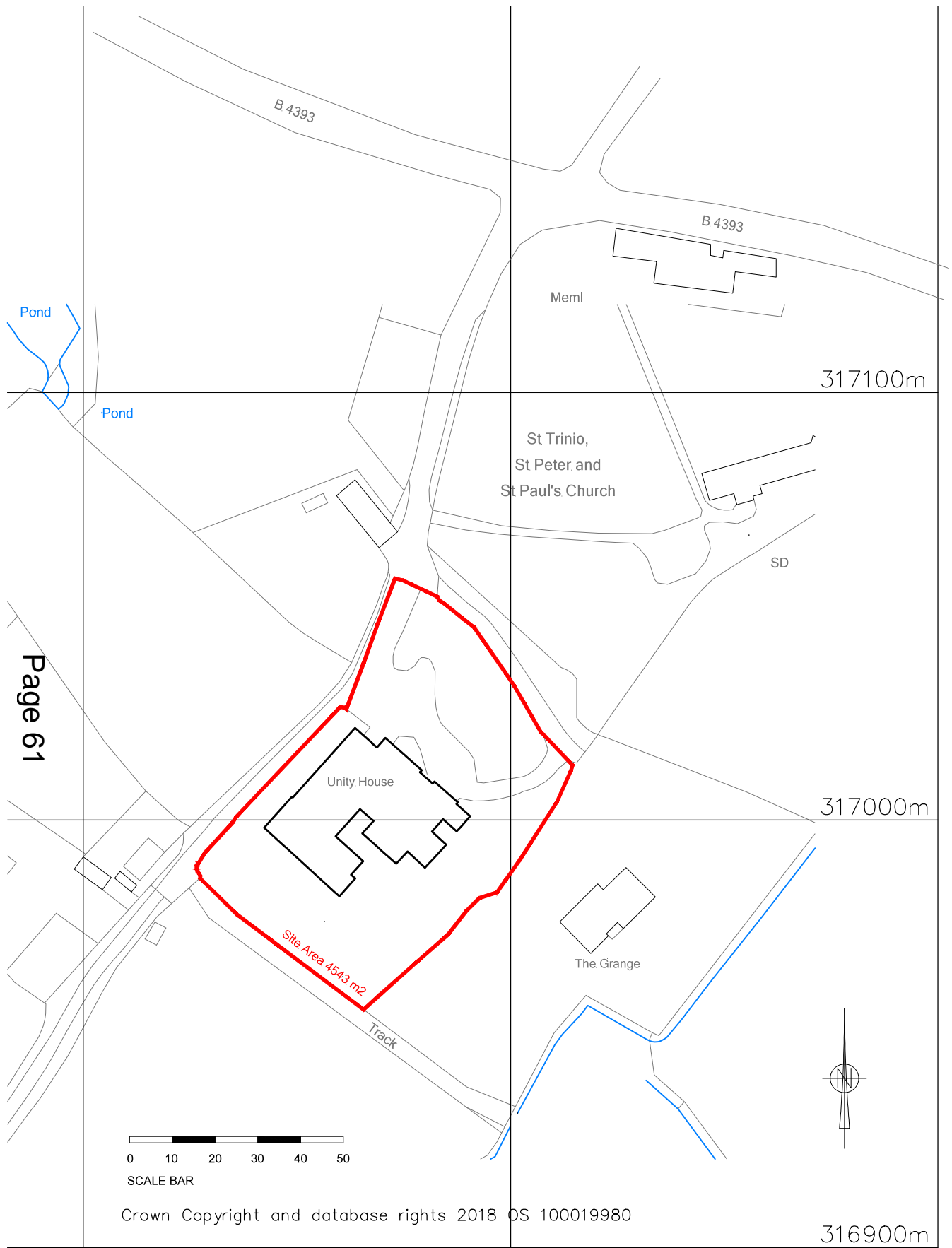
Under the Habitats Regulations it is an offence to:

- o 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 0345 1300 228 or email enquiries@bats.org.uk

2 Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/permits-and-permissions/species-licensing/when-you-need_to-apply-for-a-protected-species-licence/?lang=en. Development should not be commenced until the Applicant has been granted a licence by our species licensing team pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified activity/ development to go ahead. Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application. We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to us.

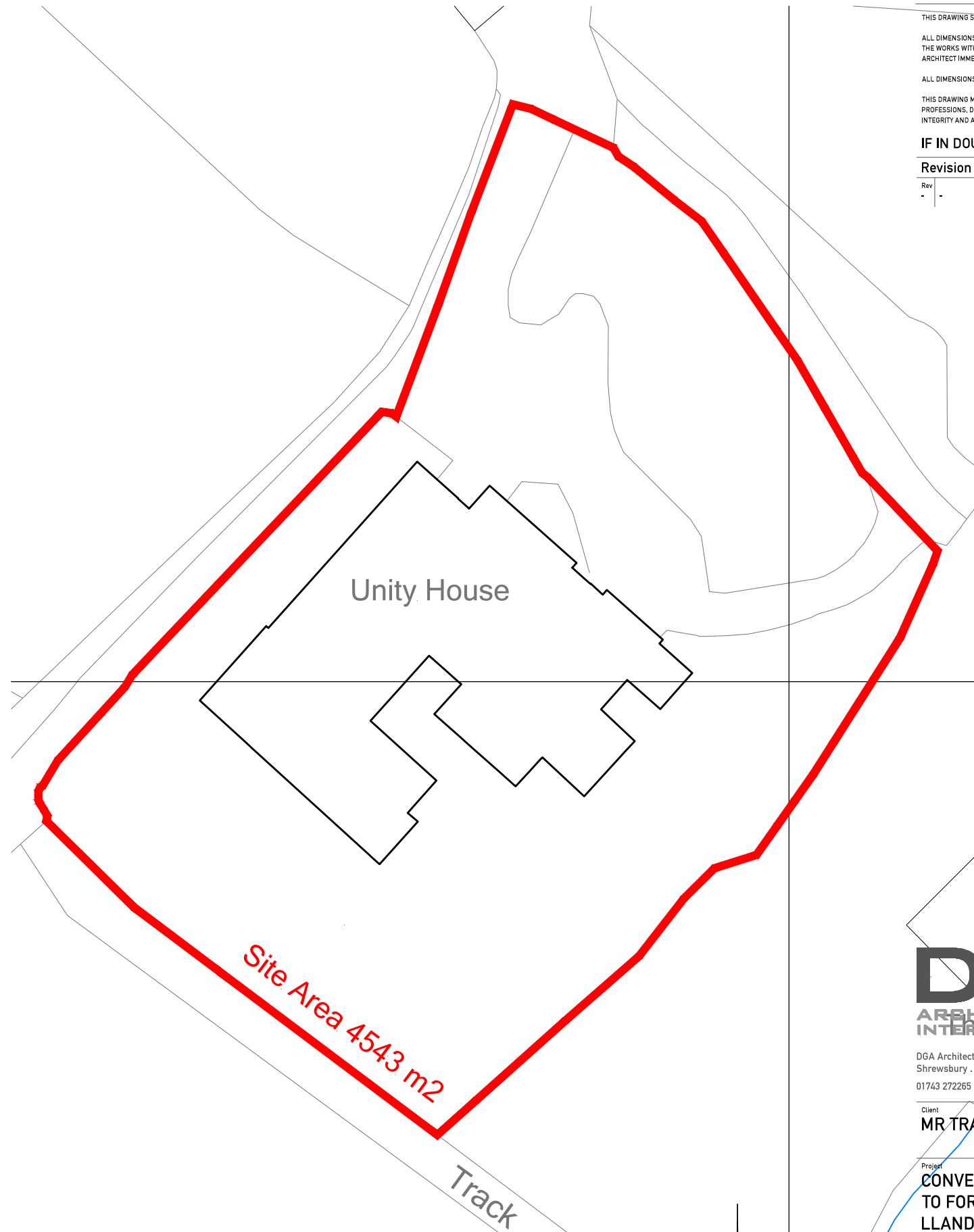
Case Officer: Gemma Bufton, Principal Planning Officer
Tel: 01597 827505 E-mail: gemma.bufton1@powys.gov.uk

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SITE LOCATION PLAN 1:1250@A3



BLOCK PLAN 1:500@A3

IMPORTANT GENERAL NOTES:

THIS DRAWING SHALL NOT BE SCALED.
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Revision

Rev	Date	By	App
-	-	-	-



DGA Architects Ltd . The Studio . 125 Belle Vue Road
 Shrewsbury . Shropshire . SY3 7NJ
 01743 272265 . design@dgaltd.co.uk . www.dgaltd.co.uk

Client
MR TRANJ SINGH

Project
**CONVERSION OF UNITY HSE
 TO FORM APARTMENTS
 LLANDRINIO SY22 6SG**

Drawing
**SITE LOCATION AND
 BLOCK PLAN**

Drawing status
PLANNING

Scale
AS NOTED

Drawn by
ED

Date
JUL 18

Project number
18.004

Drawing number
1.00

Revision
-

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brown hare, great crested newt, badger, cuckoo, curlew, spotted flycatcher and swift.

No statutory and no non-statutory designated sites were identified within 500m of the proposed development. One or more Ancient Woodland (AW) sites were identified within 500m of the proposed development.

The proposal appears to be located within improved agricultural grassland which is of relatively low ecological value. Following submission of revised plans, it was identified that 118m of roadside hedgerow would need to be removed and replaced with post and wire fencing to accommodate the required visibility splays. PCC Highways have subsequently commented that the plans potentially underestimate the extent of the splay, meaning that additional hedgerow loss is likely. This represents a significant loss of priority habitat (Environment (Wales) Act 2016 and Powys LBAP) and is contrary to Powys LDP policy DM2. The agent has identified that compensatory planting could take place at the rear of the lagoon and elsewhere on the holding (but outside of the red-line boundary) which may be acceptable providing sufficient length is identified. Given the significant length and location of habitat corridor that will be impacted, I would, however, why the applicant has not considered translocation of the existing hedgerow and/or planting a replacement hedgerow inside the new post and wire fencing to maintain the existing habitat connectivity and minimise biodiversity impact. Bat species, including lesser horseshoe bat, are present in the area and can be significantly adversely affected by removal of essential hedgerow flightlines.

Further information is required to confirm the extent of hedgerow affected and evidence that sufficient compensation can be achieved without significant negative impact to biodiversity, including European Protected Species.

It is proposed to plant the lagoon walls with a suitable wildflower seed mix to create additional habitat area. This is welcome and, if sufficient hedgerow compensation is achieved, will provide a net benefit for biodiversity in accordance with the requirements of Part 1 Section 6 of the Environment (Wales) Act 2016.

It is, therefore, recommended that submission of a biodiversity enhancement plan is secured through an appropriately worded planning condition. The plan should include locations of all seeded areas, details of the suitable species mix used and aftercare measures. As further information is required regarding hedgerow compensation, submission of further information prior to determination of the application would avoid the need for a pre-commencement condition.

It is noted that the applicant no longer intends to increase the amount of manure/slurry relative to the current situation and that there will be no overall increase in the release of aerial emissions as a result of the development. Despite this change, it is not clear whether the relocation of the slurry store from its present site to this new location poses a risk to the

identified SSSIs because the source of existing emissions has been moved closer to designated sites. The proposed site is approximately 510m from Coed Ty Mawr SSSI whereas the current muck store at Newbridge Farm is approximately 1.3km away. I note that SCAIL modelling results in the required format and completeness do not appear to have been submitted yet. I suggest that these are still required and that NRW is consulted to confirm that the proposal is acceptable in terms of ammonia emissions to protected sites.

PCC-Ecologist

16th Dec 2021

I have reviewed the revised details confirming that the majority of the roadside hedgerow will be replanted immediately behind the new fencing, which is welcome. The hedgerow will require internal fencing to protect it from livestock damage. Sufficient details regarding species mix, planting density and aftercare measures will need to be secured. The location of wildflower planting is also identified and if implemented and managed in the long-term will provide a net benefit for biodiversity. Details of an appropriate seed mix and long-term management measures is still required. Livestock access will need to be limited in number and to certain times of year or excluded completely. Planting a stock-proof hedgerow along the northern perimeter of the site would fulfil this purpose and compensate for the short section of hedgerow still to be lost at the entrance.

Previous comments regarding Coed Ty Mawr SSSI remain valid.

Therefore, should you be minded to approve the application I recommend inclusion of the following conditions:

Prior to the commencement of development, a Hedgerow Replacement and Aftercare Scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a scaled drawing identifying the location of hedgerow replacement planting and a written specification clearly describing species, sizes, densities and planting numbers proposed, as well as aftercare measures. The approved scheme shall be implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to The Natural Environment and DM4 in relation to Landscape, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part1 Section 6 of the Environment (Wales) Act 2016.

Prior to the commencement of development, a Wildflower Area Creation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a scaled drawing identifying the wildflower area and a written specification clearly describing species-mix, time of sowing, and long-term

management specification. The approved scheme shall be implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to The Natural Environment, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part1 Section 6 of the Environment (Wales) Act 2016.

In addition, I consider it would be appropriate to include the following informatives:

Protected Species

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted by phone at 0300 065 3000.

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:

- o intentionally kill, injure or take any wild bird
- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird
- o 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 on 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.

PCC-Ecologist

27th Apr 2022

NRW have confirmed that the proposed development is not considered to present a risk to protected sites, which is welcome, so I have no additional comments to provide.

Environmental Protection

1st Mar 2021

The following information has been submitted in support of planning application 20/2130/FUL:

- o CGW Owen 'Access Statement: An Application for the Installation of A Slurry Lagoon and Silage Effluent Tank at Newbridge Farm, Meifod' 18th January 2021.
- o Mr Gary Owen email: 'Re: 20/2130/FUL' 24 February 2021.
- o Mr Gary Owen email: 'Re: Planning Application 20/2130/FUL - Newbridge Farm, Meifod' 24 February 2021.
- o Mr Gary Owen email: 'Re: Planning Application 20/2130/FUL - Newbridge Farm, Meifod' 23 February 2021.

Based on the information submitted, in the above referenced sources, Environmental Protection would have no requirements in respect of planning application 20/2130/FUL - subject to the lagoon construction and slurry storage complying with the requirements of Natural Resources Wales and current legislation and regulation e.g. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations.

21st Sep 2021

Environmental Protection

Concerning the additional information notification for planning application 20/2130/FUL, the advice provided from Environmental Protection previously, by email dated 1 March 2021 (copy attached), would remain the same.

PCC-(N) Highways

2nd Mar 2021

The Highway Authority are unable to support the above-named application for the following reasons;

An application such as this should include full access details, such as the full visibility splays including forward visibility, access width, radii, gradient, surfacing detail setback position of the gate. However little detail has been submitted for consideration and we note Section 6 of the application form states that no alterations to the access are proposed.

Perceived speeds in the area of the access are 60mph in a northeasterly direction and 50mph in a southwesterly direction, therefore visibility splays of 215m and 160m respectively are required. The proposed splays give an indicative road speed of 30 - 40mph (Design Manual for Roads and Bridges/Manual for Streets 2, respectively); therefore, the proposed splays are considerably less than required. We note Section 1.4 of the Design & Access Statement refers to an average speed of 40mph, we further note that no ATC data has been submitted to evidence the quoted speeds.

The visibility splays shown on the "access to field" drawing, are drawn incorrectly and the drawing suggests that the highway verge in the area of the access is 2.5m wide, which is considerably greater to that observed on the ground.

Insufficient forward visibility to the southwest is afforded to vehicles travelling in a north-easterly direction.

We note that the location plan does not show a blue line, therefore the applicant controls insufficient frontage in order to construct the requisite forward visibility and visibility splays, nor sufficiently set the gate back.

As drawn, the access drawing shows a length of 9m from the edge of carriageway to the rear of the concrete pad, with the dimensions of the pad as being 20.5 x 5.5m. The average length of a modern tractor is 6.5m and slurry tankers vary in length between 5 - 6.6m, therefore giving a maximum combination length of 11.5 - 13.1m. No evidence has been submitted that the proposed pad is of sufficient size to allow vehicles to enter and exit in a forward gear. Furthermore, given the likely vehicle lengths that would service the site, the access gates would need to be setback a minimum of 15m.

No detail of the proposed construction and loading of the proposed concrete pad have been submitted for consideration.

No detail of the proposed vehicle movements across all vehicle sizes, to include the start of each journey has been submitted for consultation.

As submitted, the application does not comply with LDP Policies DM13 (10) & T1, Manual for Streets 1 & 2, TAN18, the Design Manual for Roads and Bridges, and Welsh Government Circular 016/2014.

Policy T1 - Travel, Traffic and Transport Infrastructure

Transport infrastructure, traffic management improvements and development proposals should incorporate the following principal requirements:

1. Safe and efficient flow of traffic for all transport users, including more vulnerable users, and especially those making 'Active Travel' journeys by walking or cycling;
2. Manage any impacts to the network and the local environment to acceptable levels and mitigate any adverse impacts; and,
3. Minimise demand for travel by private transport and encourage, promote and improve sustainable forms of travel including Active Travel opportunities in all areas.

Policy DM13 - Design and Resources

Development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources.

Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

10. The development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.

Development proposals should meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

PCC-(N) Highways

14th Jul 2021

The Highway Authority has been in discussion with the LPA and the applicant's appointed agent, and we currently await the submission of revised drawings.

PCC Highways

1st Oct 2021

The County Council as Highway Authority for the County Class II Highway, B4389

Wish the following recommendations/Observations be applied

Recommendations/Observations

The Highway Authority has reviewed the revised drawings/detail submitted in support of the application and wish to make the following comments.

The applicant has undertaken a speed survey to the southwest of the proposed access, and we note that the revised access drawings have not been adjusted in line with the 85th percentile speed reported. The visibility drawings have been drawn incorrectly and do not show the full extent of the visibility splays. Furthermore, the drawings do not show the carriageway, verge and hedge on the opposite side of the B4389. The drawings therefore do not show the extent of hedgerow that needs to either be removed or relocated.

The 85th percentile speed to the southwest (those travelling northeast) of the access is 47.65mph, in accordance with CD109 the Stopping Sight Distance (SSD) is 137m an adjustment is made for the 1:21 negative gradient of the B4389 which calculates the visibility splay in this direction as 158m.

We note the submitted drawings do not include a full blueline plan, therefore, there is no certainty that applicant controls all the land required to construct the access visibility splays.

The HA recommends the applicant submit a full blueline plan, and a revised access drawing based on the topographical survey, showing how the visibility splays are to be achieved. The access visibility splays should be drawn in accordance with Figure 7.18[a] Manual for Streets as shown on Page 93. Should the applicant not control sufficient land to implement the visibility splays, Notice should be served on the relevant landowner in accordance with WGC016/2014.

We note that the applicant intends to surface the access with concrete rather than bitumen tarmacadam. We advise that concrete is a non-standard material and therefore the applicant has to submit the specification which they intend to use and the proposed method of reinforcement. We further advise that a negative condition could be attached to any consent given, or the applicant could submit the detail at this stage.

PCC-(N) Highways

12th Jan 2022

The Highway Authority (HA) has reviewed the revised drawings/detail submitted in support of the application and wish to make the following comments.

We understand that the applicant proposes to construct the access using bituminous tarmacadam rather the previously specified concrete. On that basis, the applicant is not

required to submit a specification as tarmacadam is a standard material.

The HA recommend that the following conditions be attached to any consent given.

1. Notwithstanding the submitted details on access drawings "Splay Looking East" & "Splay to West" the Highway Authority wish the following conditions to be applied to any consent given.
2. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 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.
3. No other development shall commence until the 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 0.6 metres above ground level at the edge of the adjoining carriageway and 160 metres distant in a westerly direction and 130m in a easterly direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) 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.
4. Upon formation of the visibility splays as detailed 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.
5. Before any other development is commenced 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 15 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.
6. Prior to the first operational use of the development, provision shall be made within the curtilage of the site for the parking of not less than two tractor & trailer's together with a turning space such that all vehicles serving the site my 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.
7. Prior to the first beneficial use of the development the area of the access to be used

by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 15 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.

8. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 15 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.

9. The width of the access carriageway, constructed as Condition 3 above, shall be not less than 5.5 metres for a minimum distance of 15 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.

10. Any vehicular entrance gates installed within the application site shall be set back at least 15 metres distant from the edge of the adjoining carriageway and 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.

11. No surface water drainage from the site shall be allowed to discharge onto the county highway.

Advisory Notes

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.

a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.

b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.

2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.

3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Cadw - SAM

24th Feb 2021

Thank you for your letter of 9 February 2021 inviting our comments on the information submitted for the above planning application.

Advice

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments listed in our assessment of the application below.

The national policy and Cadw's role in planning are set out in Annex A.

Assessment

MG044 Mathrafal Castle

MG231 Bryn Y Saethau Hillfort

MG232 Ffridd Mathrafal Hillfort

MG124 Pentre Camp

The above scheduled monuments are located inside 2km of the proposed development, but apart from MG231, intervening topography and vegetation block all views between them, consequently the proposed development will have no impact on the settings of these scheduled monuments.

Scheduled monument MG231 Bryn y Saethau Hillfort is located some 500m to the northwest of the proposed development. It comprises the remains of an Iron Age hillfort, located in a cleared area within conifer forest.

The monument is one of three, possibly contemporary hillforts overlooking the confluence of the Afon Banwy with the Afon Vyrnwy and controlling access along the river valleys (the others being scheduled monument MG232 Ffridd Mathrafal Hillfort to the northwest and scheduled monument MG124 Pentre Camp to the southwest). The significant views from the scheduled monument are therefore towards the east in an arc from north to south with specific

views to Ffridd Mathrafal to the northwest and Pentre Camp to the southwest.

The proposed development will see a slurry lagoon 45m x 25m constructed. It will be partly excavated into the ground, but will require concrete walls above ground and these will be concealed by surrounding grassed mounds. It will be visible in part of the identified significant view from Bryn y Saethau Hillfort but not in one of the specific views. In the significant view it will be partly screened by existing vegetation and whilst it will be obvious during the construction phase, once the grass has grown on the mounds surrounding the lagoon it will be much less conspicuous. As such whilst there may be a very slight visual change in the view from the monument this will not have any effect on the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of scheduled monument MG231.

Cadw - SAM

15th Mar 2021

A new location plan showing that the applicant owns land adjacent to the proposed development has been submitted. This new information does not alter our advice given on 24 February 2021.

Cadw

27th Sep 2021

Amended plans for this the proposed development has been submitted. This new information does not alter our advice given previously.

Community Council

18th Feb 2021

The council is extremely sympathetic toward the farmers application and understands why he would require a new slurry lagoon; however the council cannot support this application for the lagoon to be sited at the site proposed by the applicant. The council's reasons for objecting to the location are those expressed in the letters by the residents, in particular, the visual impact, access, mains water and electricity running through the field.

Community Council

26th Jun 2021

Thank you for the additional information concerning the slurry lagoon at Newbridge farm, the Community Council discussed this at length at its meeting of 15 June 2021 and made the

following comments:

The Council wishes to emphasise that it has every sympathy with the applicant and wishes to support farming and businesses; but even after reviewing the additional information the Council cannot support this application for the lagoon to be sited at this very prominent positioned site proposed by the applicant. The Council supports neighbours who have raised concerns and objections particularly the concerns they raise about flies and odour particularly when emptying the lagoon.

The Council also noted that it was claimed in the letter from the applicant's agent that the same amount of road journeys is being taken to spread slurry on the fields as there will be to transport slurry to the lagoon. The Council does not question this, but one has to remember that the weather conditions have to be suitable to spread directly on the fields, if you are taking it to the slurry lagoon, it could be a very wet and dark day with poor visibility, and in the information provided by the applicant's agent that the applicant has a tanker capable of carrying some 13 cubic metres of waste this is obviously very heavy and going up the bank to the proposed site possibly will not be travelling fast and with poor visibility this could be very dangerous for people trying to overtake.

The Council also note that the applicant will remove a considerable amount of hedge and this will make the site open for people to see as passing in this tourist area. It is very difficult to keep a site clean and tidy when it is working and busy.

The Community Council suggests that the applicant would look for an alternative site.

The Community Council respectfully asks that this application is dealt with by the planning committee where the applicant and objectors can put their case and the committee will have all the facts before them and they can judge the application on Planning and Environmental policies.

Community Council

4th Oct 2021

Firstly, can my council make it clear that it has every sympathy with the applicant as stated previously and still does have, but it is extremely disappointed that the applicant has not moved the site.

In the submission by the applicant's agent as far as highways safety goes, it completely misses the point. The journeys taking place now to spread the manure on the ground, the weather conditions have to be good, but the proposal as stated before, the weather can be poor and poor visibility. Accidents have happened on this road and one must bear in mind the applicants tractor will be travelling up the hill, heavily loaded and slow, if he has to stop for oncoming traffic which is travelling downhill (possibly at speed) this could be extremely

dangerous (an accident waiting to happen).

Members of my council have also noticed an increase in traffic using the road, particularly since the pandemic as we are having more holiday traffic which supports the local economy.

The applicant, my council respectfully suggests is admitting that this application has a detrimental effect on the area by now reducing the size of the lagoon.

The Unitary Authority has a duty of care to the residents of the area, particularly the concern of odour, increase of flies (due to the odour) and of slurry possibly being disposed on the highway. We would urge the Unitary Authority to work with the applicant to find a much more suitable site away from the public eye to satisfy the local need and tourism which this area depends on as the applicant himself would be aware of having his own tourist business.

Hafren Dyfrdwy

4th March 2021

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Hafren Dyfrdwy

28th Sep 2021

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied

PCC-Rights of Way Senior Manager

19th Feb 2021

Thank you for the opportunity to comment on this planning application.

The proposed development will directly affect footpath 232/20(A)/1, and if built as per the plans will involve having to divert the legal route of the path to the other side of the hedge line. Countryside Services therefore wishes to submit a holding objection and advises the applicant seeks advice and apply for a legal diversion from the Council. No development can take place on a public right of way until a legal order is confirmed and the process may take at least 6 months. For more information, please discuss with Countryside Services at the earliest available opportunity.

PCC Rights of Way Senior Manager

11th May 2022

That all sounds good to me – I'm not too concerned about fence spec as long as it isn't electrified or is made from barbed wire or similar. I would imagine that it should be some form of chain link fencing about 3m/10 feet in height given what it is protecting.

CPAT

15th Feb 2021

Thank you for consulting us on the above application at Newbridge Farm, Meifod to install an earth banked slurry lagoon and associated works.

I can confirm there are no archaeological impacts as a result of this proposal, however as the site lies between two Scheduled Ancient Monuments it would be worth consulting with Cadw via Neil Maylan cadwplanning@gov.wales just in case they have any setting issues in relation to the Scheduled Mathrafal Castle which is located 180m to the north-east and Bryn y Saethau Hillfort, 500m to the north-west.

Natural Resources Wales (Mid Wales)
DPAS

25th Feb 2021

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 09/02/2021.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met. Otherwise, we would object to this planning application.

Requirement 1: Submission of an atmospheric ammonia impact assessment

Protected Sites and Aerial Emissions

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). NRW assesses the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit.

Requirement 1: Submission of an atmospheric ammonia impact assessment

The application will need to show the risk of atmospheric ammonia concentrations and nitrogen deposition on nearby sites. This can be done using the free online tool - SCAIL (Simple Calculation of Ammonia Impact Limits) available at <http://www.scail.ceh.ac.uk/>

Therefore, we require the submission of a report from SCAIL or other air quality modelling package that includes:

the input data

background levels

process contributions (PC)

the predicted new environmental concentrations (PEC) of ammonia and nitrogen

For further advice on livestock units can be found in NRW's guidance documents: Guidance Note 21: Poultry Units: planning permission and environmental assessment and Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice to Developer

Agriculture

Please note we will require sample results from trial pits dug to determine suitability for the earth bank lagoon - permeability cannot exceed 10.9m/s, typically a clay content of 20% to 30% with sufficient material available to ensure an impermeable layer at least 1m thick or detail regarding a liner to be used. We have received calculations for the sizing of the lagoon and they are considered acceptable.

Facilities where slurry is generated must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater. 14 days' notice must be given to NRW before construction begins on a new

or improved slurry or silage store (this change applies from 28th April)

Please refer to the link below for further information:

<http://naturalresources.wales/guidance-and-advice/business-sectors/farming/good-farming-practice/?lang=en>

Natural Resources Wales (Mid Wales)
DPAS

9th Apr 2021

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 26/02/2021.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirements are met. Otherwise, we would object to this planning application.

Requirement 1 - Additional information to be included on the proposed plans, in order to assess the risk of pollution from the proposed development

Requirement 2 - Submission of screenshot version of the SCAIL report results

Requirement 3- Submission of a Pollution Prevention Plan

Environmental Management

Further information is required regarding the proposed earth banked slurry lagoon. It is unclear if the proposal will result in pollution to surface or groundwaters, because it is unclear from the submitted plans and documents if the design is compliant with the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

Requirement 1 - Additional information to be included on the proposed plans, in order to assess the risk of pollution from the proposed development

The following information is required for us to provide advice on the proposal:

1. Full calculations of the likely quantities of slurry which will be produced, so to assess the proposed of the lagoon (slurry and rainfall), so to confirm the compliance with the regulations above.

2. Confirmation of the depth of the lagoon. The plan (titled 'Layout Plan', drawn by Gary Owen dated January 2021, labelled 'Amended Plan' on your Authority's website, uploaded on 15 Mar 2021) includes a figure of 7.5 mtrs, but it is unclear whether this refers to the

depth of the proposed lagoon.

3. We will require the results of soil sampling assessments from trial pits, to determine the suitability of an earth bank lagoon at this location.

Protected Sites and Aerial Emissions

Agricultural developments have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). We assess the air quality impact a proposal may have on European protected sites and Sites of Special Scientific Interest (SSSIs) and European sites within a screening distance of determined by the size of the slurry lagoon.

Requirement 2 - Submission of screenshot version of the SCAIL report results

Your Authority's website includes a spreadsheet document (uploaded on 15 Mar 2021 titled 'SCAIL MODELLING' which includes figures from a SCAIL report.

To review a SCAIL report we require the submission of screenshots of the input data and results pages of the SCAIL system to be provided in PDF format. We will provide further comments when this information is received.

Pollution Prevention Plan - Construction and Management

We advise a pollution prevention plan must be submitted with the planning application to detail the pollution prevention measures which will be taken during the construction and operational phases of the proposal.

Requirement 3 - Submission of a Pollution Prevention Plan

Appropriate pollution prevention measures must be in place, to ensure that the water environment (both surface and groundwater) are not polluted during excavation, construction and landscaping. When working near watercourses, work must be carried out in a manner so as not to cause pollution to controlled waters.

Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to the guidance provided by the following link: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list>

The Pollution Prevention Plan should include NRW's incident response telephone number. Should any contaminated water or materials enter or pollute the watercourse or groundwater, Natural Resources Wales must be notified on 03000 65 3000.

Manure Management

If the proposal is to accommodate an increase in stock numbers at the farm, the Applicants must submit a Manure Management Plan with their application. The plan must include the information outlined below:

All manures and wash water must be collected and stored in accordance with The Water Resources (Control of Pollution) (Control of Agricultural Pollution) (Wales) Regulations 2021 and should spread according to the Welsh Government's Code of Good Agricultural Practice (CoGAP).

Manure spreading can be a major contributor of excess nutrients to land and water where it is not appropriately applied. CoGAP recommends organic manure applications should be driven by crop requirement, with the limiting element being phosphate and not nitrogen. Therefore, we seek to advise that a Nutrient Management Plan would be useful to the Applicant in preventing pollution to watercourses from nutrient enrichment.

Routine soil sampling that includes the need for pH, nitrogen, phosphate, potassium as well other nutrients such as magnesium should be sought. The outcomes of the soil sampling and regular monitoring should be used to inform how manure and fertiliser application rates should be adjusted as required to meet the requirement of the crop.

NRW provide standing guidance which includes Guidance Note GN021 Poultry Units: planning permission and environmental assessment. This guidance, although initially for poultry, provides advice on preparing Manure Management Plans MMP and Nutrient Management Plans NMP, as well as providing further links to guidance. This includes making use of the Fertiliser Manual (RB209) and the Tried & Tested Nutrient Management Plan - Created by the industry for the industry documents. Using the approaches set out in these documents is likely to lead to the application of organic manures and any fertilisers being balanced against the existing nutrient availability and will be done for agricultural benefit.

Protected Species

No protected species survey has been provided to NRW with the consultation. We therefore assume your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present. Should an ecological report be available which shows evidence of protected species using the proposal location, we would wish to be re-consulted.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is

published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details. Advice to the Developer

NRW must be informed 14 days before construction begins on a new or improved slurry or silage store. This change applies from 28th April 2021.

Natural Resources Wales (Mid Wales) DPAS

30th Jun 2021

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 10/06/2021.

Further to our previous letter referenced CAS-139346-J1G1 dated 09/04/2021, we have the following advice to provide.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding aerial emissions. If this information is not provided, we would object to this planning application. Further details are provided below.

Requirement 1 - Further information is submitted to demonstrate that the likely impact of the development on the SSSI can be managed by the implementation of appropriate mitigation/compensation.

Protected Sites and Aerial Emissions

We have significant concerns that insufficient information has been submitted to demonstrate how likely damage to the eight protected sites within 5km will be avoided.

- o Coed Ty Mawr SSSI
- o Cors Cefn Llwyd SSSI
- o Ffridd Mathrafal Track Section SSSI
- o Gweunydd Ceunant SSSI
- o Cors Ty Gwyn SSSI
- o Gwaun Efail Wig SSSI

- o Gweunydd Ger Fronhaul SSSI

- o Pen-Dugwm Woods SSSI

Planning permission should only be granted if information is provided which demonstrates that the proposed development will not unacceptably damage the features by reason of which the SSSI is of special interest.

Paragraph 6.4.14 of Planning Policy Wales states that proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated.

A SCAIL assessment has been provided on your Authority's website, uploaded on 11 June 2021. The screenshots are incomplete, as details are missing from the input page. The results pages for the protected sites have not been presented.

The first paragraph of the last page of the letter by CGW Owen dated 4th June 2021 to your Authority confirms the ambition to increase stock numbers at the farm from 200 to 250 cows.

We advise the SCAIL report must consider the existing and proposed scenarios (i.e. by setting a baseline of 200 cows and then the future emissions from 250 cows) for comparison, and screenshots of the input data and results pages being made available.

Should the output demonstrate that any of the SSSIs have the potential to be affected by the development (i.e. the process contribution is equal to or greater than 1% of the Critical Level when combined to the background emission level) then we would advise further details to reduce emission are likely to be required. Either mitigation measures need to be considered and appropriately selected to reduce ammonia emission affecting the SSSI(s); and/or, detailed modelling will need to be completed to define the process contribution to a finer scale (to demonstrate no significant impact) or determine the appropriate mitigation measures to be implemented to make the development acceptable. Further information can be found via our website - Natural Resources Wales / Ammonia assessments for developments that require a permit or planning permission

In the absence of this information, we cannot rule out adverse impacts on the special interest features of the SSSI from the scheme.

We therefore recommend that planning permission should only be granted if information is provided which demonstrates that the proposed development will not damage features for which the SSSI is of special interest.

Should you be minded to grant permission for the above planning application in the absence of this information, we ask that you notify us under the provisions contained in Section 28I of

the Wildlife and Countryside Act 1981 (as amended).

Environment Management

We have reviewed the additional information provided in the letter referenced above and the soil sampling test by Celtest, test report ref. TR 784980 dated 10 March 2021. The information provided above confirms the soil to be suitable for an earth banked slurry lagoon at this location, and that it will be built to comply with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

The letter referenced above refers to pollution prevention measures. These must be adhered to during the construction works.

We would advise the plans referenced above must be implemented by means of a condition on any consent granted.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice for the Developer

Notifying Natural Resources Wales

A minimum of 14 days' notice must be given to Natural Resources Wales in writing before construction of a new, substantially enlarged or reconstructed store containing slurry or silage begins.

Natural Resources Wales (Mid Wales)
DPAS

18th Jan 2022

We have considered the query from the Agent, asking if we would insist on a complete SCAIL assessment if the cattle numbers on the farm remain as existing. Currently, we understand this proposal to be to accommodate an increase in stock from 200 to 250.

Before being able to advise definitively, we need to understand whether there is currently

a slurry lagoon on site. From the submitted plans, the proposed location of the slurry lagoon is at a distance from the main farm complex. As such, we are likely to insist on the submission of the full SCAIL report.

Our previous letter requested a complete SCAIL report. This is a relatively undemanding request, considering it appears the SCAIL assessment has already been run once to provide the section of the assessment which has already been provided.

We would also like to know, is this proposal solely for an earth banked slurry lagoon, as suggested by the application title? The submitted plans also show a silage clamp. We would be grateful for clarification on whether we are to consider both the slurry lagoon and the silage clamp.

The proposed location for the slurry lagoon appears to be at a distance from Newbridge Farm. Detail needs to be included on how it is proposed to transport slurry to this lagoon.

The plan titled 'Proposed Slurry Lagoon' dated August 2021, uploaded to your Authority's website on 17/09/2021 states the lagoon is for 180 cows. We understand the proposal is either for 200 or 250 cattle.

We'd be grateful for clarification on these points above. Please re-consult with NRW when this information has been provided.

Natural Resources Wales (Mid Wales) DPAS

21st Feb 2022

We continue to have significant concerns that insufficient information has been submitted to demonstrate how likely damage to the multiple Sites of Scientific Interest (SSSI) will be avoided. Planning permission should only be granted if information is provided which demonstrates that the proposed development will not unacceptably damage the features by reason of which the SSSI is of special interest.

Paragraph 6.4.14 of Planning Policy Wales states that proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated.

We consider that the proposed development is likely to damage the features by reason of which the SSSIs identified submitted SCAIL report are of special interest. Note that the SCAIL screenshots identify eight SSSIs within 5km of the development but only one, the Coed Ty-Mawr SSSI, has had a full SCAIL assessment completed.

Therefore, the applicant has not provided sufficient information to demonstrate how the proposed development will avoid damaging the special interest features of the SSSIs.

Slurry lagoons have the potential to impact protected sites through aerial emissions. Ammonia deposition at the SSSIs identified in the SCAIL screenshots can be significantly affected by inappropriate development by increasing the nutrient levels beyond which the sensitive species can withstand and thereby degrading the SSSI features.

We acknowledge that the predicted process contribution to the Coed Ty-Mawr SSSI is less than 1% of the Critical Level and the background levels are also below the Critical Level. Based on the information submitted we have no further concerns regarding the Coed Ty-Mawr SSSI. However, there is no assessment of the other seven SSSIs identified in the SCAIL screenshots.

Therefore, we advise your Authority to seek a full and complete assessment is completed for all SSSIs within 5km of the development. Individual screenshots of each SSSI from SCAIL is likely to be acceptable. The Applicant should be reminded that they need to confirm the appropriate Critical Level for each site. This can be done by following our standing advice - Natural Resources Wales / Ammonia assessments: initial screening and evidence gathering (GN 020). Interpretation of the SCAIL results should follow our standing advice - Natural Resources Wales / How to interpret the results from your screening or modelling exercise for Ammonia Emissions (GN 020) - and the appropriate next step taken, whether it be finalising the assessment or undertaking more detailed assessment to inform necessary mitigation measures. Note that it may be necessary to engage a suitably qualified and experienced ecologist and/or air quality consultant to support the development proposal.

In the absence of this information, we cannot rule out adverse impacts on the special interest features of the SSSI from the scheme.

We therefore recommend that planning permission should only be granted if information is provided which demonstrates that the proposed development will not damage features for which the SSSI is of special interest.

Should you be minded to grant permission for the above planning application in the absence of this information, we ask that you notify us under the provisions contained in Section 28I of the Wildlife and Countryside Act 1981 (as amended).

Natural Resources Wales (Mid Wales)
DPAS

10th Mar 2022

Thank you for re-consulting NRW. There does not seem to be any further information available on your Authority's website further from our previous correspondence. As such, we advise our advice email dated 21/02/2022 remains valid. Please re-consult NRW when the requested information has been submitted.

Natural Resources Wales (Mid Wales)
DPAS

31st Mar 2022

Further to our previous letter referenced CAS-139346-J1G1 dated 30/06/2021, we have the following advice to provide.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding aerial emissions. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites and Aerial Emissions

We have concerns that insufficient information has been submitted to demonstrate how likely damage to the Sites of Special Scientific Interest (SSSIs) listed below, will be avoided.

Planning permission should only be granted if information is provided which demonstrates that the proposed development would not unacceptably damage the features by reason of which the SSSI is of special interest.

Paragraph 6.4.14 of Planning Policy Wales states that proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated.

Currently, we advise insufficient information has been provided to demonstrate how the proposed development will avoid damaging the special interest features of the SSSI. We have reviewed the SCAIL screenshots which have been presented on your Authority's website, uploaded on 14/03/2022, regarding this proposal. The SCAIL report has considered the air quality impact the proposal would have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the proposal.

The first paragraph of the last page of the letter by CGW Owen dated 4th June 2021 to

your Authority confirms the ambition to increase stock numbers at the farm from 200 to 250 cows.

As such, a SCAIL assessment has been provided, and the results are summarised below.

Cors Cefn Llwyd SSSI (1.3km)

The background ammonia level is 2.02µg/m³. The ammonia critical level is 3µg/m³. The ammonia process contribution from the development to the SSSI is 0.13µg/m³, which is 4% of the critical level.

Gweunydd Ceunant SSSI (1.8km)

The background ammonia level is 2.32µg/m³. The ammonia critical level is 3µg/m³. The ammonia process contribution from the development to the SSSI is 0.07µg/m³, which is 2% of the critical level.

Cors Ty Gwyn SSSI (2.3km)

The background ammonia level is 2.32µg/m³. The ammonia critical level is 1µg/m³. The ammonia process contribution from the development to the SSSI is 0.04µg/m³, which is 5% of the critical level.

Gwaun Efail Wig SSSI (3.2km)

The background ammonia level is 1.5µg/m³. The ammonia critical level is 3µg/m³. The ammonia process contribution from the development to the SSSI is 0.03µg/m³, which is 1% of the critical level.

Gweunydd Ger Fronhaul SSSI (3.5km)

The background ammonia level is 1.6µg/m³. The ammonia critical level is 3µg/m³. The ammonia process contribution from the development to the SSSI is 0.02µg/m³ which is 1% of the critical level.

Pendugwm Woods SSSI (3.6km)

The background ammonia level is 2.32µg/m³. The ammonia critical level is 1µg/m³. The ammonia process contribution from the development to the SSSI is 0.02µg/m³ which is 2% of the critical level.

The predicted process contribution for the above SSSIs exceed the threshold for which we consider a significant effect to the SSSI could occur. No assessment of the effects on the SSSIs has been submitted or has been made available to us to advise whether the additional ammonia being deposited will be significant or not.

Planning Policy Wales provides multiple references to considering polluting development and we would advise your Authority of its contents, particularly Section 5.6.9, 6.4.17 and 6.7.16, which confirm in relation to livestock units' cumulative impacts resulting from similar developments in the same area should be considered and there is a presumption against development where a polluting development is likely to harm the feature(s) of a SSSI.

Therefore, we advise a detailed modelling assessment and ecological impact assessment focussing on the significance of aerial emissions effects is completed which considers the cumulative effects to the SSSIs to inform your Authority's decision making process.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Natural Resources Wales (Mid Wales)
DPAS

22nd Apr 2022

Further to our previous letter referenced CAS-184789-MON6 dated 31/03/2022, we have the following advice to provide.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

- o Plan titled 'Layout Plan' by Gary Owen dated August 2021
- o Plan titled 'Proposed Lagoon' by Gary Owen dated August 2021

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Pollution Prevention - Slurry storage

We have reviewed the following plans:

- o Plan titled 'Layout Plan' by Gary Owen dated August 2021

o Plan titled 'Proposed Lagoon' by Gary Owen dated August 2021

o Letter titled "Planning Application re Installation of earth banked slurry lagoon and associated works. Your Ref 20/2130/FUL" dated 25th August 2021 by CGW Owen to your Authority

The letter includes calculations of the capacity of the proposed lagoon, based on 180 cows.

The letter confirms the size of the lagoon is to accommodate the need of the existing herd size. The lagoon is designed to accommodate 5 months slurry and calculations supplied appear to be correct. The design of the proposed lagoon is the same as originally intended, but now the size has been reduced to accommodate the existing stock numbers.

The proposed lagoon must meet the requirements for slurry storage within The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 which come into force on the 1 August 2024. Further guidance is available in The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 Guidance for Farmers and Land Managers (gov.wales). In reviewing the submitted plans, it appears compliance with these regulations can be achieved.

Notifying Natural Resources Wales

A minimum of 14 days' notice must be given to Natural Resources Wales in writing before construction of a new, substantially enlarged or reconstructed store containing slurry or silage begins.

Aerial Emissions and Protected Sites

The letter referenced above from the Agent states:

"To this effect we intend to reduce the size of the lagoon (so it meets current herd needs number alone)." The Agent confirmed that the proposed lagoon plans have been reduced from the original submissions, to account only for the current stock numbers at the farm.

Based on the understanding that there will not be an increase in stock numbers at this farm as a result of this proposal, we would not require an assessment of ammonia emissions from the development. As such, we would not have concerns for this proposal and potential impacts on protected sites.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and

do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

PCC Contaminated Land Officer

18th May 2022

There are no recorded contamination issues associated with the subject site.

Representations

Following display of a site notice on 18th February 2021, thirteen public representations have been received in objection and are summarised as follows:

- Close to adjoining properties
- Increase of pollution
- Health and safety implications including release of harmful gases to health of humans and animals, unsupervised site and vehicles crashing off road into the development
- Affect local ecology e.g. impact on watercourses from gases, Great Crested Newts and water voles in local watercourses
- General dislike of proposal
- Out of keeping with character of area
- Potentially contaminated land
- Queries location of proposed development detached from the farmyard and whether there are other locations that would be more suitable elsewhere on the farm
- Concerns over amenity; in particular noise, odour and flies and rodents
- Visual impact
- Highway safety concerns over mud on road, in particular in winter when it will freeze
- Depreciation in value of neighbouring properties
- Safety – people and wildlife may fall in and drown
- Is there a contingency for overflow should flooding occur due to heavy rainfall?
- Proximity to a public right of way
- Who will monitor the good management of the lagoon?
- There should be further public consultation before any decision is made
- The existing access is unsuitable for the proposed development
- There are mains water and electricity supplies running through/over the land
- Proposed hedgerow would take years to establish and provide biodiversity benefits
- Proposed wildflower planting is likely to be unsuccessfully implemented and

- managed long term
- Greenfield site
 - Affect local ecology
 - Overbearing impact upon view from property
 - Outlook from property will be compromised
 - Impact upon Powys tourism e.g. visible to users of public highway and visitors to Mathrafal woods from the footpath and vantage spot and the development might adversely affect the suitability of nearby fields for hosting the National Eisteddfod which proved very successful for the area in 2003 and 2015
 - Precedent of allowing other development detached from farmyard.
 - Conflict with local plan
 - Not enough info given on application
 - Close to areas of archaeological interest
 - The transport of material to the site will reduce the amenity of public highways to others with highway outside main farmyard being covered in mud
 - Increased traffic using access and along highway
 - Highway has been subject to accidents
 - Traffic Speed Survey results undertaken on behalf of applicant may be incorrect as believed to be undertaken whilst speed restrictions were in place due to roadworks being carried out
 - Hedgerow has been 'netted'

In addition, CPRW Montgomeryshire have commented as summarised below:

- Raise awareness of proximity of public right of way
- Concerns regarding the distance from the farm. The development is in open countryside several kms from the farm and in a prominent position in an unspoilt landscape. As it is not clustered with other farm buildings it will appear an anachronistic intrusion (at odds with the Powys Landscape SPG). The distance is also likely to increase the road miles travelled carrying slurry.
- Concerned at the significant removal of hedgerows and possible deleterious impacts on biodiversity, particularly should there be a leakage into ground water / aquifers. This is contrary to the emerging Powys NRAP (Nature Recovery Action Plan). In particular we note the proximity to a number of SSSIs and the damage that may be caused to such sites by long term water pollution. There would need to be close monitoring of the site to ensure that it was operated in compliance with CoGAP.
- CPRW Montgomeryshire is supportive of the farming community but also aware that Wales has been declared a Nitrogen Vulnerable Zone (NVZ) and also that there is both a biodiversity crisis and an increasing loss of our precious landscapes. A slurry lagoon requires very careful management and monitoring for which it should be near to the farm complex. Where lagoons are well managed they can operate in trouble free manner but this proposal is not in the right place.

In addition, Powys Ramblers have commented as summarised below:

- We wish to strongly support the comments and holding objection made by Countryside Services. The proposals as planned will have an adverse impact on the right of way at the site.

Planning History

App Ref	Description	Decision	Date
At application site:			
8123	Water pipe		
At main farmstead:			
20/1422/FUL	Erection of a general purpose agricultural building	Approve	12th Nov 2020
21/0143/FUL	Installation of a silage effluent tank	Approve	19th Aug 2021
MAGR/2003/0091	Erection of an agricultural livestock building		22nd Sep 2003
P/2011/1325	Erection of a two storey extension, erection of a sun room and alterations	Consent	16th Jan 2012

Principal Planning Constraints

Right of Way	232/20(A)/1
Within a distance of 1km	Bryn y Saethau Hillfort
Within a distance of 1km	Mathrafal Castle

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - National Plan 2040	The	National Policy

PPW	Planning Policy Wales (Edition 11, February 2021)	National Policy
TAN5	Nature Conservation and Planning	National Policy
TAN6	Planning for Sustainable Rural Community	National Policy
TAN12	Design	National Policy
TAN18	Transport	National Policy
TAN11	Noise	National Policy
TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP6	Distribution of Growth	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM12	Development in Welsh Speaking Strongholds	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
DM15	Waste Within Developments	Local Development Plan 2011-2026

T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
SPGARC	Archaeology SPG (2021)	Local Development Plan 2011-2026
SPGHE	Historic Environment SPG (2021)	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

Officer Appraisal

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

This application has been considered 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.

Public representations have raised concern over the effect of the development upon property values. Paragraph 9.4.2 of Welsh Government's Development Management Manual (Revision 2 – May 2017) states that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

Paragraph 9.4.3 further states that material considerations must also be fairly and

reasonably related to the development concerned. The Courts are the final arbiters of what may be regarded as material considerations in relation to any particular application, but they include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The effects of a development on, for example, health, public safety and crime can also be material considerations, as, in principle, can public concerns in relation to such effects.

Given that the value of property is not relevant to the regulation of the development and use of land in the public interest, the issue is not considered to be a material planning consideration and will not be considered further.

Public representations have referred to the development setting a precedent for other development to follow. Each application for planning permission is required to be determined on its own merits and as such if future development were proposed at or near the site, the development would be considered in accordance with the relevant local and national planning policy and other material planning considerations.

Public consultation

Public representations raise concerns over insufficient public consultation being carried out. A site notice was displayed at the access to the site and in addition, members of the public who submitted comments have been provided with the opportunity to submit further comments following the receipt of additional and/or revised information. This publication accords with the requirements of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Site location and description

The application site is located on the north-western side of the B4389 highway, approximately 3.5km south-west of Meifod. The site forms part of a larger improved grassland field and is bound on the south-eastern, north-eastern and south-western sides by hedgerows. The land descends from the B4389 highway to the north-west.

The application seeks consent for the installation of an earth banked slurry lagoon and associated works, including alterations to the existing means of vehicular access off the B4389 highway. During the processing of the application, revised plans and information has been received in relation to reducing the size of the lagoon and amendment to orientation. The revised lagoon measures approximately 27m by 23m and 4.6m deep. The lagoon will be partly excavated into the ground, but will require concrete walls above ground and these will be concealed by grassed mounds. Due to the sloping nature of the site, the grassed mounds will vary in height above the current land levels with the highest mound measuring at approximately 6m.

Principle of development

Planning Policy Wales as well as Technical Advice Notes 6 and 23 accept the principle of appropriate agricultural development within the open countryside. Local Development Plan (LDP) Policy SP6 regarding the distribution of growth recognises that agricultural development will occur in the open countryside and details that such proposals will be assessed against national policy and all other relevant policies of the plan. Therefore, subject to all other material planning matters being acceptable, the principle of the development is considered to be acceptable in accordance with the planning policy framework referred to above.

Need

The submission indicates that Natural Resources Wales (NRW) have visited the farm and prepared a report in which the need for additional slurry storage was highlighted. The submission indicates that, currently, slurry storage capacity, constructed pre-1991, is insufficient for existing slurry volumes generated at the unit to cover the winter housing period. There is sufficient land available to fully utilise the nutrients available from the slurry and so providing additional storage means that the nutrients can be utilised at the optimum time meaning the enterprise is more resilient to fertiliser price changes.

The present system of management will continue; slurries, “dirty” yard water and dairy/parlour washings will be collected in existing facilities at the main farmstead, Newbridge Farm. These will then be transferred to the proposed lagoon via tanker using the highway network. According to the submission, the required capacity of the lagoon has been calculated to be sufficient to contain 5 months slurry production as required by Welsh Government for new stores in areas designated Nitrate Vulnerable Zone.

It is understood that The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 require all slurry stores to comply with the relevant requirements by the 1 August 2024 and as such the need behind the development is compliance with Regulatory standards. The submission explains that there are also other benefits to having additional storage including greater flexibility to the business in timing of operations, reducing risk to the water environment and a greater use of nutrients generated on farm reducing the need to import artificial nutrients.

Paragraph 5.6.8 of Planning Policy Wales suggests that planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. Paragraph 6.6.4 of TAN6 further states that regulations set minimum standards for new, substantially reconstructed or enlarged silage, slurry or fuel oil facilities. The Environment Agency (responsibilities now lie with Natural Resources Wales) is empowered to serve notice requiring action to improve existing installations when it considers that there is a significant risk of pollution. These Regulations form an important part of the Welsh Government’s commitment to reduce agricultural pollution of rivers. Planning authorities are therefore encouraged to consider sympathetically development proposals aimed at meeting the requirements of these Regulations.

Justification for location

Public representations have queried why the development is proposed in a location detached from the farmyard and other buildings or on other land which forms part of the farm holding. The submission states that the Vyrnwy valley is subject to flooding and the lagoon must be positioned on land outside of the valley floor; outside of the flood zone where the land is more likely to be frequently waterlogged. In addition, the submission describes other constraints to siting the development at other locations including proximity to residential properties, topography, trees, access, proximity to watercourses and public rights of way. The development is proposed on a block of land where it is stated that regular applications of slurry take place through the year currently.

Landscape and visual impact

Public representations and the Community Council have raised concern over the impact of the development upon the unspoilt Powys landscape and it being in a prominent, detached location from the main farmstead and its associated buildings etc.

Criterion 1 of LDP Policy DM13 requires that all developments are designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing. LDP Policy SP7 states that to safeguard strategic resources and assets in the County, development proposals must not have an unacceptable adverse impact on the resource or asset and its operation. LDP Policy DM4 requires that development outside the Towns, Large Villages, Small Villages and Rural Settlements defined in the Settlement Hierarchy must not, individually or cumulatively, have an unacceptable adverse effect, on the valued characteristics and qualities of the Powys landscape. Further guidance on landscape impact is provided by the Landscape SPG.

LANDMAP has evaluated the landscape as follows:

Visual and Sensory - moderate
Geological Landscape – moderate
Landscape Habitats – high
Historic Landscape – high

The Visual and Sensory Aspect Area (MNTGMVS714 Vyrnwy Rolling Lowlands) is summarised as follows:

‘Rolling lower transitional side slopes of the broad River Vyrnwy valley bottom. Predominantly arable and dairy farming with a regular medium sized field pattern. Managed hedgerow and fencelines predominate with wide open views over the valley floor and relatively open skies dominant. Settled and domestic in character with sporadic clustered developments’

Within the justification of the Visual and Sensory evaluation, it is stated that the aspect area is rolling lowland farmland with a distinct landscape character that would benefit from further enhancement and strengthening from supplementary tree and hedgerow planting.

The application site and immediate surroundings are characteristic of the description of the aspect area with the site located on a hillside overlooking the Vyrnwy Valley. The application site is visible in close proximity from the B4389 highway which travels immediately to the south-east of the application site and public right of way 232/20(A)/1 which travels along the south-western boundary. In addition, it is possible that the site is visible from the A495 highway which travels along the valley floor to the north-east, north and north-west of the application site with the closest point of the highway being approximately 230m. In addition, there are residential properties in the locality, the closest being approximately 230m distant, a number of other public rights of way, the closest being approximately 100m distant and other vantage points including Mathrafal Woods and Bryn y Saethau Hillfort which are located over 450m.

The site is considered to be located in a relatively tranquil landscape, located on the hillside of a river valley, however as noted within the summary of the Visual and Sensory Aspect Area of LANDMAP, agriculture is evident in the area. As such the development is not considered to be out of character in that respect. The development would be an isolated form of development, being detached from the main farmstead and not grouped with any other agricultural or other development. In addition, the development would be sited on land which descends from the south-east to the north-west and as such the north-western earth mound will be required to be higher. However, the development would not be located on the skyline with the land further rising to the south-east beyond the site and highway. It would be low profile and the concrete walls would be obscured by the earth embankments. Therefore, from public vantage points, grassed mounds with a fence around the perimeter would be seen and whilst the site would be visible from the valley floor to the north-west, as aforementioned, it would not be on the skyline and it is not considered that it would interrupt open views of the valley floor or open skies.

In order to achieve the access improvements, it will be necessary to remove approximately 150 metres of roadside hedgerow. It is proposed to replant the hedgerow behind the visibility splays and to ensure that such planting occurs, it is recommended that a condition is attached to any consent granted to require the submission, approval and implementation of a Hedgerow Replacement and Aftercare Scheme. It is also considered that the site would benefit from additional hedgerow planting along the north-western boundary which would assist in mitigating the impact and it is recommended that a condition to require additional hedgerow planting should be attached to any consent granted.

It is also proposed to fence off the adjacent public right of way which requires the erection of new fencing and it is recommended that a condition is attached to secure details of the proposed fencing to ensure its design and height are appropriate to the location. In consideration of the development, it is not considered that the siting, scale and design will significantly detract from the characteristics and qualities of the landscape identified by

the LANDMAP system and additional planting would also assist in mitigating any impact.

Users of the public right of way and other recreational assets in the locality will be able to see the development, however in terms of the right of way immediately adjacent to the site, this would be for an approximate distance of 50 metres when users would be walking alongside the development. Otherwise the other identified recreational assets are located at greater distances where the landscape and visual impact is reduced.

It is noted that the Historic Landscape layer has an overall 'high' value and the justification for this is due to the aspect area being an extensive area of irregular fields and some sinuous woodland occupying archetypal rolling Montgomeryshire hill land. Dominated by medieval and later agriculture with numerous farms and houses, a number of medieval (or possibly earlier) settlements with churches, but also a number of Bronze Age barrows and standing stones and Iron Age hillforts and enclosures. Further consideration will be given to the impact of the development on Scheduled Ancient Monuments and their settings later in the report, however, it is not considered that the development would unacceptably affect the noted qualities that give the aspect area its overall evaluation.

It is also noted that the Landscape Habitats layer has an overall 'high' value and the justification for this is due to the small fields of permanent pasture some of which contain wetter areas with more native grass species have species rich hedges. Small blocks of woodland and mature trees are scattered throughout the area as well as some larger woodland blocks. A number of small streams run through the area which supports a number of small but significant Sites of Special Scientific Interest and roadside nature reserves which carry a very diverse range of grassland species. The biodiversity is greatly enhanced by this range of unimproved grasslands, Carr woodlands and valley mires. These habitats support a significant range of species and all together this area has a National importance and therefore a High value. The ecological and biodiversity impact of the development will be discussed later in the report, however given that the site is located on land which is improved grassland and the scale of the development, it is not considered that the development would unacceptably affect the landscape habitat qualities noted by LANDMAP.

Overall, whilst the contents of the public representations are noted and the proposal would be a new, isolated agricultural development, given the siting, scale and design of the development as well as the distances to public vantage points and recreational assets and in consideration of the LANDMAP information, subject to the use of the recommended conditions, the landscape and visual impact is considered acceptable. It is therefore, concluded that the proposal would not have an unacceptable adverse impact upon the valued characteristics and qualities of the landscape or the public rights of way or other public vantage points as recreational assets in accordance with LDP Policies SP7, DM13 and DM4.

Amenity

Public representations and the Community Council have raised concerns over the impact

of the development on the amenities enjoyed by the occupants of neighbouring properties, particularly in respect of odour, noise, flies, pests and harmful gases being released. The application site is located within 250 metres of a number of residential dwellings.

TAN 6 states that when considering applications for livestock and slurry units, Local Planning Authorities should exercise particular care to avoid potential future conflict between neighbouring land uses and it is important also for planning authorities to keep incompatible development away from other polluting or potentially polluting uses. Criterion 11 of LDP Policy DM13 requires that the amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter. Criterion 1 of LDP Policy DM14 states that Development proposals will only be permitted where any resultant air pollution does not cause or lead to an unacceptable risk of harm to human health. Proposals will need to demonstrate that measures can be taken to overcome any significant adverse risk, with particular attention being paid to the National Air Quality Strategy objectives and any Air Quality Management Areas.

Given the distance to neighbouring residential properties and nature of the development, there are no concerns regarding overlooking or overshadowing, however consideration of the impact of the development on matters such as noise, odour, air quality and pests is required.

The Council's Environmental Protection department have advised that based on the information submitted in respect of use and management of the development, which is summarised below, there are no requirements subject to the lagoon construction and slurry storage complying with the requirements of Natural Resources Wales and current legislation and regulation e.g. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations.

Information referred to in Environmental Protection response:

'Slurry generated when the cows are housed (mid to late October through to April) will be collected in existing facilities and brought by tanker to the proposed lagoon. It will be stored in the lagoon until it can be used optimally for crop needs – when the nutrients will be best taken by the growing crop. It will not be agitated during storage.

The lagoon is designed to meet standards with the involvement of NRW and Welsh Government. Newbridge is a dairy farm (no poultry muck or pig slurry is proposed for storage). The site chosen is on a block of grass conservation ground (all improved) where slurry is routinely applied'.

In terms of noise, it is accepted that there would be noise associated with transporting slurry to the site and depositing slurry in the lagoon as well as during the construction phase. Given existing usage of the public highway, the amount of traffic generated and

the distance from the closest receptors, it is not considered likely that there would be any significant additional noise from traffic relating to the development. It is accepted that the depositing of slurry into the lagoon may cause additional noise as well as the construction of the development, however such noise is likely to be over a short time period and it is also acknowledged that agricultural operations such as slurry application can legitimately take place on the land currently which have the ability to generate noise. It is not considered that the proposed development would generate unacceptable additional levels of noise to that that can currently take place on site.

In terms of odour, Environmental Protection have not requested any additional information such as an odour assessment. The submission indicates that the slurry would not be agitated during storage which is considered to assist in mitigating any odour impacts.

In terms of flies and pests, Environmental Protection have not requested any additional information.

In terms of air quality, LDP Policy DM14 is intended to ensure that proposed developments will not intensify existing problems, cause new problems or result in people being exposed to unacceptable levels of air pollution. The UK Air Quality Strategy (2007) sets out the standards (concentrations of pollutants in the atmosphere which can broadly be taken to achieve a certain level of environmental quality) and objectives (policy targets not to be exceeded). It is noted that emissions from agricultural units can result in local hotspots of high ammonia concentrations and nitrogen deposition around installations which is occurring against a background of high nitrogen deposition across Powys, however this matter will be assessed in the report below in respect of the impact upon the environment, in particular protected sites.

The site is not located within an Air Quality Management Area and Environmental Protection have not raised any concerns in respect of the development leading to unacceptable levels of air pollution or exceeding the standards set out within the UK Air Quality Strategy and as such it is concluded that the development would lead to an unacceptable risk of harm to human health in terms of air pollution.

Whilst the contents of the public representations are appreciated, on the basis of Environmental Protection's advice, it is concluded that the development would not unacceptably affect the amenities enjoyed by the occupants or users of nearby or proposed properties in accordance with Criterion 11 of LDP Policy DM13 and any resultant air pollution would not cause or lead to an unacceptable risk of harm to human health in accordance with LDP Policy DM14.

Biodiversity, ecology and the environment

Public representations have raised concerns over ecological impacts of the development including concerns over gases causing pollution problems to nearby watercourses, ground water pollution, the likely success of proposed hedgerow and wildflower planting,

that there are great crested newts and water voles in the locality and that the roadside hedgerow has been netted to prevent birds from nesting.

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species. In respect of air quality, Criterion 2 of LDP Policy DM14 requires that development proposals will need to demonstrate that measures can be taken to overcome any significant adverse risk, with particular attention being paid to the critical levels for the protection of habitats and species within a European site or Site of Special Scientific Interest in accordance with Policy DM2.

The development would be located on improved agricultural grassland which is of relatively low ecological value.

Protected sites

Slurry lagoons have the potential to impact protected sites through aerial emissions. NRW assesses the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit. The following sites are within 5km of the proposed development:

- Coed Ty Mawr SSSI
- Cors Cefn Llwyd SSSI
- Ffridd Mathrafal Track Section SSSI
- Gweunydd Ceunant SSSI
- Cors Ty Gwyn SSSI
- Gwaun Efail Wig SSSI
- Gweunydd Ger Fronhaul SSSI
- Pen-Dugwm Woods SSSI

Initially NRW requested an assessment of ammonia emissions from the development to enable the impact of the development upon the identified SSSIs to be considered. During the processing of the application it has been clarified that the applicant no longer intends to increase the amount of manure/slurry relative to the current situation and the lagoon is to accommodate the need of the existing herd size of 180 cows. There will be no overall increase in the release of aerial emissions as a result of the development.

The lagoon is designed to accommodate 5 months slurry and calculations have been supplied. NRW have advised that compliance with the requirements for slurry storage within The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 which come into force on the 1 August 2024 can be achieved. NRW have confirmed that based on the understanding that there will not be an increase in stock numbers at this farm as a result of this proposal, they do not require an assessment of ammonia

emissions from the development. As such, NRW does not have concerns for this proposal and potential impacts on protected sites.

The Planning Authority is not aware of significant ecological issues relating to lagoon gases on adjacent habitats including watercourses. The Health and Safety Executive guidance refers to the risk to humans and animals occupying an enclosed space in the immediate vicinity of a lagoon, particularly when slurry is stirred or disturbed.

On the basis of the advice received from NRW and the Council's Ecologist, it is considered that the development would not unacceptably adversely affect protected sites in accordance with LDP Policies DM2 and DM14.

Protected species

The Council's Ecologist has advised that the data search identified 118 records of protected and priority species within 500m of the proposed development. Species recorded within 500m of the proposed development include bat species; common pipistrelle, soprano pipistrelle, brown-long-eared bat, and brown hare, great crested newt, badger, cuckoo, curlew, spotted flycatcher and swift.

In terms of great crested newt, there are no ponds evident within 250m of the site. One record for great crested newt is approximately 400m from the site but the pond is separated from the site by the A495 and an expanse of largely sub-optimal habitat. There is also a stream which is also likely to present a barrier to movement. The development site itself is considered unsuitable for supporting great crest newt. Regarding water vole, the development site is not suitable for supporting water vole.

As discussed above, it is proposed to remove approximately 150m of the roadside hedgerow to accommodate the visibility splays which represents a significant loss of priority habitat (Environment (Wales) Act 2016 and Powys Local Biodiversity Action Plan) and is contrary to LDP policy DM2. It is proposed to replant the hedgerow behind the visibility splays and proposed new fencing which is welcomed. It is recommended that the replating is secured through condition with the submission of sufficient details regarding species mix, planting density and aftercare measures.

In respect of the netting of the roadside hedgerow, The Local Planning Authority concurs with the view of the Chief Planning Officer for Wales as set out within their letter of 6th June 2019 that the netting of hedgerows is not supported as a routine practice. Furthermore netting should only be considered as a last resort measure, after a full consideration of other alternatives and under exceptional circumstances only following the grant of planning permission. Development Management has requested that the netting is removed, however, the Planning Authority has no power to insist on netting removal prior to any decision being made on an application or to enter land and remove netting.

Subject to the use of conditions, and on the basis of the advice received from the Council's

Ecologist, it is considered that the development would not unacceptably adversely affect protected species in accordance with LDP Policy DM2.

Water Framework Directive

NRW has reviewed the additional information accompanying the application including soil sampling test results which confirm the soil to be suitable for an earth banked slurry lagoon at this location, and that it will be built to comply with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

The information also refers to pollution prevention measures. NRW have confirmed that they have no objections in respect of pollution to surface or groundwaters subject to compliance with the aforementioned regulations and pollution prevention measures and that the development is required to be constructed in accordance with the supporting information by condition. Therefore, it is considered that the development complies with Criterion 4 of LDP Policy DM2.

Biodiversity enhancement

It is proposed to plant the lagoon wall banks with a suitable wildflower seed mix to create additional habitat area. This is welcomed as a biodiversity enhancement and, together with the replanting of the roadside hedgerow and additional hedgerow along the north-western boundary of the application site, will provide a net benefit for biodiversity in accordance with the requirements of Part 1 Section 6 of the Environment (Wales) Act 2016. It is recommended that the implementation and long-term management is conditioned to ensure that a net benefit for biodiversity occurs in accordance with LDP Policy DM2.

Highway safety and movement

Public representations and the Community Council have raised concerns over increased traffic on the highway network together with the inadequacy of the existing access and that the traffic speed survey was carried out when there were speed restrictions on the highway. The Local Member called the application in on the grounds of highways.

LDP Policy DM13 confirms that applications must demonstrate that the development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon. In accordance with LDP policies DM13 and T1, development proposals are expected to meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

Access would be gained via the existing access off the B4389 highway. As noted above, slurry would be transported via tanker to the site using the highway network and it is proposed to alter the existing access in terms of providing visibility splays etc to meet the required highways standards.

A traffic speed survey was conducted between the 19th April 2021 and 7th May 2021 to assess traffic speeds to inform the required visibility splays. Public representations have referred to the survey being inaccurate because there were restrictions on the highway during the timeframe. The Highway Authority have confirmed that there were no notified works on the B4389 close to the location during the speed survey timeframe and as such the speed survey results are considered to be accurate.

Following the submission of revised plans, the Highway Authority have not objected to the development, subject to the use of conditions to require the access to be constructed to the appropriate highways standards and specifications. On the basis of the advice received from the Highway Authority, subject to the use of the recommended conditions, it is considered that the development would meet all highway access requirements and that the highway network can absorb the traffic impacts in accordance with LDP Policies T1 and DM13.

Historic environment

Public representations have raised concerns that the development is close to areas of archaeological interest.

LDP Policy SP7 – Safeguarding of Strategic Resources and Assets, seeks to safeguard historic assets from unacceptable development so as to protect them for the future well-being of the county. This policy echoes the objectives of Planning Policy Wales and Technical Advice Note 24.

Setting of listed buildings

The Planning Authority is required to have special regard to the desirability of preserving listed buildings or their settings under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

There is one listed building/structure within 1km of the application site; Tanhouse Bridge (Cadw ID 26961), located approximately 700m to the south-west of the application site along the A495 highway. The bridge is grade II listed and the list description describes the bridge as a single arch bridge in coursed masonry. The arch is segmental, about 6m span and has on each face an enlarged keystone which touches a square string course. Low parapets each side with flat coping stones, with piers at each corner. The reason for listed is given as ‘a minor early C19 bridge which has retained its vernacular character’.

Due to topography and intervening vegetation, there will be no direct visibility between the development and the listed building/structure. In combination with the acceptability of

the development in respect of landscape impacts, it is concluded that the development would not harm the setting of Tanhouse Bridge in accordance with LDP Policy SP7 and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeological remains

Public representations have referred to the site being close to areas of archaeological interest. Clwyd Powys Archaeological Trust have confirmed that there are no archaeological impacts resulting from the development. On the basis of CPAT's comments, it is concluded that the development would not have an unacceptable adverse impact on archaeological remains in accordance with LDP Policy SP7.

Setting of Scheduled Monuments

There is a policy presumption in favour of safeguarding Scheduled Ancient Monuments and their settings. The site is within 2km of the following Scheduled Monuments:

MG044 Mathrafal Castle
MG231 Bryn Y Saethau Hillfort
MG232 Ffridd Mathrafal Hillfort
MG124 Pentre Camp

The above scheduled monuments are located inside 2km of the proposed development, but Cadw have advised that apart from MG231 Bryn y Saethau Hillfort, intervening topography and vegetation block all views between them. Consequently the development will have no impact on the settings of these scheduled monuments.

In respect of Scheduled monument MG231 Bryn y Saethau Hillfort, the Scheduled monument is located approximately 500m to the northwest of the development. It comprises the remains of an Iron Age hillfort, located in a cleared area within conifer forest. Cadw have advised that the development will be visible in part of the identified significant view from Bryn y Saethau Hillfort but not in one of the specific views. In the significant view it will be partly screened by existing vegetation and whilst it will be obvious during the construction phase, once the grass has grown on the mounds surrounding the lagoon it will be much less conspicuous. As such whilst there may be a very slight visual change in the view from the monument this will not have any effect on the way that it is experienced, understood and appreciated. Consequently, Cadw have advised that the development will have no impact on the setting of scheduled monument MG231.

On the basis of Cadw's comments, it is concluded that the development would not have an unacceptable adverse impact on the setting of the identified Scheduled Monuments in accordance with LDP Policy SP7.

Other heritage assets

The development is not located within proximity of a conservation area, a registered park

and garden or a registered historic landscape such that there would be an impact from the development.

Public right of way

Criterion 9 of LDP Policy DM13 states that proposals will only be supported where the public rights of way network are enhanced and integrated within the layout of the development proposal; or appropriate mitigation measures are put in place where necessary. Policy SP7 lists the public right of way network as a recreational asset and states that development proposals must not have an unacceptable adverse impact on the asset or its operation.

Whilst the Countryside Services Department have advised that the development would directly affect public right of way 232/20(A)/1, further discussions with the Countryside Services department have confirmed that the right of way travels along the south-western boundary of the application site, rather than being directly impacted by the proposed development. Powys Ramblers and public representations have also raised concern over the impact of the development upon the right of way along with safety concerns of users of the right of way.

The submission indicates that a 2m wide corridor would be fenced out along the route of the right of way within the application site (with an access stile at its southern end, open at its northern end). Countryside Services have confirmed that the proposed fencing is acceptable subject to the use of a condition to require the fencing to be constructed, and recommend that the fence should be approximately 3m in height given what it is protecting.

In terms of users of the right of way being able to gain access to the lagoon, the submission indicates that a 1.2m high fence would be constructed around the perimeter of the lagoon to prevent access and coupled with the proposed fenced corridor, it is considered that adequate measures are proposed to restrict access from the public right of way.

The visual impact of the development when viewing from the public right of way has been accepted elsewhere in this report and given that the public right of way and its users would be physically protected from the development so that use of the asset would be maintained, it is considered that the development complies with LDP Policies SP7 and DM13.

Impact on tourism assets

Public representations and the Community Council have raised concerns over the impact of the development upon existing tourism assets including specific accommodation as well as public rights of way and public vantage points as well as the general Powys landscape and the visual impact as seen from the B4389 highway. In addition, the impact upon the ability of the area to host the National Eisteddfod again is raised.

As discussed above public right of way 232/20(A)/1 and the B4389 highway are located adjacent to the development site whilst other public rights are more distant. The tourist accommodation referred to in public representations is located approximately 640m to the north-west of the application across agricultural land and the A495 highway. The immediate area's attraction is considered to be the landscape, caravan parks and other visitor accommodation as well as other features of visitor interest in the area such as Bryn y Saethau Hillfort scheduled monument and Mathrafal Woods (over 450m) as well as villages such as Meifod at greater distances. In respect of the National Eisteddfod, the event is a celebration of the culture and language in Wales, focused around competitions but with many events and activities held at the site over the course of the week. It is therefore considered to be a tourist attraction and regeneration project, albeit an attraction/project which travels from place to place on an annual basis. It is noted that the Eisteddfod was hosted on land to the north of the site across the A495 highway, at its closest point within approximately 430 metres in 2003 and 2015.

Policy DM13 of the Local Development Plan sets out that developments must not have an unacceptable impact upon existing and established tourism assets and attractions. The Council is committed to safeguarding tourism in Powys as the significant contribution it makes to the local economy is recognised. As such, new development proposals should not decrease the attraction to assets important to the tourism offer.

As noted within the amenity section of this report, it is not considered that the development would have an unacceptable impact upon amenity. In addition, this report notes that there will be no significant harm with regards to landscape and visual impacts, or unacceptable impacts to the enjoyment of the rights of way network. In light of this, it is concluded that the development would not have an unacceptable adverse impact on existing and established tourism assets and attractions, including the attractiveness of the Powys landscape, the identified recreational and historic assets as visitor attractions, the ability to host the National Eisteddfod or the identified visitor accommodation in accordance with LDP Policy DM13.

Waste

LDP Policy DM15 requires development proposals to demonstrate how the production of waste will be minimised during all stages of the development and how the waste materials that do arise will be managed in a sustainable way and that adequate provision has been made in the design of the development for the storage and collection, composting and recycling of waste materials.

Although the site consists of sloping land, given that the excavated earth would be used to create the mounds, a significant level of waste is not expected. As such the development is not considered to be contrary to LDP Policy DM15.

Welsh language

LDP Policy DM12 requires that development proposals on windfall sites for 10 or more dwellings in identified towns and large villages shall be subject to a Welsh Language Impact Assessment. Given that the development is not a residential housing development and the site is not a windfall site within a town or large village, the requirements of LDP Policy DM12 are not applicable to the development.

Safety

Public representations have raised concern over the safety of users of the public right of way and highway as well as the development being sited in an unsupervised location.

The perimeter of the lagoon would be fenced to deter/prevent unauthorised access and this approach is recommended by the Health and Safety Executive. In addition, the public right of way route would be fenced. It is proposed to translocate/replant the roadside hedgerow which again would prevent access from the highway, and it is understood that the site will have a gated access.

Whilst the public concerns are appreciated, it is considered that appropriate safety measures have been included to ensure the development does not cause an unacceptable risk to the public in respect of safety in accordance with LDP Policy DM13.

Water pipes and electric lines/cables

Public representations and the Local Member have raised concerns over the development potentially affecting water pipes and electric lines.

Criterion 12 of LDP Policy DM12 requires that adequate utility services exist or will be provided readily and timely without unacceptable adverse effect on the surrounding environment and communities.

Hafren Dryfrdwy have not objected to the development in terms of water pipes, although it is noted that the planning history indicates a water pipe on the land.

There is no evidence to suggest that the water or electric supply would be affected by the development and as such it is considered that the development does not conflict with LDP Policy DM13.

Contaminated land

Public representations have referred to the land being potentially contaminated.

LDP Policy DM10 states that development proposals on contaminated will be permitted where they do not:

1. Result in any additional problems of ground instability or contamination either on or off site and shall remediate the contamination / instability.
2. Unacceptably adversely affect public health and safety, nature conservation,

historic or archaeological interests.

The Council's Contaminated Land Officer has advised that there are no recorded contamination issues associated with the site. Therefore the Officer has confirmed that there are no known contamination issues with the site historically or currently. It is not known whether the public representations refer to the site being contaminated at present or whether there are concerns that the site will be contaminated following the development, however on the basis of the comments received from the Contaminated Land Officer, it is considered that the development does not conflict with LDP Policy DM10.

Agricultural land

The development would be located on agricultural land classified as grade 3b by the Predictive Agricultural Land Classification (ALC) Map. As such the land is not classified as the most flexible, productive and efficient in response to inputs. Therefore the development would not conflict with Planning Policy Wales or TAN6 in this respect.

Placemaking and Wellbeing Goals

Planning Policy Wales has been amended following the introduction of Well-being of Future Generations Act. PPW plays a significant contribution to the improvement of well-being in all its aspects as defined by the statutory well-being goals. It embeds the spirit of the Well-being of Future Generations Act, through moving us towards a low carbon, resilient society, of providing secure and well-paid jobs, and of building well-connected environments for everyone in Wales that improves our lives and health and enhances our well-being.

PPW also promotes placemaking and states the following;

Productive and Enterprising places are those which promote our economic, social, environmental and cultural well-being by providing well-connected employment and economic development in pleasant surroundings. These places are designed and sited to promote healthy lifestyles and tackle climate change by making them easy to walk and cycle to and around, access by public transport, minimising the use of non-renewable resources and using renewable and low carbon energy sources.

Ministers advised in June 2019 that placemaking should form part of all decisions and have considered measures to call in applications where strategic placemaking has not been considered.

Placemaking is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.

The key principles for ensuring ‘Right Development in the Right Place’ according to PPW are as follows;

- i. Growing our economy in a sustainable manner – the planning system should enable development which contributed to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services.
- ii. Making the best use of resources - The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals.
- iii. Facilitating accessible and healthy environments - Our land use choices and the places we create should be accessible for all and support healthy lives. High quality places are barrier-free and inclusive to all members of society. They ensure everyone can live, work, travel and play in a way that supports good physical and mental health.
- iv. Creating and sustaining communities - The planning system must work in an integrated way to maximise its contribution to well-being. It can achieve this by creating well-designed places and cohesive rural and urban communities which can be sustained by ensuring the appropriate balance of uses and density, making places where people want to be and interact with others.
- v. Maximising environmental protection and limiting environmental impact - Natural, historic and cultural assets must be protected, promoted, conserved and enhanced. Negative environmental impacts should be avoided in the wider public interest.

PPW provides guidance on the national sustainable placemaking outcomes and their relationship to PPW themes and Well-being Goals. It is considered that the proposed development is in accordance with both the placemaking and well-being goals on the following grounds:

- The development will aid in the functioning of an existing farming enterprise to the benefit of the rural economy.
- The development will assist in ensuring the future viability of the farm for future generations and promotes the retention of farming families in the locality to the benefit of a vibrant Welsh culture.
- The development is located close to existing transport networks.
- Impact on the environment and historic and cultural assets will be acceptable.
- The public right of way will be protected and maintained.
- The impact upon communities and local residents is considered acceptable.

Climate Change

PPW states that the planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for

the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals. The Environment (Wales) Act 2016 sets a legal target of reducing greenhouse gas emissions in Wales by at least 80% in 2050 with interim targets set for 2020, 2030 and 2040. Welsh Government also have a legal commitment to net zero by 2050 and an ambition to achieve this sooner if possible.

There are two parts to the issue of climate change within planning, these being the extent a development contributes towards the generation greenhouse gasses and the extent a development has considered and adopted means to make the operation resilient to the effects of climate change.

it is evident that the proposal will make some contribution to greenhouse gas emissions, as do many operations and developments, however, this does not in itself mean that it is unacceptable and does not provide a full picture of the issue. Public representations and the community council have referred to additional road miles being generated by the development. It may be considered that the transportation of the slurry from the main farmstead would have climate change implications, but there is a wider argument put forward in support of the application that it will contribute to British self-sufficiency in the dairy industry and the principle of reducing imported food stock which will have a significant reduction in carbon emissions from transportation overall. As it currently stands there are no specific planning policy requirements that dictate a certain amount of greenhouse gas generation from a development would be unacceptable and neither does it state intensive agricultural development should not be supported for this reason. Rather, by making determinations in line with the development plan, it can be reconciled that the development is acceptable in planning terms.

Conclusion

The application is in respect of the construction of an earth banked slurry lagoon to store slurry to meet the current needs of the farming enterprise at Newbridge Farm as required by The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. The public representations and consultee comments have been considered and the development is considered acceptable subject to the use of conditions set out below. The development is considered to be compliant with local and national planning policy and it is for that reason that the development is recommended for approval.

RECOMMENDATION

Approve.

Conditions

1. The development shall begin not later than five years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans and documents; Plan titled 'Layout Plan' by Gary Owen dated August 2021, Plan titled 'Proposed Lagoon' by Gary Owen dated August 2021, Letter titled "Planning Application re Installation of earth banked slurry lagoon and associated

works. Your Ref 20/2130/FUL” dated 25th August 2021 by CGW Owen, Plan titled ‘Splay to West’ by Gary Owen dated November 2021, Plan titled ‘Splay looking East’ by Gary Owen dated November 2021, Plan titled ‘ Proposed slurry lagoon Wildflower grass seed location’ by Gary Owen dated October 2021, Plan titled ‘Proposed Slurry Lagoon Sections’ by Gary Owen dated August 2021, Location Plan titled ‘OS Plan Black/White’ Produced 23/02/2021 scaled to 1:2500, CGW Owen ‘Access Statement: An Application for the Installation of A Slurry Lagoon and Silage Effluent Tank at Newbridge Farm, Meifod’ 18th January 2021, Gary Owen email: ‘Re: 20/2130/FUL’ 24 February 2021, Gary Owen email: ‘Re: Planning Application 20/2130/FUL – Newbridge Farm, Meifod’ 24 February 2021, Gary Owen email: ‘Re: Planning Application 20/2130/FUL – Newbridge Farm, Meifod’ 23 February 2021, Soil sampling test by Celtest, test report ref. TR 784980 dated 10 March 2021, Letter by CGW Owen dated 4th June 2021 in respect of pollution prevention measures.

3. Prior to the commencement of development, a Hedgerow Replacement and Aftercare Scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a scaled drawing identifying the location of hedgerow replacement planting and a written specification clearly describing species, sizes, densities and planting numbers proposed, as well as aftercare measures. The approved scheme shall be implemented in full and maintained thereafter.
4. Prior to the commencement of development, a Wildflower Area Creation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a scaled drawing identifying the wildflower area and a written specification clearly describing species-mix, time of sowing, and long-term management specification. The approved scheme shall be implemented in full and maintained thereafter.
5. Prior to the commencement of development, a Hedgerow Planting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a scaled drawing identifying the location of hedgerow to be planted along the north-western boundary and a written specification clearly describing species, sizes, densities and planting numbers proposed, as well as aftercare measures. The approved scheme shall be implemented in full and maintained thereafter.
6. Prior to any construction works occurring on the proposed lagoon, a 2 metres wide fenced corridor to protect Public Right of Way 232/20(A)/1 shall be erected for the extent of the application site as indicated on the Layout Plan dated August 2021 and uploaded to Powys County Council’s Planning Access website on 17th September 2021. Prior to the erection of the fencing, details of the fence (design and height of fencing) shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the details as approved.

7. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 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.
8. No other development shall commence until the 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 0.6 metres above ground level at the edge of the adjoining carriageway and 160 metres distant in a westerly direction and 130m in a easterly direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) 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.
9. Upon formation of the visibility splays as detailed 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.
10. Before any other development is commenced 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 15 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.
11. Prior to the first operational use of the development, provision shall be made within the curtilage of the site for the parking of not less than two tractor & trailers 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.
12. Prior to the first beneficial use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 15 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.

13. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 15 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.
14. The width of the access carriageway, constructed as Condition 10 above, shall be not less than 5.5 metres for a minimum distance of 15 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.
15. Any vehicular entrance gates installed within the application site shall be set back at least 15 metres distant from the edge of the adjoining carriageway and 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.
16. No surface water drainage from the site shall be allowed to discharge onto the county highway.
17. The Pollution Prevention Measures set out within the Letter from GCW Owen dated 4th June 2021 shall be implemented in full during construction works.
18. The development shall only be used for the storage of slurry produced by the agricultural unit known as Newbridge Farm.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the approved plans in the interests of clarity and a satisfactory development.
3. To comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan (2011-2026) in relation to The Natural Environment and Landscape and design, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.
4. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) in

relation to The Natural Environment, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.

5. To comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan (2011-2026) in relation to The Natural Environment and Landscape and design, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.
6. To protect public right of way 232/20(A)/1 during construction and use of the development and to ensure the safety of the users of the right of way in accordance with Policies SP7 and DM13 of the Powys Local Development Plan (2011-2026).
7. to 16. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2011-2026).
17. To prevent pollution in accordance with Policy DM2 of the Powys Local Development Plan (2011-2026).
18. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (2011-2026) in relation to The Natural Environment and the amenities enjoyed by the occupants of neighbouring properties, and to meet the requirements of Planning Policy Wales (Edition 11, February 2021) and Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).

Informatives

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted by phone at 0300 065 3000.

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 on 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.

Advice from Natural Resources Wales (NRW)

Please note we will require sample results from trial pits dug to determine suitability for The earth bank lagoon – permeability cannot exceed 10.9m/s, typically a clay content of 20% to 30% with sufficient material available to ensure an impermeable layer at least 1m thick or detail regarding a liner to be used. We have received calculations for the sizing of the lagoon and they are considered acceptable.

Facilities where slurry is generated must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater. A minimum of 14 days' notice must be given to Natural Resources Wales in writing before construction of a new, substantially enlarged or reconstructed store containing slurry or silage begins.

Please refer to the link below for further information:

<http://naturalresources.wales/guidance-andadvice/businesssectors/farming/good-farming-practice/?lang=en>

Advice from Powys Highway Authority

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.

a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.

b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.

2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.

3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.

4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Case Officer: Kate Bowen, Senior Planning Officer
Tel: 01938 551268 E-mail: kate.bowen@powys.gov.uk

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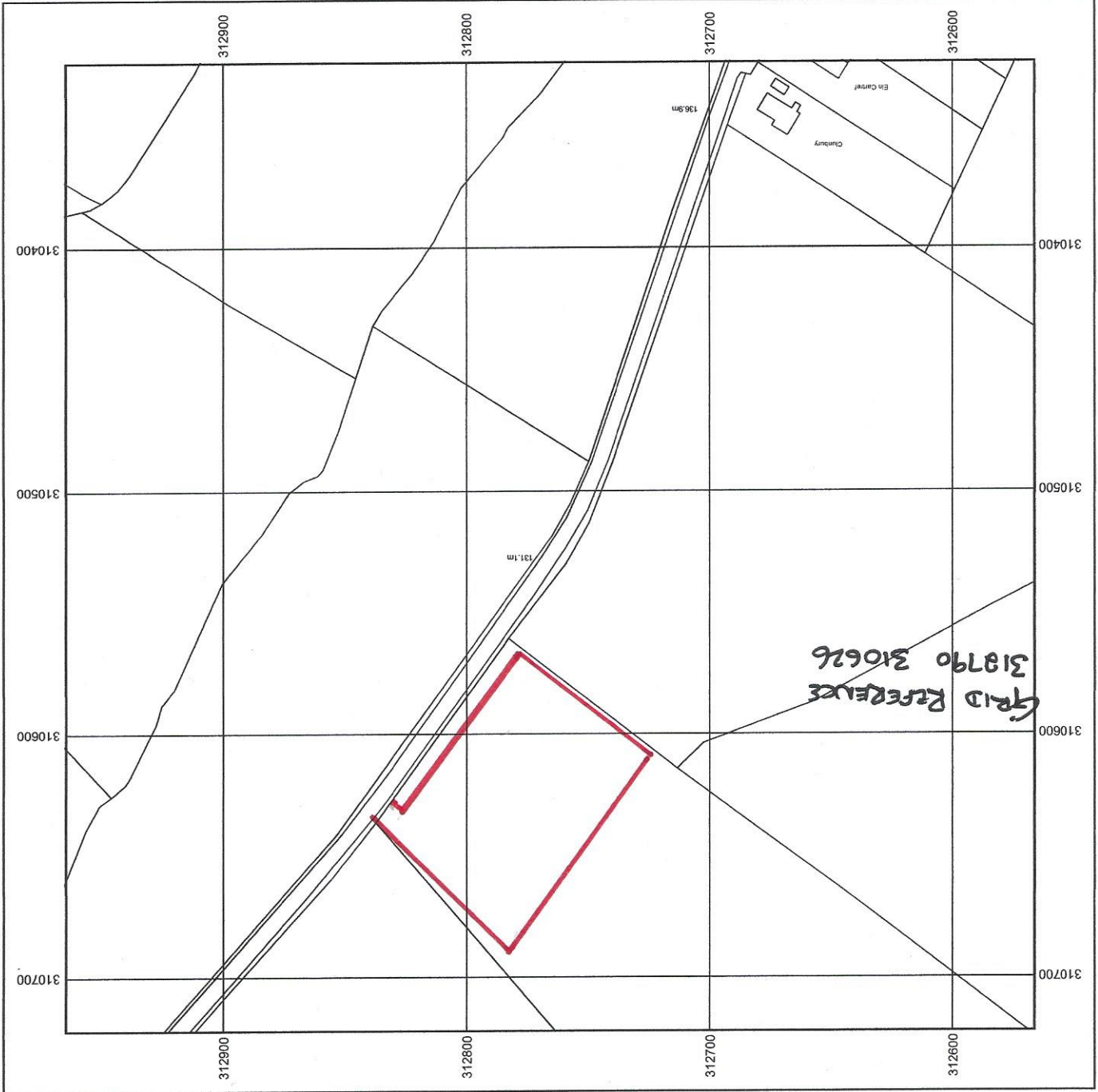
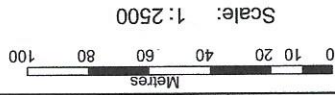
Note 3m gap off for
Southwestern boundary for
footpath.

Supplied by: National Map Centre
 License number: 100031961
 Produced: 23/02/2021
 Serial number: 18101

Coordinates: 312790
 310626

Project name: Powys CC 2500

Download file:
 Plot centre co-ordinates: 312765,310524



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4.4

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 22/0422/FUL **Grid Ref:** E: 310196
N: 291341
Community Council: Newtown And Llanllwchaiarn **Valid Date:** 11.03.2022

Applicant: Carol Gittins

Location: Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN

Proposal: Residential development of 32 units and associated works

Application Type: Full Application

Reason for Committee determination

The application is a major application submitted on behalf of Powys County Council and affects Council land and as such Section 13 of the Council's Constitution requires Committee determination.

Consultee Responses

Consultee

Received

Community Council

6th Apr 2022

The Town Council supports the application provided the conditions specified by Hafren Dyfrdwy and Environmental Protection are met.

PCC-Building Control

17th Mar 2022

Please be aware that a Building Regulations application will need to be submitted prior to commencement.

Hafren Dyfrdwy

29th Mar 2022

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:

- o 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
- o 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

The developer's attention is also drawn to the legal requirement for all sites to enter into a Section 104 sewer adoption agreement with Hafren Dyfrdwy before any sewer connection can be approved, in line with the implementation Schedule 3 of the Floods and Water Management Act 2010. Full details of this are provided on our website www.hdcymru.co.uk under the 'New Site Developments' section.

PCC-(M) Highways

18th May 2022

With reference to the planning application relating to the following proposed development:

The County Council as Highway Authority for the County Unclassified Highway, U4231

**Wish the following recommendations/Observations be applied
Recommendations/Observations**

The proposed development of 32 one-bedroomed flats gains access off the U4231 and is located within the grounds of the former Robert Owen House.

The Highway Authority (HA) offered advice to the applicant during the consideration the submitted Pre-Application advice and PAC, we note that the advice given is represented in the most recent drawings submitted to the LPA. We confirm that the proposed development is compliant with the Active Travel (Wales) Act 2013, Manual for Streets, CSS Wales Parking Standards and the Common Standards Guide 2020.

The site was previously occupied by Supported Housing Accommodation (PCC), and offices for Social Services. We are aware that the car park for the previous use at the site was of insufficient size, and some residents and staff at the site parked on the public

highway including the roundabout. The submitted drawings for the proposed development demonstrate that sufficient on-site parking is available, therefore the previous inconsiderate parking associated with the previous use should be resolved. Therefore, the proposed development would provide betterment over the extant use in terms of highway safety.

The HA therefore recommend that the following conditions are attached to any consent given.

1. Notwithstanding the submitted details on drawing numbers 01 Rev C, 02 Rev A, C_PL_01 Rev P1, C_PL_02 Rev P1 & C_PL_03 Rev P1 the Highway Authority wish the following conditions to be applied to any consent given.
2. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 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.
3. Before any other development is commenced 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 (MOT Type 1), 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 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.
4. Prior to the occupation of any of the dwellings hereby approved, provision shall be made within the corresponding plot for the parking and turning of vehicles as detailed on the approved site plan C_PL_03 Rev P1. The parking areas and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
5. Prior to the first occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in.
6. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first

10 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.

7. No dwelling hereby approved shall be occupied before the estate road carriageway and footways are constructed to binder course level to an adoptable standard including the provision of any salt bins, surface water drainage and street lighting in front of that dwelling and to the junction with the existing county highway.
8. The estate road carriageway and all footways shall be fully completed, in accordance with the details to be agreed in writing by the Local Planning Authority, upon the issuing of the Building Regulations Completion Certificate for the last house or within two years from the commencement of the development, whichever is the sooner. The agreed standard of completion shall be maintained for as long as the development remains in existence.
9. The gradient from the back of the footway/verge to the vehicle parking areas shall be constructed so as not to exceed 1 in 20 and shall be retained at this gradient for as long as the dwellings remain in existence.
10. Notwithstanding the submitted details, within 10 days from the commencement of the development detailed highway engineering drawings covering the provision of a 20mph Zone, and appropriate signing, shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of construction.
11. Prior to first occupation of any dwelling on the site, a 20mph Zone shall be implemented that covers the internal estate road. (see advisory note)
12. No surface water drainage from the site shall be allowed to discharge onto the county highway.

Advisory Notes

Where development results in (or retains the potential to) the creation of a private street (typically development in excess of 5 dwellings) Powys County Council has a statutory duty to issue and enforce an Advance Payment Code Notice (APC) under the provisions of Sections 219/220 of the Highways act 1980. The Notice requires the applicant to secure a sum or bond with the local highway authority that covers the estimated costs of the identified street works. Applicants/developers may choose to discharge their private street works obligations by entering into a formal road adoption agreement with the local highway authority under Section 38 of the Highways Act 1980. Further information relating to the APC procedure and Section

38 road adoption agreements can be found in Section E of the CSS Wales Common Standards Guide 2020.

The developer shall pay the reasonable costs incurred by Powys County Council for the procurement and implementation of the requisite Traffic Regulation Order, in addition to the manufacture and erection of all associated signage. Further information relating to Traffic Regulation Orders can be found in Section E of the CSS Wales Common Standards Guide 2020.

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING:

1. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
2. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
3. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Further advice on the above highway matters can be obtained from:-

<http://www.powys.gov.uk/en/roads-transport-parking/>

street.works@powys.gov.uk

Street Works
Powys County Hall
Spa Road East
Llandrindod Wells
Powys
LD1 5LG
0845 6027035

No objection - subject to planning conditions and/or planning obligations

Policy background:

- o Planning Policy Wales, Edition 11, 2021
- o Technical Advice Note (TAN) 5
- o Powys Local Development Plan 2011 - 2026:

DM2 - The Natural Environment

DM4 - Landscape

DM7 - Dark Skies and External Lighting

DM14 - Air Quality Management

- o Powys Supplementary Planning Guidance: Biodiversity and Geodiversity (2018)

Legislative background:

- o The Conservation of Habitats and Species Regulations 2017 (as amended)
- o Environment (Wales) Act 2016

Statutory sites within 1km:

- o None

Non-statutory sites within 1km:

- o One or more Ancient Woodland (AW) sites are located within 1km of the development

Records of protected and/or priority species identified within 1km? Yes

Comments:

The application is informed by the following information:

- o Sloan, J. (July 2020) Robert Owen House, Newtown, SY16 1QN, Ecological

Survey. Jon Sloan Ecological Consultants

- o Thorne, R.G. & Thorne, A.K. (23/08/2020) Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN. Churton Ecology.
- o Lucocq, S. (11/02/2022) Arboricultural Report Including: Tree Survey Data & Tree Constraints Plan, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement. ArbTS Ltd.

Ecology survey effort and methods employed in accordance with current national guidelines? Yes

The bat survey was undertaken to inform demolition of the existing building on site and confirmed presence of approximately 60 common pipistrelle and 2 soprano pipistrelle bats. Demolition took place in 2021 under a European Protected Species licence. In addition to erection of 6 bat boxes on trees adjacent to the site as mitigation during demolition, the EPS licence method statement identified inclusion of additional roost features for crevice-dwelling bats within the proposed new dwellings to ensure long-term compensation for loss of the roosts and to provide additional enhancement. The submitted Ecology Plan, Drawing no. V047.3a.3.203, specifies acceptable permanent compensation and enhancement measures to be installed on each building, which accords with the EPS licence method statement.

It is therefore recommended that adherence to the submitted Ecology Plan is secured through an appropriately worded planning condition.

An ecological assessment of the remainder of the site identified immature woodland, hedgerows, amenity grassland and shrubs. The site was considered unsuitable for supporting otter, dormouse and reptiles. No evidence of badger activity was identified. The adjacent hedgerow and woodland provide habitat for hedgehog, nesting birds and commuting and foraging bats. No trees on site were considered suitable for roosting bats. Precautionary measures were recommended to avoid impact to nesting birds and small mammals during construction. A wildlife sensitive external lighting scheme was recommended to avoid impact to roosting, commuting or foraging bats. Montbretia (a Schedule 9 non-native invasive species) was confirmed from two locations. An Invasive Species Method Statement was provided to enable eradication of the plant from the site and avoid the risk of further spread during construction.

It is therefore recommended that adherence to the identified mitigation measures for birds, mammals and invasive species is secured through an appropriately worded planning condition.

The Arboricultural Assessment conducted in accordance with BS 5837:2012 identified a

number of trees to be removed to accommodate the development or for poor health. No high-quality trees were identified on site; the majority of trees affected by the proposal were categorised as being of low or poor quality. The loss of one individual tree (an ornamental species) and a group of low-quality trees was identified as having some impact to the amenity value of the site. It was recommended that compensatory planting be undertaken to mitigate the amenity impact. A Method Statement and Tree Protection Plan have been provided to demonstrate that the development can be undertaken without adverse impact to retained trees and hedgerows.

It is therefore recommended that adherence to the Arboricultural Method Statement and Tree Protection Plan is secured through an appropriately worded planning condition.

A Landscaping Masterplan identifies that compensatory trees and shrubs will be planted across the site, which is welcome. A Planting Plan will provide detailed specifications of the number, species, locations and timing.

It is recommended that submission of a detailed Landscaping Scheme/Planting Plan is secured through a suitably worded planning condition.

Biodiversity enhancement:

In addition to enhancement measures for bats, the Landscape Masterplan identifies 10 boxes for nesting birds will be installed on suitable locations on the buildings. The planting of native trees, shrubs and flowers across the site will also provide enhancement. All of the measures are welcome and considered appropriate to the development.

Subject to inclusion of the conditions below, would the development result in a significant negative effect on biodiversity? No

Conditions:

Should Development Management be minded to approve this application, inclusion of the following conditions is recommended

1. The development shall be undertaken in strict accordance with Section 5 (Proposed Avoidance Measures, Mitigation And Enhancements) and Appendix 1 (Invasive Species Method Statement) of the Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN, by Churton Ecology, dated 23/08/ 2020. The measures identified shall be adhered to and implemented in full.
2. The development shall be undertaken in strict accordance with the Ecology Plan, Drawing no. V047.3a.3.203 (Bat Habitat Mitigation Measures). The measures identified shall be adhered to and implemented in full.

3. The development shall be undertaken in strict accordance with the Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference - ArbTS_946.4_Robert Owen House, by ArbTS Ltd, dated 11th February 2022. The measures identified shall be adhered to and implemented in full.

4. Notwithstanding the details submitted, prior to commencement of development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and position. The approved scheme shall be implemented in full and maintained thereafter.

5. Prior to commencement of development, an External Lighting Design Scheme to avoid and reduce potential impacts on nocturnal wildlife shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consider all external lighting fitted to dwellings and associated infrastructure and demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). Full details can be found at <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>. The approved scheme shall be adhered to and be implemented in full.

Reason: To comply with Powys County Council's LDP Policies DM2, DM4, DM14 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part1 Section 6 of the Environment (Wales) Act 2016.

Informatives:

The following advice for the applicant is also considered appropriate

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:

- o intentionally kill, injure or take any wild bird
- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird

o 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 on 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.

PCC Ecologist

23rd May 2022

Based on submission of a revised Landscape Masterplan, Drawing no. 01 Rev. C, I have no objections and recommend that adherence to the details of this latest plan are secured through an appropriately worded planning condition. I also note that a Planting Plan, Drawing no. 02 has been submitted since my previous comments of 18/03/2022. The Plan provides sufficient detail regarding species, number, preparation and aftercare measures but may require amending to reflect the minor amendments of the Landscape Masterplan. It is advised that the adherence to the measures on a revised Planting Plan are also secured through an appropriately worded planning condition.

Reason: To comply with Powys County Council's LDP Policies DM2 and DM4 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part1 Section 6 of the Environment (Wales) Act 2016.

Environmental Health

23rd Mar 2022

The subject site is identified as containing asbestos materials in the submitted Geotechnical desk study. Given the intention to demolish the existing buildings it is possible that asbestos materials may also be found in, on or underground. The following conditions are therefore appropriate.

Condition A

Condition 1. Site Characterisation

No development shall take place until:

Formulation of an initial conceptual model

A preliminary risk assessment

If the preliminary risk assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a suitably qualified competent person. No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins.

The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

Condition 2. Submission of Remediation Scheme

No development shall take place until 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 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 2 has been received from the local planning authority.

All work and submissions carried out for the purposes of this condition 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).

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.

If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Following completion of the measures identified in the approved remediation scheme, a verification 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. All work and submissions carried out for the purposes of this condition 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).

Environmental Protection

23rd Mar 2022

Construction-phase noise control

Due to the residential nature of the setting, Environmental Protection would recommend that measures are in place to control the level of noise disturbance to neighbouring properties during the construction phase of the development.

This department would recommend that the construction period working hours and delivery times be restricted as follows:

"All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

- o 0800-1800 hrs Monday to Friday
- o 0800-1300 hrs Saturday

- o At no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above."

Natural Resources Wales (Mid Wales)
DPAS

22nd Mar 2022

We have no objection to the proposed development as submitted and provide the following advice.

Protected Species

Bats are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). We have reviewed the bat report titled 'Robert Owen House, Newtown, SY16 1QN Ecological Survey' by Jon Sloan Ecological Consultants dated July 2020. The bat confirms the building is being as a roost by Common and Soprano pipistrelle bat species.

We have no objection to the application as submitted, but request that an informative is attached to any planning permission granted as explained below.

Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation.

A licence may only be authorised if:

- i. the development works to be authorised are for the purpose of preserving public health or 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.
- ii. There is no satisfactory alternative and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that

your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Based on the report, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Therefore, we do not object to the proposal but in line with the 'Dear CPO' letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/permits-and-permissions/species-licensing/when-you-needto-apply-for-a-protected-species-licence/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and

Species Regulations (2017) authorizing the specified activity/development to go ahead, or Natural Resources Wales has informed the applicant in writing that such a licence is not required.

Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to us.

Foul Drainage

The application form confirms the proposal intends to be connected to the mains sewer network. A connection must be discussed with the local sewerage Authority.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

PCC-(N) Land Drainage

28th Apr 2022

Thanks for the opportunity to comment on this application. Having considered the information which has been submitted, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations.

Lead Local Flood Authority

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

However, from the surface water flood mapping in our possession, there is a risk of surface water flooding to the site. This flood risk information can be seen on NRW's flood risk mapping webpage, in particular, flooding from surface water, where it shows an area with a low chance of flooding from surface water. Development should not be permitted within an area at risk from flooding unless it can be demonstrated that the consequences of any flooding would be acceptable for the development proposed and that it would not give rise to any unacceptable flooding impacts elsewhere.

Sustainable Drainage Approval Body

Planning Department: Could the following be added as a recommendation for the application.

All: Having assessed the Planning Application Ref 22/0422/FUL, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m² and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email sab@powys.gov.uk

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website

<https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

PCC Land Drainage

26th May 2022

Thanks for the opportunity to comment on this application. Having considered the revised information which has been submitted, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations.

We have reviewed the updated information in (Robert Owen House Development Site Newtown Drainage Strategy, prepared by Powys County Council). We deem it acceptable to address the surface water flooding risk set out in the earlier consultation response.

We recommend the surface water drainage design follows the principles in the Robert Owen House Development Site Newtown Drainage Strategy.

For a development of this size we would also recommend a SAB Pre-App is completed.

PCC-Affordable Housing Officer

No response received.

Mid & West Wales Fire & Rescue
Authority

21st Mar 2022

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development

o The Fire Authority has no comment to make on access for fire appliances or water supplies.

o the Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:
<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

Disability Powys

No response received.

PCC-Schools Service

No response received.

PCC-Outdoor Leisure & Recreation (North)

17th Mar 2022

Powys County Councils Countryside & Outdoor Recreation Services (C&ODR) preferred situation would be for any developer to provide, manage and maintain their own fixed play facilities, either organised by themselves or through a resident's organisation, or potentially by working with the local town or community council.

Powys County Councils, Countryside & Outdoor Recreation Service will only ask for a Section 106 contribution, if the proposed developer should/will not provide suitable play

provision for their residents, under the LAP, NEAP & LEAP planning arrangements included in the Six Acre Standard as set out by the Fields in Trust.

To reiterate, if the developer decided not to provide adequate play space on their land, and if Powys County Council does have a play facility with fixed play equipment within a short distance (TBC), then the Countryside & Outdoor Recreation Service would seek a monetary package to upgrade the Services nearest existing playing field or playground.

I would suggest on this occasion because PCC has not got a play facilities in the area, if any 106 contributions for play is available, then the offer should go to Open Newtown & Newtown Town Council, who own and maintain the nearest public play facilities.

Cadw - Planning

No response received.

Representations

Following the display of a site notice on 24th March 2022 and publicity in the local press on 1st April 2022, no public representations have been received.

Planning History

App Ref	Description	Decision	Date
20/1201/DEM	Application for prior notification of proposed demolition	Permitted Development	28th Aug 2020
M/2001/0372	Erection of an extension	Conditional consent	5 th June 2001
M/2001/0554	Outline application for erection of an extension to provide a learning disabilities unit	Conditional consent	5 th Aug 2001
M/2001/1050	Change of use of part of building from residential home to office accommodation.	Conditional consent	5 th Mar 2002

Principal Planning Constraints

LDP Development Boundaries

Newtown/ Y Drenewydd

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Policy
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
TAN2	Planning and Affordable Housing		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN15	Development and Flood Risk		National Policy
TAN16	Sport, Recreation and Open Space		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy
TAN24	The Historic Environment		National Policy
SP1	Housing Growth		Local Development Plan 2011-2026
SP3	Affordable Housing Target		Local Development Plan 2011-2026
SP5	Settlement Hierarchy		Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement		Local Development Plan 2011-2026

Hierarchy		
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H3	Housing Delivery	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
H5	Affordable Housing Contributions	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM3	Public Open Space	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
DM15	Waste Within	Local Development

	Developments	Plan 2011-2026
SPGAH	Affordable Housing SPG (2018)	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
SPGHE	Historic Environment SPG (2021)	Local Development Plan 2011-2026
SPGNPP	The Newtown & Llanllwchaiarn Place Plan SPG (2021)	Local Development Plan 2011-2026
SPGRES	Residential Design Guide SPG (2020)	Local Development Plan 2011-2026
SPGARC	Archaeology SPG (2021)	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

Officer Appraisal

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

This application has been considered 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.

Site location and description

The site is a rectangular parcel of land located approximately 675m to the south-west of Newtown town centre and is sited to the north-east of residential dwellings at Llyn Dulas and south of Trehafren Amenity Land (playing fields and public open space) and the River Severn. The site slopes quite steeply towards the playing fields and river with a level difference of 6m at the steepest point and a further 3m between the northern boundary and the level of the playing field. According to the submission, the building which previously occupied the site, Robert Owen House was demolished in April 2021 and as such the site currently consists of hardstanding and grassed areas enclosed by wooden fencing. It is understood that Robert Owen House was occupied by Supported Housing Accommodation (Powys County Council), and offices for the Council.

It is proposed to construct 32no. one-bed residential apartments, consisting of two storey, ground and first floor apartments in two linear blocks along the north-eastern and south-western boundaries with the internal access road dividing the buildings. Covered external steps providing access to the first-floor apartments would be located between semi-detached buildings. Refuse collection/drying areas are proposed within the site together with retaining walls in the southern part of the site, three bike stores in the centre of the site and landscaped areas around the site including a bench. Access would be gained via the existing means of access which is proposed to be altered/improved off the U4231 highway at Trehafren roundabout.

Principle

LDP Policy H1 states “*to ensure that housing development is appropriately located and suitable in scale and type to meet Strategic Policies SP1, SP3, SP5 and SP6, housing development proposals will only be permitted:*

1. *In Towns and Large Villages:*
 - i. *On sites allocated for housing or on other suitable sites within the development boundary; or*
 - ii. *On sites forming logical extensions outside development boundaries for affordable housing in accordance with Policy H6”.*

The site is not allocated for housing development; however it is a brownfield site (previously developed land) in a sustainable location within the settlement boundary of Newtown. As such it is a suitable site within the development boundary which complies with Criterion i of Part 1 of LDP Policy H1 and the principle of residential development is acceptable, subject to consideration of the other material planning issues.

Housing density

LDP Policy H4 requires that all housing development proposals seek to make the most sustainable and efficient use of land. The density for any proposed housing development in towns should be 27+ units per hectare. The application site measures approximately 0.46ha with a density of approximately 70 units per hectare. Therefore,

the development accords with the housing density guide range for towns contained within LDP Policy H4.

Housing types

LDP Policy H3 seeks to achieve an appropriate range and mix of housing types to meet local needs, as identified in evidence such as the Local Housing Market Assessment, in particular the needs of the county's ageing population and decreasing household size, affordable housing and specialist housing needs.

It is proposed to construct 32 no. 1 bedroom residential apartments. The submission states that as of 21st July 2021, there were 317 applicants on Powys Common Housing Register requiring a 1-bed property in Newtown. This was significantly the greatest requirement within the area and as such it is considered that this evidence demonstrates, along with the general needs of the County and the contents of the Newtown Place Plan, that the development would provide for the delivery of one-bed affordable apartments in compliance with LDP Policy H3.

Affordable housing contribution

Whilst the submission indicates that the development would be a 100% affordable housing scheme, LDP Policy H5 requires that housing development proposals are required to make contributions towards affordable housing and within the Severn Valley sub-market area, the required contribution is 20%. Therefore, it is recommended that a condition is attached to require the submission of a scheme for the provision of affordable housing to include details of the numbers, type, tenure and location of the affordable units as well as timing of the construction of the affordable units in relation to the other units, the occupancy criteria and details of measures to ensure the units are affordable in perpetuity etc. Permitted development rights for the affordable units and a restriction on floor space are not required to be conditions because apartments (flats) do not benefit from permitted development rights.

Design

Criterion 1 of LDP Policy DM13 requires that all developments to be designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing. The Residential Design SPG provides further guidance on design considerations.

The site is located at the edge of an established residential area, Trehafren but has open views towards the playing fields/public open space and River Severn to the north. Therefore, the site is visible from public vantage points including National Cycle Network 81 and public right of way 253/N26(A)/1 (Riverside Path) as well as residential properties and the U4231 and U244 highways. The nearby properties are generally two-storey in height with brick being the predominant material with some render and timber cladding evident.

The development would have a high density, partly owing to the 1-bedroom accommodation to be provided, however the density is not considered to be out of character with that of the surrounding area and appropriate areas of amenity to provide passive, informal recreation for the future residents has been incorporated.

The two-storey height of the proposed buildings is considered acceptable with reference to the surrounding residential properties and the proposed use of mixed brick types for the walls under slated roofs with powder coated aluminium fascia and black powder aluminium windows is also considered acceptable in the context of the surrounding properties.

Bike stores (modular type shelter) and bin stores (fenced 'compound' areas) are also proposed, and the development seeks to retain or mitigate as much of the high-quality trees along its perimeter which will also assist with integration into the area. The Arboricultural Assessment which accompanies the application identifies several trees to be removed to accommodate the development or for poor health. No high-quality trees are identified on site; most trees affected by the proposal are categorised as being of low or poor quality. The loss of one individual tree (an ornamental species) and a group of low-quality trees is identified as having some impact to the amenity value of the site. The report recommends that compensatory planting is undertaken to mitigate the amenity impact. A Method Statement and Tree Protection Plan have been provided to demonstrate that the development can be undertaken without adverse impact to retained trees and hedgerows. A Landscaping Masterplan also accompanies the submission and identifies that compensatory trees and shrubs will be planted across the site. Taking into account the contents of these reports, it is considered that appropriate mitigation for loss of the identified trees is proposed, and additional landscaping measures would provide benefits in terms of integration into the area. As such, it is recommended that adherence to the relevant reports is secured through conditions.

Overall subject to the use of the recommended conditions, it is considered that the design is appropriate within the context of the qualities and amenity of the surrounding area, local infrastructure and resources and has been designed to complement the character of the surrounding area in accordance with LDP Policy DM13 and the Residential Design SPG.

Public open space

In terms of public open space, LDP Policy DM3 states:

Development proposals either partially or wholly located on existing Open Space will only be permitted where it can be demonstrated that:

- 1. There is an excess of such provision in the area; and*
- 2. There is no longer a requirement for that type of open space in the area; and*
- 3. The site would not be suitable to provide an alternative type of Open Space for*

which there is a shortfall; or

4. It can be demonstrated that alternative provision can be made available that is of enhanced or equivalent community benefit in terms of its size, characteristics, location and accessibility.

Provision for new Open Space will, subject to viability, be sought from all housing developments of 10 or more dwellings. The type and nature of the provision will be determined by the deficiencies identified in the Open Space Assessment for the locality and, depending on the individual circumstances, may be provided on or off site.

It is noted that part of the application site has been identified as being located on an area of Public Open Space; Trehafren Fields. However, upon inspection of the application site boundary and the identified public open space, it is clarified that the development does not encroach onto the identified public open space and therefore does not conflict with LDP Policy DM3.

Given that the development proposes more than ten dwellings, LDP Policy DM3 requires consideration of the provision of open space. The Council's Countryside and Outdoor Recreation Services department have advised that their preferred situation would be for developers to provide, manage and maintain their own fixed play facilities, either organised by themselves or through a resident's organisation, or potentially by working with the local town or community council. It has also been advised that if the developer decided not to provide adequate play space on their land, and if Powys County Council does have a play facility with fixed play equipment within a short distance, then the Countryside and Outdoor Recreation Service would seek a monetary package to upgrade the Services nearest existing playing field or playground. The Countryside and Outdoor Recreation have advised that the Council does not have play facilities around the site, and if any section 106 contribution for play is available, then the offer should go to Open Newtown & Newtown Town Council, who own and maintain the nearest public play facilities.

The recently upgraded equipped play area at Afon House and Newtown Skateboard Park are within the 600m accessibility buffer zone identified within the Council's Open Space Assessment (2018) In addition, there are nine outdoor sports pitches identified within the 1.2km accessibility buffer zone. In addition, as noted above the site is located adjacent to an area of amenity greenspace, known as Trehafren Amenity Land. The equipped play area at Afon House within the accessibility buffer has recently been upgraded and it is understood that funds for the upgrade etc have been sourced from grant/lottery funding. Therefore, it is considered that the requirement for monies to support that play area would not meet the tests set out in Welsh Office Circular 13/97. Furthermore, the Town Council has not raised any queries in respect of contributions towards recreational and/or play areas. Consideration has been given to enhancement of the more informal open spaces where the accessibility buffer is overlapping the application site i.e. through the provision of benches and signage as they are also likely to be used by the residents. It is noted that Newtown has an over-provision of informal

open space (74.84ha compared to a target of 21.88ha) with 96% of the population being within an accessibility buffer for informal open space, based on the 2018 Open Space Assessment and as such it is not considered that enhancement of the open spaces is a reasonable requirement. However, to provide some further amenity enhancement for the future residents, it has been agreed that a bench should be placed within the development.

Taking into account the requirements of LDP Policy DM3 and the Open Space Assessment together with the comments received from the Countryside and Outdoor Recreation Department and the Town Council, it is considered that it is not reasonable to require contributions to existing public open space where no deficiencies have been identified relating to the accessibility buffer zones set out within the Open Space Assessment. However, the provision of a bench as part of the development would provide some form of recreational enhancement for the future residents in accordance with LDP Policy DM13 and its siting should be conditioned accordingly.

Amenity

Criterion 11 of LDP Policy DM13 requires that the amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter. The Residential Design Guide SPG provides further guidance on amenity.

The application site boundary is within 10m of the front elevations of the existing properties to the south and the rear elevations of the proposed dwellings would face the front/side elevations of the neighbouring dwellings. Whilst the development would not meet the advised 21m distance between directly facing windows on rear/front elevations set out within the Residential Design SPG the development is proposed on largely the same footprint as the previous building and will be constructed on a lower plateau to the existing properties, thereby mitigating the impact of any direct overlooking. A cross section has been submitted which demonstrates that the 25 degrees rule in terms of overshadowing will be complied with.

The Council's Environmental Protection team have not objected to the development but have requested that a condition is attached to control construction-phase noise.

Overall, in consideration of the topography of the land and the submitted cross section, it is concluded that subject to the use of the condition recommended by Environmental Protection, the amenities enjoyed by the occupants or users of nearby or proposed properties will not be unacceptably affected by the development in accordance with Criterion 11 of LDP Policy DM13.

Historic environment

LDP Policy SP7 – Safeguarding of Strategic Resources and Assets, seeks to safeguard

historic assets from unacceptable development so as to protect them for the future well-being of the county. This policy echoes the objectives of Planning Policy Wales and Technical Advice Note 24.

Setting of Scheduled Monument

There is a policy presumption in favour of safeguarding Scheduled Ancient Monuments and their settings. Scheduled Monument MG160 Newtown Hall Castle Mound is located approximately 435m to the north-east of the application site across Ysgol Calon y Dderwen grounds.

Cadw have not offered comments on the application. However it is noted that the monument comprises the remains of a motte and ditch, dating to the medieval period (c. 1066 -1540 AD). A motte is a large conical or pyramidal mound of soil and/or stone, usually surrounded by either a wet or dry ditch, and surmounted by a tower constructed of timber or stone. The monument is of national importance for its potential to enhance our knowledge of medieval defensive practices. The monument is well-preserved and an important relic of the medieval landscape. It retains significant archaeological potential, with a strong probability of the presence of both structural evidence and intact associated deposits.

Given the intervening built form and the distance between the development and the ancient monument, it is considered that the development would not unacceptably adversely affect the setting of the identified scheduled monument in accordance with LDP Policy SP7.

Natural Environment

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

The submission includes ecological and arboricultural assessments. The bat survey conducted to inform the demolition of the previous building on site recommends the installation of 6no. bat boxes on trees and the European Protected Species (EPS) licence method statement included additional roost features for crevice-dwelling bats within the proposed new dwellings to ensure long-term compensation for loss of the roosts and to provide additional enhancement. The Council's Ecologist has advised that the building was demolished in 2021 under a European Protected Species licence and during the officer's site visit it was noted that the building has indeed been demolished. As such the comments received from Natural Resources Wales are not relevant now. The Council's Ecologist has advised that the submitted plans specify acceptable permanent compensation and enhancement measures to be installed on each building,

which accords with the EPS licence method statement. Therefore, in accordance with the Ecologist's advice, it is recommended that adherence to the plans is secured by condition.

An ecological assessment of the remainder of the site identified immature woodland, hedgerows, amenity grassland and shrubs. Precautionary measures are recommended to avoid impact to nesting birds and small mammals during construction. A wildlife sensitive external lighting scheme is recommended to avoid impact to roosting, commuting or foraging bats. Montbretia (a Schedule 9 non-native invasive species) was confirmed from two locations. An Invasive Species Method Statement is provided to enable eradication of the plant from the site and avoid the risk of further spread during construction. Based on the Ecologist's advice, it is recommended that adherence to the identified mitigation measures for birds, mammals and invasive species is secured through an appropriately worded planning condition.

The Arboricultural Assessment identifies trees to be removed to accommodate the development or for poor health. It is recommended that compensatory planting is undertaken to mitigate the amenity impact. A Method Statement and Tree Protection Plan have been provided to demonstrate that the development can be undertaken without adverse impact to retained trees and hedgerows. Based on the advice from the Ecologist, it is recommended that adherence to the Arboricultural Method Statement and Tree Protection Plan is secured through an appropriately worded planning condition.

A Landscaping Masterplan and Planting Plan identify compensatory trees and shrubs will be planted across the site. Based on the Ecologist's advice, it is recommended that adherence to the details of the planting plan is secured through condition.

In terms of biodiversity enhancement, in addition to enhancement measures for bats, the Landscape Masterplan identifies that 10no. boxes for nesting birds will be installed on suitable locations on the buildings. The planting of native trees, shrubs and flowers across the site will also provide enhancement. All of the measures are welcome and considered appropriate to the development and as such it is recommended that they are conditioned accordingly.

Overall, based on the comments received from the Council's Ecologist and Natural Resources Wales, subject to the use of conditions, it is considered that the submission has adequately demonstrated how the development will protect, positively manage and enhance biodiversity interests in accordance with LDP Policy DM2.

Highways

LDP Policy DM13 confirms that applications must demonstrate that the development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon. In accordance with LDP policies

DM13 and T1, development proposals are expected to meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

Access to the site is currently gained off the U4231 highway and it is proposed to alter/improve the existing means of access. The Highway Authority have advised that the submission demonstrates that sufficient on-site parking is available (32 no. parking spaces) and compared with the previous use, the development would provide betterment in terms of highway safety. The Highway Authority has supported the development, subject to the use of conditions.

Therefore, based on the Highway Authority's comments, subject to the use of the recommended conditions, it is considered that the development complies with LDP Policies DM13 and T1 in respect of highway access and safety.

Contaminated land

LDP Policy DM10 states that development proposals on contaminated or unstable land will be permitted where they do not:

1. Result in any additional problems of ground instability or contamination either on or off site and shall remediate the contamination / instability.
2. Unacceptably adversely affect public health and safety, nature conservation, historic or archaeological interests.

The Council's Contaminated Land Officer has advised that the site is identified as containing asbestos materials in the submitted Geotechnical desk study. Whilst the building has already been demolished, it is understood that there is still the possibility that asbestos materials may also be found on or underground. As such, the Contaminated Land Officer has recommended conditions to assess and remediate the site. Based on the Contaminated Land Officer advice, it is considered necessary to attach the recommended conditions in accordance with LDP Policy DM10.

Surface water drainage

LDP Policy DM6 states that development proposals must avoid unnecessary flood risk by assessing the implications of development within areas susceptible to all types of flooding; any development that unacceptably increases risk will be refused. The policy also states that satisfactory provision shall be made for land drainage in all developments and this should include consideration of the use of Sustainable Drainage Systems (SuDS).

The Council's Lead Local Flood Authority have advised that the Authority holds no

historical flooding information relating to this site. However, from the surface water flood mapping in their possession, they have advised that there is a risk of surface water flooding to the site. This flood risk information can be seen on NRW's flood risk mapping webpage, in particular, flooding from surface water, where it shows an area within the centre of the site with a low chance of flooding from surface water. Hafren Dyfrdwy have recommended that details of surface water drainage are submitted to and approved by condition.

A drainage strategy has been submitted which has been reviewed by the Land Drainage department who have advised that the strategy is acceptable to address the surface water flooding risk set out in the initial consultation response. As such, it is considered that the development complies with LDP Policy DM6. In addition, given that the construction area will be greater than 100m², approval from the SuDS Approval Body (SAB) will be required which is a separate process to the planning system. Therefore, sustainable drainage solutions will be considered under that process in more detail and the informative recommended by the SAB approval body is recommended to be attached.

Foul drainage

Criterion 12 of LDP Policy DM13 requires that adequate utility services exist or will be provided readily and timely without unacceptable adverse effect on the surrounding environment and communities. Welsh Government Circular 008/2018 provides further guidance on planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.

It is proposed to connect to the mains sewage system which is the preferred method of foul drainage set out within Circular 008/2018. Hafren Dyfrdwy have not objected to the development but have recommended a condition to require the submission, approval and implementation of drainage plans. Given that Hafren Dyfrdwy have referred to the requirement for all sites to enter into a Section 104 sewer adoption agreement before any sewer connection can be approved and no concerns have been raised in respect of the capacity of the existing public sewage system in Newtown or in connecting from the site, it is unclear why additional information in terms of connection to the public sewage system is required or necessary. Therefore, it is not considered reasonable or necessary to require further details of the proposed connection, however it is recommended that a condition is attached to require connection prior to the occupation of the dwellings. Subject to the use of the recommended condition, it is considered that the development complies with Criterion 12 of LDP Policy DM13.

Waste

LDP Policy DM15 requires development proposals to demonstrate how the production of waste will be minimised during all stages of the development and how the waste materials that do arise will be managed in a sustainable way and that adequate provision has been made in the design of the development for the storage and

collection, composting and recycling of waste materials.

As noted above the building which previously occupied the site has been demolished and the materials removed from site. As such, a significant level of waste from the development is not expected. In terms of the provisions for recycling and waste storage, the submission indicates bin storage areas. The information accompanying the application is considered sufficient to meet the requirements of LDP Policy DM15.

Placemaking and Wellbeing Goals

Planning Policy Wales has been amended following the introduction of Well-being of Future Generations Act. PPW plays a significant contribution to the improvement of well-being in all its aspects as defined by the statutory well-being goals. It embeds the spirit of the Well-being of Future Generations Act, through moving us towards a low carbon, resilient society, of providing secure and well-paid jobs, and of building well-connected environments for everyone in Wales that improves our lives and health and enhances our well-being.

PPW also promotes placemaking and states the following;

Productive and Enterprising places are those which promote our economic, social, environmental and cultural well-being by providing well-connected employment and economic development in pleasant surroundings. These places are designed and sited to promote healthy lifestyles and tackle climate change by making them easy to walk and cycle to and around, access by public transport, minimising the use of non-renewable resources and using renewable and low carbon energy sources.

Ministers advised in June 2019 that placemaking should form part of all decisions and have considered measures to call in applications where strategic placemaking has not been considered.

Placemaking is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.

The key principles for ensuring 'Right Development in the Right Place' according to PPW are as follows;

- i. Growing our economy in a sustainable manner – the planning system should enable development which contributed to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services.
- ii. Making the best use of resources - The planning system has a vital role to play in making development resilient to climate change, decarbonising society and

- developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals.
- iii. Facilitating accessible and healthy environments - Our land use choices and the places we create should be accessible for all and support healthy lives. High quality places are barrier-free and inclusive to all members of society. They ensure everyone can live, work, travel and play in a way that supports good physical and mental health.
 - iv. Creating and sustaining communities - The planning system must work in an integrated way to maximise its contribution to well-being. It can achieve this by creating well-designed places and cohesive rural and urban communities which can be sustained by ensuring the appropriate balance of uses and density, making places where people want to be and interact with others.
 - v. Maximising environmental protection and limiting environmental impact - Natural, historic and cultural assets must be protected, promoted, conserved and enhanced. Negative environmental impacts should be avoided in the wider public interest.

PPW provides guidance on the national sustainable placemaking outcomes and their relationship to PPW themes and Well-being Goals. It is considered that the proposed development is in accordance with both the placemaking and well-being goals on the following grounds:

- The development will provide a suitable type of residential accommodation for an identified need within a sustainable location within a development boundary of a town where there is access to a range of facilities and services.
- The development will provide and identified required type of residential accommodation which will assist in sustaining the community.
- The development is located close to existing transport networks.
- Impact on the environment and historic and cultural assets will be acceptable.
- The impact upon communities and local residents is considered acceptable.

Climate Change

PPW states that the planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals. The Environment (Wales) Act 2016 sets a legal target of reducing greenhouse gas emissions in Wales by at least 80% in 2050 with interim targets set for 2020, 2030 and 2040. Welsh Government also have a legal commitment to net zero by 2050 and an ambition to achieve this sooner if possible. There are two parts to the issue of climate change within planning, these being the extent a development contributes towards the generation greenhouse gasses and the extent a development has considered and adopted means to make the operation resilient to the effects of climate change.

Whilst it is accepted that that the proposal is likely to make some contribution to

greenhouse gas emissions during construction and use, as do many operations and developments, however, this does not in itself mean that it is unacceptable and does not provide a full picture of the issue. As it currently stands there are no specific planning policy requirements that dictate a certain amount of greenhouse gas generation from a development would be unacceptable and neither does it state that residential development should not be supported for this reason. Rather, by making determinations in line with the development plan, it can be reconciled that the development is acceptable in planning terms.

Conclusion

The development is considered to make an efficient use of land in terms of density and is located on previously developed land within a sustainable location within the development boundary of Newtown. The development will provide a housing type which is identified by evidence as needed in the locality and affordable housing can be secured as part of the development. The design is considered appropriate to its context and all other material planning issues have been addressed or can be addressed via the use of conditions. In addition, the development is considered to meet key principles of the Newtown Place Plan for residential development. Therefore, based on the above discussion, the development is considered to comply with local and national planning policy and guidance and the recommendation is one of approval as set out below.

RECOMMENDATION

Conditional 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 following approved plans and documents: V047.3a.3.001 Rev. A, 01 Rev C, 02 Rev A, C_PL_01 Rev P1, C_PL_02 Rev P1, C_PL_03 Rev P1, V047.3a.3.200 Rev. S, V047.3a.3.200 Rev.C, V047.3a.3.201 Rev. A, V047.3a.3.202, Ecology Plan, Drawing no. V047.3a.3.203, V047.3a.3.205, V047.3a.3.210 Rev. B, V047.3a.3.211 Rev. A, V047.3a.3.212 Rev. B, V047.3a.3.213 Rev. A, V047.3a.3.214 Rev. A, V047.3a.3.215 Rev. A, V047.3a.3C_PL_03 Rev P1, Landscape Masterplan Drawing no. 01 Rev. C, Planting Plan Drawing no. 02 Rev. A, 000_D_03 Rev. P5, Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN, by Churton Ecology, dated 23/08/ 2020, Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference – ArbTS_946.4_Robert Owen House, by ArbTS Ltd, dated 11th February 2022
3. 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 numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- 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;
- 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.

4. No development shall take place until:
 - Formulation of an initial conceptual model
 - A preliminary risk assessment

If the preliminary risk assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a suitably qualified competent person. No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins. The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

5. No development shall take place until 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 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 5 has been received from the local planning authority. All work and submissions carried out for the

purposes of this condition 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).

6. 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. If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied. Following completion of the measures identified in the approved remediation scheme, a verification 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.
7. Prior to commencement of development, an External Lighting Design Scheme to avoid and reduce potential impacts on nocturnal wildlife shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consider all external lighting fitted to dwellings and associated infrastructure and demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The approved scheme shall be adhered to and be implemented in full.
8. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 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.
9. Before any other development is commenced 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 (MOT Type 1), 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway.

10. Notwithstanding the submitted details on drawing numbers 01 Rev C, 02 Rev A, C_PL_01 Rev P1, C_PL_02 Rev P1 & C_PL_03 Rev P1, within 10 days from the commencement of the development detailed highway engineering drawings covering the provision of a 20mph Zone, and appropriate signing, shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of construction.
11. Prior to the occupation of any of the dwellings hereby approved, provision shall be made within the corresponding plot for the parking and turning of vehicles as detailed on the approved site plan C_PL_03 Rev P1. The parking areas and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
12. Prior to the first occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in.
13. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 10 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.
14. No dwelling hereby approved shall be occupied before the estate road carriageway and footways are constructed to binder course level to an adoptable standard including the provision of any salt bins, surface water drainage and street lighting in front of that dwelling and to the junction with the existing county highway.
15. The estate road carriageway and all footways shall be fully completed, in accordance with the details to be agreed in writing by the Local Planning Authority, upon the issuing of the Building Regulations Completion Certificate for the last house or within two years from the commencement of the development, whichever is the sooner. The agreed standard of completion shall be maintained for as long as the development remains in existence.
16. The gradient from the back of the footway/verge to the vehicle parking areas shall be constructed so as not to exceed 1 in 20 and shall be retained at this gradient for as long as the dwellings remain in existence.
17. Prior to first occupation of any dwelling on the site, a 20mph Zone shall be implemented that covers the internal estate road. (see advisory note)

18. No surface water drainage from the site shall be allowed to discharge onto the county highway.
19. The development shall be undertaken in strict accordance with the Ecology Plan, Drawing no. V047.3a.3.203 (Bat Habitat Mitigation Measures). The measures identified shall be adhered to and implemented in full.
20. The development shall be undertaken in strict accordance with the Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference – ArbTS_946.4_Robert Owen House, by ArbTS Ltd, dated 11th February 2022. The measures identified shall be adhered to and implemented in full.
21. Prior to first occupation of any dwelling the development shall be connected to the public sewerage system and the connection shall be retained in perpetuity.
22. Prior to first occupation of any dwelling, a seating bench as identified on drawing no. V047.3a.3.200 Rev. S shall be installed. The bench shall be retained and maintained in perpetuity.
23. All planting, seeding or turfing comprised in the approved details of landscaping (Landscape Masterplan Drawing no. 01 Rev. C and Planting Plan Drawing no. 02 Rev. A) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
24. The development shall be undertaken in strict accordance with Section 5 (Proposed Avoidance Measures, Mitigation and Enhancements) and Appendix 1 (Invasive Species Method Statement) of the Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN, by Churton Ecology, dated 23/08/ 2020. The measures identified shall be adhered to and implemented in full.
25. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:
 - o 0800-1800 hrs Monday to Friday
 - o 0800-1300 hrs Saturday
 - o At no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above.

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. To make provision for affordable housing in accordance with Policies H1, H3 and H5 of the Powys Local Development Plan (Adopted 2018), Planning Policy Wales (Edition 11, 2021), Technical Advice Note (TAN) 2: Planning and Affordable Housing (2007) and Powys Local Development Plan (2011-2026) Supplementary Planning Guidance Affordable Housing Adopted October 2018.
4. 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 DM10 of the Powys Local Development Plan (2011-2026).
5. 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 DM10 of the Powys Local Development Plan (2011-2026).
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 DM10 of the Powys Local Development Plan (2011-2026).
7. To comply with Policies DM2 and DM7 of the Powys Local Development Plan (2011-2026) in relation to The Natural Environment and Dark Skies and External Lighting and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note TAN 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
8. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
9. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).

10. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
11. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
12. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
13. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
14. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
15. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
16. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
17. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
18. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
19. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
20. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
21. To ensure that the development is provided with a satisfactory means of foul drainage in accordance with Policy DM13 of the Powys Local Development Plan (2011-2026).
22. To ensure the provision of appropriate open space for residents in accordance with Policy DM3 of the Powys Local Development Plan (2011-2026).
23. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11,

February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.

24. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.
25. To safeguard the amenities of the occupants of nearby properties in accordance with Policy DM13 of the Powys Local Development Plan (2011-2026).

Informatives

Advisory Notes from the Highway Authority

Where development results in (or retains the potential to) the creation of a private street (typically development in excess of 5 dwellings) Powys County Council has a statutory duty to issue and enforce an Advance Payment Code Notice (APC) under the provisions of Sections 219/220 of the Highways act 1980. The Notice requires the applicant to secure a sum or bond with the local highway authority that covers the estimated costs of the identified street works. Applicants/developers may choose to discharge their private street works obligations by entering into a formal road adoption agreement with the local highway authority under Section 38 of the Highways Act 1980. Further information relating to the APC procedure and Section 38 road adoption agreements can be found in Section E of the CSS Wales Common Standards Guide 2020.

The developer shall pay the reasonable costs incurred by Powys County Council for the procurement and implementation of the requisite Traffic Regulation Order, in addition to the manufacture and erection of all associated signage. Further information relating to Traffic Regulation Orders can be found in Section E of the CSS Wales Common Standards Guide 2020.

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

4. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
5. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.

6. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Further advice on the above highway matters can be obtained from:-

<http://www.powys.gov.uk/en/roads-transport-parking/>

street.works@powys.gov.uk

Street Works
Powys County Hall
Spa Road East
Llandrindod Wells
Powys
LD1 5LG

0845 6027035

Ecology

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 on 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.

Drainage

Advice from Hafren Dyfrdwy

The developer's attention is also drawn to the legal requirement for all sites to enter into a Section 104 sewer adoption agreement with Hafren Dyfrdwy before any sewer connection can be approved, in line with the implementation Schedule 3 of the Floods and Water Management Act 2010. Full details of this are provided on our website www.hdcymru.co.uk under the 'New Site Developments' section.

Contaminated land

All work and submissions carried out for the purposes of the contaminated land conditions 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).

Sustainable Drainage Approval Body

Having assessed the Planning Application Ref 22/0422/FUL, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m² and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email sab@powys.gov.uk

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website <https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

It is also recommended for a development of this size that a SAB pre-app is completed.

Comments from Mid and West Wales Fire and Rescue Service

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:
<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of->

water-for-firefighting-3rd-edition-jan-2007/

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

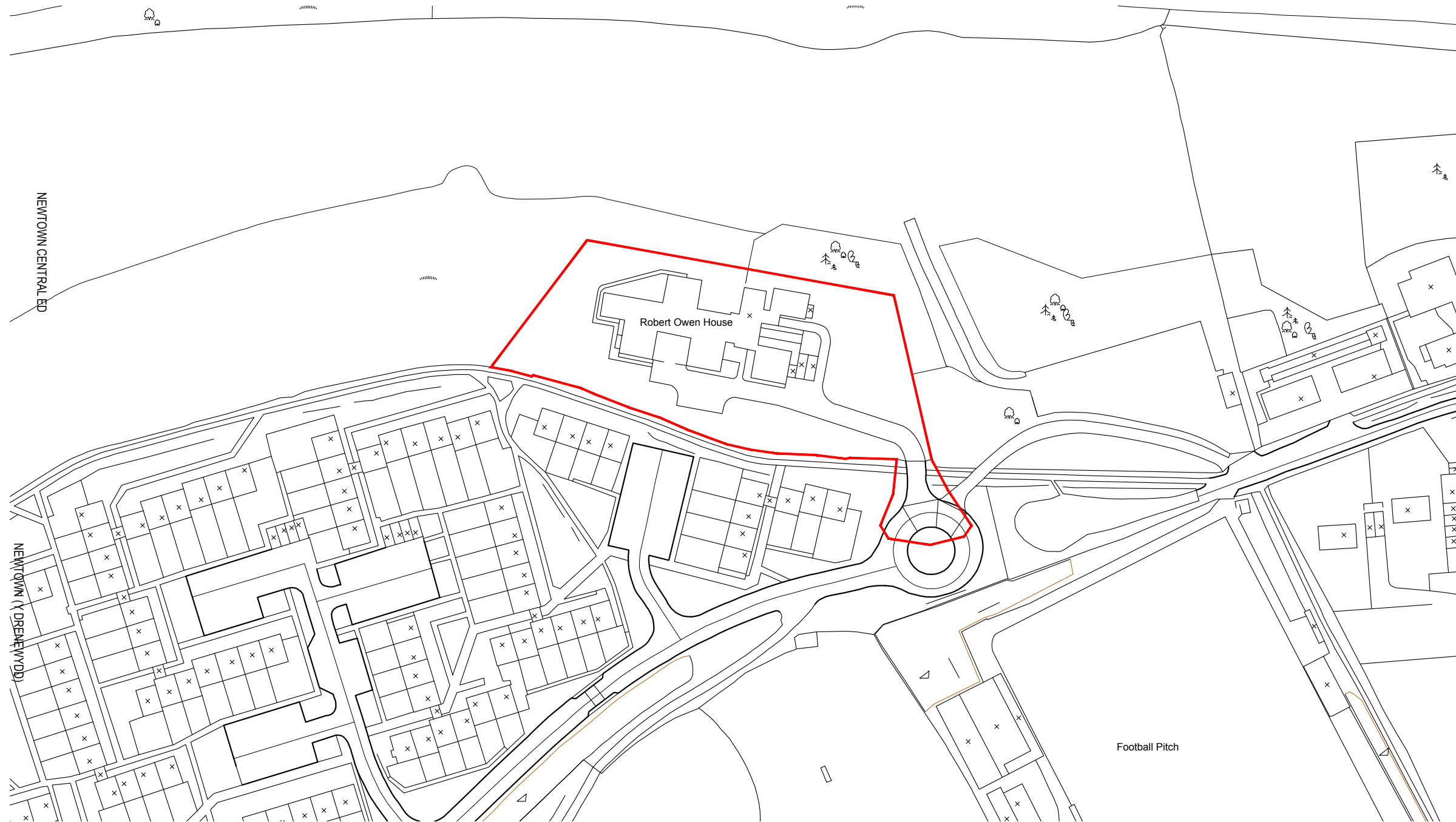
Case Officer: Kate Bowen, Senior Planning Officer
Tel: 01938 551268 E-mail: kate.bowen@powys.gov.uk

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Any discrepancies should be reported immediately.

Any surveyed information incorporated within this drawing cannot be guaranteed as accurate unless confirmed by a fixed dimension. All dimensions are in millimetres unless noted otherwise.



Application Site Boundary



Head Office
 29 Broad Street
 Newtown
 Powys
 SY16 2BQ
 t - 01686 610311
 w - www.hughesarchitects.co.uk

Rev A - Red line amended - 07.03.22 - RL

Project Proposed Residential Development, Robert Owen House		
Drawing Status Stage 3a	Drawing Title Location Plan	
Scale: 1:1250@A3 Date 18.11.20	Drawing No V047.3a.3.001	Rev A
Drawn by LW Checked RL		

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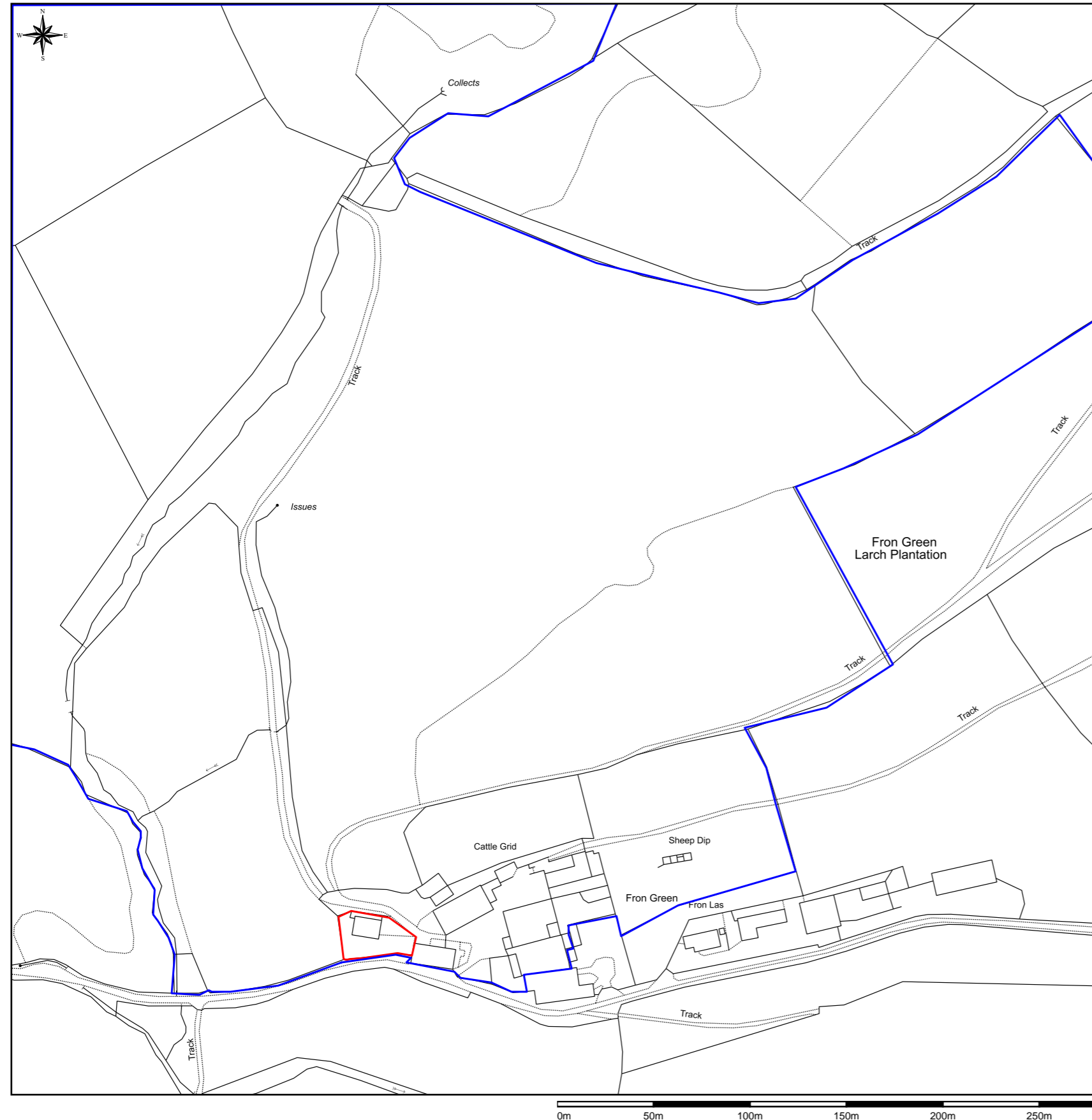
Hill View, Llanllugan, Powys, SY21 0AG



EVANSBANKS

PLANNING

Dwg No: SLP/1421.a
Development: Variation of Condition



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4.5

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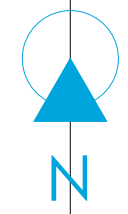
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plans

Prepared by: Laura Newcombe, 03-03-2022

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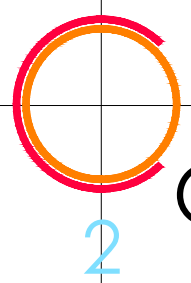


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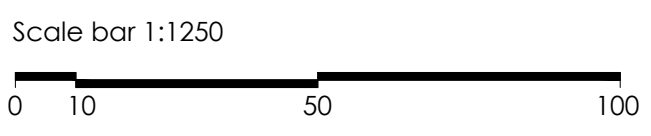
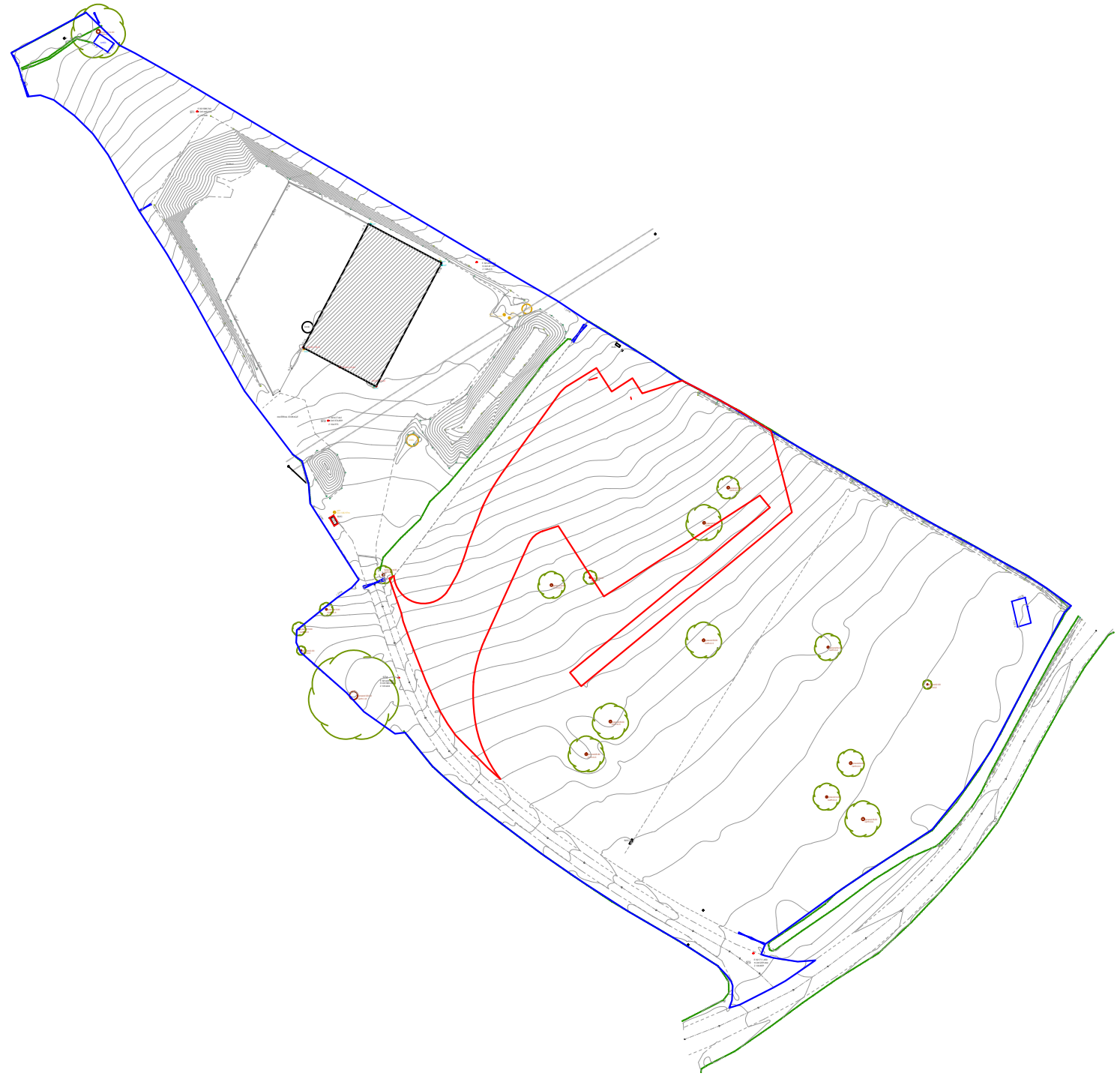
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**Planning, Taxi
Way Committee**



**Licensing and Rights of
Report**

Application Number: 21/2249/HH

Grid Ref: E: 311192
N: 292065

Community Council: Newtown And
Llanllwchaiarn Community

Valid Date: 13.01.2022

Applicant: Mr Karl Chapple Gill

Location: High Meadow, 3 Churchill Drive, Newtown, SY16 2LE.

Proposal: Erection of a residential steel frame garage to replace an existing garage, creation of new driveway and dropped kerb (part retrospective)

Application Type: Householder

The reason for Committee determination

The Local Member has exercised their right to call-in the application for Committee determination on the grounds of the design, size and scale and materials of the proposed garage.

Consultee Responses

Consultee

Received

Community Council

11th Feb 2022

The committee objects to the application, quoting Newtown Place Plan policy CHA.

PCC-Building Control

17th Jan 2022

Please be aware that a Building Regulations application will need to be submitted for this work prior to commencement.

Ward Councillor

7th February 2022

I would like to call in this application to be reviewed and determined by the planning committee. I have had a number of emails and phone calls from local residents raising concerns over this application.

In particular the local residents are concerned about:

- a) The size of the garage compared to the previous garage.
- b) The materials being used – steel structure may not be suitable for the area.
- c) The garage potentially being used for commercial use.
- d) The looks – more like an industrial building rather than a garage.

CPAT

16th Feb 2022

Having checked the information held within the Historic Environment Record I can confirm that there are no impacts to any recorded archaeology for Powys Planning Application 21/2249/HH at High Meadow 3 Churchill Drive Newtown.

PCC Environmental Protection

22nd Mar 2022

Concerning planning application 21/2249/HH, as the proposal is for a residential garage and there will be a planning restriction against any potential commercial use, Environmental Protection would not have any requirements.

Cadw - SAM

No response received at the time of writing this report.

Hafren Dyfrdwy

28th Feb 2022

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets

crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

PCC Highways – First Response

1st Feb 2022

Does not wish to comment on the application

PCC-(M) Highways – Second Response

21st Feb 2022

The County Council as Highway Authority for the County Unclassified Highway, U4266

The Highway Authority (HA) has reviewed the revised drawing submitted in support of the application and wish to make the following comments.

We note the revised Location Plan shows a proposed vehicle access off the U4266; however, no detail of the proposed access has been submitted for consideration.

Subject to the following conditions being attached to any consent given, the HA would not object to the revised application.

1. Notwithstanding the submitted details on the revised Location Plan, the Highway Authority wish the following conditions to be applied to any consent given.
2. No other development shall commence until clear visibility is provided above a height of 0.6 metres above carriageway level over the full frontage of the developed site to the U4266 road effective over a bandwidth of 2.4 metres measured from the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) 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.
3. Upon formation of the visibility splays as detailed 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.
4. Before any other development is commenced 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.
5. Prior to the first beneficial use of the development the area of the access to be used

by vehicles is to be finished in a 40mm bituminous surface course material 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.

6. The gradient of the access shall be constructed so as not to exceed 1 in 20 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.

7. The width of the access carriageway, constructed as Condition 2 above, shall be not less than 3.2 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.

8. Any vehicular entrance gates installed within the application site shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and 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.

9. No surface water drainage from the site shall be allowed to discharge onto the county highway.

Advisory Notes

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.

a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.

b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.

2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.

3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.

4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Public Representations

Following display of a site notice, 9 public representations have been received objecting to the proposed development. The main issues raised are as follows:

- Concerns raised regarding the use of the garage
- Concerns raised regarding the materials proposed
- Size and scale of the development is overbearing
- Concerns regarding the new driveway

Planning History

App Ref	Description	Decision	Date
P/2016/0476	Section 192: Certificate of lawful development for a proposed use to replace existing garage with new garage	Refused	23rd Jun 2016

Principal Planning Constraints

LDP Development Boundaries Within a distance of 0.5km	Newtown/ Y Drenewydd Newtown Old Church
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Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Policy
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy

TAN24	The Historic Environment	National Policy
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM15	Waste within Development	Local Development Plan 2011-2026
H7	Householder Development	Local Development Plan 2011-2026
RES	SPG Residential Design Guide (2020)	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
DM15	Waste within developments	Local Development Plan 2011-2026
T1	Transport	Local Development Plan 2011-2026
SPGNPP	Newtown Place Plan SPG	Local Development Plan 2011-2026
SPG	Historic environment	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998
 Equality Act 2010
 Planning (Wales) Act 2015 (Welsh language)
 Wellbeing of Future Generations (Wales) Act 2015
 Marine and Coastal Access Act 2009

Officer Appraisal

Site Location and Description of Development

The application site is within the Town Council area of Newtown and Llanllwchaiarn. Newtown is identified as a town within the Powys Local Development Plan (Adopted 2018). The application site is located within a residential area of Newtown and is bordered by residential dwellings to the south, west and east with the U4266 unclassified access estate road to the north.

The application seeks permission to demolish the existing single bay garage with the erection of a new steel frame garage. Consent is also sought for the creation of new driveway and dropped kerb. The proposed garage is to be used for storing the applicant's cars.

The proposed garage is to measure 6.35 metres in length by 6.35 metres in width with a ridge height of 3.6 metres and an eaves height of 2.85 metres. The proposed garage will be finished with insulated steel sheeting panels in a dark grey colour.

Principle of Development

LDP Policy H7 encourages additional residential development to be provided as extensions to existing dwellings and where this is not possible, it requires the buildings to be grouped with and subordinate to the main dwelling. Planning Policy Wales further emphasises that extensions to dwellings should be well designed. Policy DM13 states that proposals will be acceptable only where they complement or enhance the character of the existing building in terms of its height, proportion, scale, roof pitches, gable features, materials and fenestration, whilst avoiding any unacceptable loss of parking or adverse impact upon neighbouring properties.

Given that the proposal is for a single storey rear garage, it is therefore considered that the principle of development fundamentally complies with the relevant planning policy subject to the following further considerations.

Design and External Appearance

With respect to design, specific reference is made to LDP policy DM13 (Part 1 and 2). The above mentioned policy clearly states that proposals will only be permitted where development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale height, massing and design detailing. Furthermore, the policy also notes that developments need to contribute towards the preservation of local distinctiveness and sense of place.

The application seeks permission to demolish the existing single bay garage with the erection of a new insulated steel frame garage. The proposed garage is to measure 6.35 metres in length by 6.35 metres in width with a total height to the ridge of 3.6 metres and

2.85 metres to the eaves. The proposal does not take up more than half of the garden area and is considered acceptable in terms of the size and scale and remaining subservient to the main dwelling.

The proposed garage is to be sited in the rear garden of the property on the south-western side and will be placed approximately 1 metre away from both the side and rear boundary. The proposed garage is considered to be of a modest height and is not considered to be overbearing on any neighbouring property.

The proposed materials are composite insulated steel sheeting panels in anthracite grey colour for both the walls and roofing. The proposed materials are not normally associated with residential garages which are commonly built using brick or timber. However, it is not considered that the proposed materials will affect the character of the area and are considered by officers as an acceptable alternative.

The proposed garage is to be used for the storage of the applicant's cars. Concerns have been raised in relation to the use of the garage which will be restricted via a planning condition. The condition will restrict the use of the garage solely for purposes incidental to the enjoyment of the dwelling at 3 Churchill Drive, Newtown and shall not be used for any other purpose whatsoever, including any independent or commercial use.

In light of the above it is considered that the proposal complies with the relevant planning policies.

Highways

Safe access and parking are a fundamental requirement of any development. The application does not seek alterations to the existing means of access to the property and the development would not affect the existing parking area.

The Local Highway Authority has been consulted on the proposal and initially raised no objection to the development, however the scheme was amended to include a new driveway and dropped kerb. The Highways Authority were reconsulted and raised no objection subject to the inclusion of a number of conditions which will be attached to any grant of consent.

As such, it is considered that the proposed development fundamentally complies with policies DM13 and T1 of the Powys Local Development Plan, Technical Advice Note 18 and Planning Policy Wales.

Residential Amenity

In considering the amenities enjoyed by the occupiers of neighbouring properties consideration has been given to the LDP policy DM13 (criterion 11) and the Powys Residential Design Guide (October 2020).

The application site is bordered by residential properties to the west, east and south. The proposed garage does not include any windows and therefore it is not considered the proposal will impact on the loss of privacy to any neighbouring property. The site is bound by a fence on the rear elevation, and hedges and existing buildings on the side elevations of the rear garden. It is considered that the garage will be relatively screened on all three sides by the existing fence, hedgerow and garages. The proposed building is to be located approximately 1 metre away from the boundary on both the rear and western side. It is not considered that the building will adversely affect these properties in relation to loss of light or overshadowing.

It is noted that the garage reaches a height of approximately 3.6 metres to ridge, which is not considered to be over dominant and overbearing within this location. It is also considered that the positioning of the building being at least 1 metre away from the boundary, will not impact any neighbouring properties in terms of loss of light, privacy and being overbearing.

PCC Environmental Protection has also been consulted on the proposed development in relation to matters such a noise and noted as the proposal is for a residential garage and there will be a planning restriction against any potential commercial use, PCC Environmental Protection raised no objection to the development.

In light of the above it is considered that the proposal complies with the relevant planning policies.

Ecology and Biodiversity

Policy DM2 states that proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests. Proposals which would impact on natural environment assets will only be permitted where they do not unacceptably adversely affect those assets. This is emphasised within Technical Advice Note 5 and PPW.

Biodiversity Enhancements

No details have been provided in terms of biodiversity enhancements for the proposed development. Therefore, a condition will be attached to any consent granted in relation to a biodiversity enhancement plan.

Protected Sites

The application site is not located within 1 kilometre of a SSSI or SAC however is within 600 metres of an ancient woodland (AW). Given the distance between the site and the AW, it is not considered that the development will affect the protected site.

Protected Species

The application proposes to demolish the existing garage at the site on the south-eastern

corner of the rear garden. Photos have been provided which demonstrate that the existing garage is flat roofed with metal sheeting roof panels and does not have a roof space. Having considered the materials of the existing garage it is not considered the existing garage has suitable features to support protected species. Therefore, it was not deemed necessary to request a preliminary ecological report and an informative note will be attached to any consent granted.

Given the residential setting of the application site it is not considered necessary to attach a condition in relation to external lighting.

Archaeological Implications

CPAT has been consulted on the proposed development and, having reviewed information held within the Historic Environment Record, confirmed that there are no impacts to any recorded archaeology as a result of the proposal.

In light of the above, it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Public Representations

Following the erection of a site notice on the 26th of January 2022, the Local Planning Authority received 9 letters of objection to the proposed development. The objections relate to the proposed materials, along with potential commercial use, creation of driveway and the height of the proposal.

A condition will be attached to any consent granted restricting the use of the garage purposes incidental to the enjoyment of the dwelling at 3 Churchill Drive, Newtown only to ensure the proposed garage is not used for any commercial purposes.

The comments in relation to the creation of a driveway and laying of stone has been considered as part of this application. PCC Highways has been consulted on the proposal and raised no objection to the development subject to the inclusion of conditions.

Matters in relation to the height of the garage proposed and the materials have been considered above within the design section of this report. The proposed height and materials are deemed acceptable.

It is noted that Newtown and Llanllwchaiarn Town Council raised an objection to the proposed development and quoted Newtown Place Plan policy CHA. Policy CH-a of Newtown Place Plan states:

“All new development and redevelopment within Newtown and Llanllwchaiarn should contribute positively to the character & local distinctiveness of the character area.”

Having considered the proposed garage it is not considered the proposal would have a

detrimental impact on the character and local distinctiveness of the area. Matters in relation to design, size and scale and material have been considered above and are deemed acceptable by the Local Planning Authority.

Scheduled Ancient Monument

The application site is located approximately 370 metres to the north east of 'Newtown Old Church' which is a recognised Scheduled Ancient Monument. Both CPAT and CADW have been consulted on the proposal and raised no objection to the development. Given the distance between, it is not considered that the development will have a detrimental impact on Newtown Old Church Scheduled Monument.

In light of the above, it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

RECOMMENDATION – Approval

Conditions

1. The development to which this 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 approved on the date of this consent (Drawing ref: 'High Meadow Elevation Plan Revised on 30/03/2022' 'High Meadow Location Plan received on 22/03/2022' & 'High Meadow Floor Plan'.
3. Prior to the 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 Local Planning Authority.
4. The building hereby approved shall be used solely for purposes incidental to the enjoyment of the dwelling at 3 Churchill Drive, Newtown and shall not be used for any other purpose, including any independent or commercial use.
5. No other development shall commence until clear visibility is provided above a height of 0.6 metres above carriageway level over the full frontage of the developed site to the U4266 road effective over a bandwidth of 2.4 metres measured from the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) 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.

6. Upon formation of the visibility splays as detailed 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.
7. Before any other development is commenced 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.
8. Prior to the first beneficial use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material 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.
9. The gradient of the access shall be constructed so as not to exceed 1 in 20 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.
10. The width of the access carriageway, constructed as Condition 7 above, shall be not less than 3.2 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.
11. Any vehicular entrance gates installed within the application site shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and 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.
12. No surface water drainage from the site shall be allowed to discharge onto the county highway.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans as approved in the interests of clarity and a

satisfactory development.

3. To comply with Policy DM2 of the Powys Local Development Plan (2018) in relation to the natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
4. In the interests of highway safety and to protect the amenities of the occupants of neighbouring properties in accordance with Policy DM13 of the Powys Local Development Plan (2018).
5. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
6. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
7. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
8. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
9. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
10. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
11. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
12. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).

Informative Notes

Advisory Notes

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular

access works.

- a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.
 - b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.
2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
 3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
 4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Biodiversity

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:

- o intentionally kill, injure or take any wild bird
- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird
- o 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 2017 (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 2017 (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 0345 1300 228 or email enquiries@bats.org.uk.

Case Officer: Luke Woosnam, Planner
Tel: 01597 827345 E-mail: luke.woosnam@powys.gov.uk

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High meadow, 3 Churchill Drive Newtown Powys

SY16 2LE



ref 21/2249/HH



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Delegated List

235 Applications

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Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Abbey Cwm-Hir Community	Permitted Developm ent	23/03/2022	22/0442/AGR	Agricultural Notification	19/04/2022	Erection of a steel framed storage shed	Pantglas Bwlch-y-sarnau Rhayader Powys LD6 5ND
Aberedw Community	Approve	04/02/2022	22/0183/HH	Householder	06/06/2022	Demolition of outbuildings, creation of access, conversion and extension of garage to form additional living accommodation	The Green Llanbadarn-Y-Garreg Builth Wells Powys LD2 3UT
Aberhafesp Community	Approve	29/11/2021	21/2083/AGR	Agricultural Notification	12/05/2022	An agricultural building for storage of machinery and fodder.	Mynydd Llwytgoed Bwlch-y-ffridd Newtown Powys SY16 3JF

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235 Applications

	Consent	17/03/2022	22/0426/DIS	Discharge of Condition	12/05/2022	Discharge of condition 3 (Biodiveristy Enhancement Plan) and condition 9 (Highways Plans) of planning approval 21/1188/FUL	Agricultural Building At Land Adjoining Bethel Chapel Aberhafesp Newtown Powys SY17 5PB
Abermule And Llandysil Community	Approve	15/03/2022	22/0444/HH	Householder	26/04/2022	Erection of an extension and porch, alterations to dwelling and all associated works	Homelea Abermule Montgomery Powys SY15 6LB
	Approve	08/04/2022	22/0629/NMA	Non-Material Amendment	04/05/2022	Application for non-material amendment to planning permission 20/1820/FUL in relation to reduction in the scale of the proposed buildings, variation to the door details on units 4 - 9 and a variation to condition 12 of permission 20/1820/FUL so that it refers to plan 20-117-SP03 Rev F.	Units 1-3 Abermule Business Park Abermule Montgomery Powys SY15 6FA

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Delegated List

235 Applications

Refused	20/07/2021	21/1189/OUT	Outline planning	06/05/2022	Erection of two dwellings and all associated works (all matters reserved)	Land Adjacent To Cae Brynderwen Abermule Montgomery Powys SY15 6JP
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Beguily Community	Approve	14/02/2022	22/0145/HH	Householder	26/05/2022	Proposed 1st floor extension to the existing bungalow.	Greenfields, Transport Depot Knucklas Knighton LD7 1PL
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	Consent	15/11/2021	21/2061/FUL	Full Application	09/05/2022	Barn Conversion to a residential unit and associated works	Hendre Felindre Knighton Powys LD7 1YT
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	Consent	18/02/2022	22/0249/FUL	Full Application	12/05/2022	Installation of 2 No. containerised combined heat and power units (CHP) (retrospective)	Hendre Poultry Unit The Hendre Felindre Knighton LD7 1YT
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235 Applications

Berriew Community	Approve	11/03/2022	22/0420/DIS	Discharge of Condition	04/05/2022	Application to discharge condition 14 of planning approval 19/1410/FUL in relation to highway improvement work	Groes Y Garreg Berriew Welshpool SY21 8AU
	Approve	01/04/2022	22/0521/DIS	Discharge of Condition	05/05/2022	Application to discharge conditions 3, 13 and 17 attached to permission 21/1472/FUL	Luggy Brook Cottage Red Lane Berriew Welshpool SY21 8AS
	Consent	14/08/2017	P/2017/0934	Listed Building Consent	20/04/2022	Listed building consent - Retention of works already carried out to facilitate the change of use from Malthouse to dwelling, construction of a single storey extension and additional remedial works.	The Malthouse Garthmyl Montgomery Powys SY15 6RS
	Split Decision	11/02/2022	22/0225/DIS	Discharge of Condition	11/05/2022	Application to discharge condition 3, 20, 21, 22, 23, 27, 28 and 29 of planning approval 21/0225/REM	Land Adjacent To Belle Vue Garthmyl Welshpool Powys

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Builth Wells Community	Approve	18/01/2022	22/0040/HH	Householder	29/04/2022	Part demolition of the rear porch and boot room, and erection of single storey rear extension	2 North Road Builth Wells LD2 3BT
	Approve	18/01/2022	22/0041/CAC	Conservation Area Consent	29/04/2022	Part Demolition of the Rear Porch and Boot Room	2 North Road Builth Wells LD2 3BT
	Approve	21/02/2022	22/0301/HH	Householder	22/04/2022	Erection of single-storey extension to incorporate replacement garage	9 Park Road Builth Wells Powys LD2 3AY
	Consent	24/09/2021	21/1476/FUL	Full Application	13/05/2022	Installation of 6 floodlights	Builth Wells Football Pitch Lant Fields Pendre Builth Wells Powys LD2 3DG
Cadfarch Community	Approve	23/11/2021	21/2011/FUL	Full Application	29/04/2022	Demolition of existing 3-bedroom dwelling and erection of replacement 4-bedroom dwelling	Maesperthi Penegoes Machynlleth Powys SY20 8UN

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Approve	09/03/2022	22/0407/FUL	Full Application	31/05/2022	Replacement of substandard dwelling and integral garage with replacement bungalow and detached garage	Glendun Felingerrig Machynlleth SY20 8UJ
Permitted Development	02/03/2022	22/0331/TEL	Telecommunications notification	27/04/2022	Application under Part 24 of Schedule 2 of the GPDO 1995 for the installation of a 20m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 2 no. equipment cabinets, 1 no. meter cabinet and ancillary development thereto including a generator and associated fuel tank, a fenced compound and a hard standing area for the Shared Rural Network project on behalf of Cornerstone	Land At Ceulan Forest For The Installation Of A 20M Lattice Tower Aberhosan Machynlleth Powys



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Caersws Community	Approve	17/01/2022	22/0057/FUL	Full Application	06/05/2022	Conversion and change of use of redundant agricultural buildings to form 3 no residential dwellings and associated parking areas (north barn) together with construction of 5 no passing places	Garthbwt Clatter Caersws Powys SY17 5NR
	Approve	17/01/2022	22/0058/FUL	Full Application	06/05/2022	Conversion and change of use of redundant agricultural buildings to form 8 no residential dwellings and associated parking areas (west barn) together with construction of 5 no passing places	Garthbwt Clatter Caersws Powys SY17 5NR
	Approve	03/03/2022	22/0357/FUL	Full Application	04/05/2022	Installation of a new all weather surfacing onto existing tennis courts and construction of 4 new additional hardstanding areas	Recreation Ground Caersws Powys

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Carno
Community
Council

Approve	27/04/2022	22/0759/ELE	Electricity Overhead Line	07/06/2022	Application made under Section 37 of the Electricity Act 1989: Overhead Lines (Exemption)(England and Wales) Regulation 2009 to upgrade an existing overhead line	Land At Sarn Carno Caersws Powys SY17 5JT
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Consent	04/04/2022	22/0471/FUL	Full Application	16/05/2022	Construction of electricity substation and new control building, formation of parking area and installation of underground cable	Substation At Carno III Windfarm Carno Caersws Powys
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Refused	10/06/2021	21/1070/OUT	Outline planning	11/05/2022	Outline permission with some matters reserved for the erection of a rural enterprise dwelling	Land Adj Hendre Fach Carno Caersws SY17 5JY
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Carreghofa
Community

Approve	24/03/2022	22/0436/HH	Householder	18/05/2022	Alterations and extension to existing building to provide a double car port and wood shed	The Hollies Cae Celyn Llanymynech SY22 6EN
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Castle Caereinion Community	Approve	17/02/2022	22/0264/HH	Householder	04/05/2022	Erection of two storey front extension	32 Swallows Meadow Castle Caereinion Welshpool SY21 9DZ
	Approve	29/03/2022	22/0536/DIS	Discharge of Condition	05/05/2022	Application to discharge Conditions 5 and 6 attached to permission P/2016/0893 in relation to surface water and traffic calming measures	Land Adjacent To Tynllan Farm Castle Caereinion Welshpool Powys SY21 9AL
Churchstoke Community	Approve	16/08/2021	21/1530/FUL	Full Application	13/05/2022	Retrospective application for dog kennels and dog grooming parlour and improvements to existing access	Pleasant View Pentre Churchstoke SY15 6SU
	Approve	04/01/2022	21/2081/FUL	Full Application	06/06/2022	Conversion of upper floor of farm building to a domestic annexe	Cwm Farm Churchstoke Montgomery SY15 6TH
	Approve	25/03/2022	22/0531/DIS	Discharge of Condition	10/05/2022	Application to discharge condition 14 from planning permission 19/1459/RES in relation to landscaping	Proposed New Dwelling Opposite Manor House Minsterley Shrewsbury Powys

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Clyro Community	Approve	12/04/2022	22/0642/HH	Householder	18/05/2022	Construction of a Garden room annexe	Little Argoed Churchstoke Montgomery SY15 6TH
	Approve	11/02/2022	22/0218/HH	Householder	19/04/2022	Proposed single storey side extension.	Net House Hay-On-Wye Hereford HR3 5RS
	Consent	03/12/2021	21/2118/FUL	Full Application	25/04/2022	New replacement 4 bedroom eco dwelling together with the retention of the existing farmhouse in order to allow for its continued occupation but as holiday accommodation, plus demolition of barns.	Lower Noyadd Clyro Hereford HR3 5JS

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Consent	09/03/2022	22/0354/FUL	Full Application	20/05/2022	Proposed development of 3 holiday units (shepherds huts), installation of pond (part-retrospective), upgrading of existing vehicular access, formation of parking area, installation of package treatment plant and all associated works.	Tymawr Brilley Whitney-On-Wye HR3 6HN
Permitted Development	22/04/2022	22/0652/AGR	Agricultural Notification	18/05/2022	Agricultural building for use as fodder, tool, farm machinery and general farm equipment	Court Croft Clyro Hereford HR3 5LE

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Dwyriw Community	Permitted Developm ent	04/03/2022	22/0356/TEL	Telecommunications notification	27/04/2022	Application under Part 24 of Schedule 2 of the GPDO 1995 for the installation of a 20m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 2 no. equipment cabinets, 1 no. meter cabinet and ancillary development thereto including a generator and associated fuel tank, a fenced compound and a hard standing area for the Shared Rural Network project on behalf of Cornerstone	Land At Mynydd For Installation Of A 20M Lattice Tower Cefn Coch Welshpool Powys
Erwood Community	Approve	27/10/2021	21/1936/LBC	Listed Building Consent	22/04/2022	Internal and external alterations, to include reinstatement of cellar steps and walls, replacement of modern windows, installation of a bathroom, alterations to boundary wall, and all associated works	Erwood Hall Erwood Builth Wells Powys LD2 3EZ

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Felin-Fach Community	Consent	19/08/2020	20/1073/FUL	Full Application	25/04/2022	Reinstatement of dwelling to include restoration and alterations, conversion of cart shed to a holiday let, conversion of cow byre to an amenities building, installation of a treatment plant and all associated works	Old Llwynycynog Farm Talachddu Powys LD3 0UG
	Consent	19/08/2020	20/1074/LBC	Listed Building Consent	25/04/2022	Reinstatement of dwelling to include restoration and alterations, conversion of cart shed to a holiday let, conversion of cow byre to an amenities building and all associated works	Old Llwynycynog Farm Talachddu Powys LD3 0UG
	Consent	12/11/2021	21/1944/FUL	Full Application	07/06/2022	Erection of a stable block and construction of a 20m x 40m riding arena/manege including fencing with gate & new stone access track	Land At Llanfilo For New Stables And Arena Talgarth Powys

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Forden With Leighton & Trelystan Com Page 204	Planning Permissio n Required	10/05/2022	22/0262/AGR	Agricultural Notification	18/05/2022	Erection of an agricultural building to store machinery	Tycelyn Felinfach Llandefalle Brecon Powys LD3 0UN
	Approve	25/01/2022	21/2183/FUL	Full Application	19/05/2022	Siting of 5 safari tents for holiday use , formation of car parking, new access track and all associated works	Land Adjoining Cefn Derw Forden Welshpool Powys SY21 8LZ
	Approve	09/02/2022	22/0201/FUL	Full Application	18/05/2022	siting of 1No holiday log cabin, installation of septic tank & associated works.	Cwm Heulog Forden Welshpool SY21 8ND
	Approve	23/02/2022	22/0311/HH	Householder	20/05/2022	Replacement of existing double pitched extension with single pitched oak frame extension.	Castle View Leighton Welshpool SY21 8HH
	Approve	07/03/2022	22/0385/FUL	Full Application	04/05/2022	Erection of an agricultural building	Llwyn Tref Forden Welshpool Powys SY21 8NN

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P 205 Gladestry Community	Approve	04/04/2022	22/0472/FUL	Full Application	01/06/2022	Application for a erection of a Substation and temporary construction compound	Electricity Sub-station Land Off B4381, Near Lower Leighton Farm Leighton Welshpool Powys
	Permitted Development	28/04/2022	22/0607/AGR	Agricultural Notification	10/05/2022	Erection of a replacement machinery store	Ivy House Farm Leighton Welshpool Powys SY21 8LP
	Consent	17/11/2021	21/2093/FUL	Full Application	16/05/2022	Erection of a rural enterprise dwelling, installation of treatment plant and access improvements.	Rural Workers Dwelling Land Adjoining Wern Farm Walton Presteigne Kington Powys HR5 3PP
Glantwymyn Community	Approve	02/03/2022	21/2361/LBC	Listed Building Consent	27/05/2022	Removal of an internal stud wall	Tan Y Ffordd Cemmaes Machynlleth Powys SY20 9PU

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	Approve	09/05/2022	22/0734/DIS	Discharge of Condition	31/05/2022	Discharge of planning condition no's 3 & 4 attached to planning approval 21/0496/FUL (Biodiversity Enhancement Plan Confirmation that no external lighting will be installed)	Capel Nebo Cemmaes Road Machynlleth SY20 8JZ
Glascwm Community	Consent	01/04/2022	22/0572/NMA	Non-Material Amendment	25/04/2022	Application for non-material amendments to permission 20/1001/FUL to allow for the erection of a carport	Penllanerch Glascwm Llandrindod Wells LD1 5SE
Guilfield Community	Permitted Development	11/04/2022	22/0621/AGR	Agricultural Notification	09/05/2022	Agricultural storage building	Gaer Fawr Guilfield Welshpool SY21 9PS
Gwernyfed Community	Approve	20/11/2020	20/1906/DIS	Discharge of Condition	24/05/2022	Application to discharge planning condition no. 5 attached to planning approval P/2018/0317 (detailed lighting scheme)	Unit 7 Javel Industrial Estate Three Cocks Brecon Powys LD3 0SL

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Consent	10/02/2022	22/0190/FUL	Full Application	21/04/2022	Addition of Use Class A1, retail, to existing B2 consent enabling applicant to sell to retail customers direct from his micro brewery	Mills Service Station, Auto Electrical Workshop Three Cocks Brecon LD3 0SL
Consent	25/02/2022	22/0214/LBC	Listed Building Consent	09/05/2022	Internal works and alterations to include installation of a mezzanine floor, additional staircase, kitchen and creation of new door	Old Gwernyfed Felindre Brecon Powys LD3 0SU
Approve	07/01/2022	22/0020/HH	Householder	06/06/2022	Demolition of the existing lean-to extension to be replaced with a new lean-to extension and installation of a new treatment package plant.	Bethel Cottage Llandefaelog Fach Brecon LD3 9RB

Hon Du Isaf
Community

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	Approve	07/01/2022	22/0021/LBC	Listed Building Consent	06/06/2022	Demolition of the existing lean-to extension to be replaced with a new lean-to extension and installation of a new treatment package plant.	Bethel Cottage Llandefaelog Fach Brecon LD3 9RB
Kerry Community	Approve	09/12/2021	21/2236/HH	Householder	26/04/2022	Erection of a two storey extension and alterations (revised proposal to P/2017/0021)	White Hopton Farm Wern Lane Sarn Newtown SY16 4EN
	Approve	14/03/2022	22/0427/DIS	Discharge of Condition	07/06/2022	Discharge of planning conditions no's 5, 6, 7, 8, 9,10 & 11 attached to planing approval for 5 glamping pods (details of external lighting, biodiversity plan, landscaping, tree protection plan, hedgerow details, passing bay details and materials schedule)	Land Adj. Upper Cefnperfa, Kerry Newtown Powys SY16 4DW

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	Permitted Development	11/05/2022	22/0773/DEM	Demolition Notification	08/06/2022	Prior notification application for the demolition of two storey traditional agricultural building	Lower Brynllwarch Kerry Newtown SY16 4PD
	Refused	23/07/2021	21/1360/OUT	Outline planning	13/05/2022	Erection of a detached affordable dwelling and installation of septic tank drainage (resubmission)	Plot Adjacent To Gwern-y-go Villa Sarn Newtown Powys SY16 4EW
Knighton Community	Approve	17/02/2022	22/0259/FUL	Full Application	19/05/2022	Change of use of existing self-contained residential annexe as independent holiday accommodation	Rosehill Knucklas Road Knighton LD7 1UP
	Approve	23/02/2022	22/0243/HH	Householder	25/04/2022	Installation of 2 new windows to front elevation	Curlew Cottage 39 Market Street Knighton Powys LD7 1EY

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Refused	24/03/2022	22/0515/NMA	Non-Material Amendment	19/04/2022	Application for non-material amendment to permission 20/0741/FUL in relation to amended plans	The Warehouse Church Street Knighton Powys LD7 1AG
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Llanafan-Fawr Community	Approve	06/12/2021	21/2141/FUL	Full Application	20/05/2022	Erection of pitched-roof structure to cover existing open manure storage yard, and extension to existing silage shed over existing yard	Blaenglynolwyn Newbridge-on-wye Llandrindod Wells Powys LD1 6ND
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	Approve	09/12/2021	21/2088/FUL	Full Application	06/06/2022	Conversion of redundant farm buildings to 2 holiday units, creation of vehicular access, installation of a package treatment plant and all associated works	Tanyralt Farm Llanafanfawr Builth Wells LD2 3LT
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	Consent	28/01/2022	22/0130/OUT	Outline planning	19/05/2022	Erection of a rural enterprise dwelling, detached garage and associated works	Land At 'Bryn Coch' Newbridge-On Wye Llandrindod Wells LD1 6ND
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Llanbadarn Fawr Community	Approve	10/12/2021	21/2244/DIS	Discharge of Condition	09/05/2022	Discharge of conditions 3, 4, 8 and 9 of planning permission 21/0561/FUL (biodiversity enhancement plan, landscaping scheme and passing bay)	Land Adjacent To Briddell Llanddewi Llandrindod Wells LD1 6SD
	Approve	16/02/2022	22/0270/HH	Householder	24/05/2022	Replace and enlarge existing front porch	Cartref Clwyd Meadow Rise Crossgates Llandrindod Wells Powys LD1 6TA
Llanbadarn Fynydd Community	Consent	11/04/2022	22/0556/DIS	Discharge of Condition	25/05/2022	Discharge of condition 4 (Lighting Design Statement), 7 (Hedgerow and Tree Planting Statement) and 18 (Archaeological Recording Report) in relation to planning approval 20/1465/FUL	Rhosydd Llanbister Llandrindod Wells Powys

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	Consent	04/05/2022	22/0651/DIS	Discharge of Condition	16/05/2022	Discharge of condition 3 of planning permission 21/2086/HH (roofing materials)	Green Meadows Davids Well Llandrindod Wells LD1 6YP
Llanbrynmair Community	Approve	21/01/2022	22/0067/FUL	Full Application	25/05/2022	Conversion of barn to form a holiday let accommodation, installation of treatment plant and all other associated works	Barn At Fridd Fawr Talerddig Llanbrynmair Powys
Llanddewi Ystradenni Community	Approve	08/12/2021	21/2142/DIS	Discharge of Condition	27/04/2022	Discharge of condition 5 (construction of 2 passing bays), 6 (historical survey) and 9 (demolition method statement) of planning approval 20/1164/FUL	Cefcynfal Llanddewi Llandrindod Wells LD1 6SL
Llandrindod Wells Community	Approve	23/03/2022	22/0332/FUL	Full Application	18/05/2022	Repair of existing front elevation sash window to include replacing clear glass panes with slimline double glazed units, and installation of secondary glazing to existing stained glass units. Existing timber frames to be retained.	Unit 2 The Old Police Station Waterloo Road Llandrindod Wells Powys LD1 6BH

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	Approve	21/04/2022	22/0775/NMA	Non-Material Amendment	26/05/2022	Non Material Amendment to planning approval 21/2030/HH for addition of closed panel balustrading to handrailing surrounding platform lift	Garden Flat Broadway House Llandrindod Wells Powys LD1 5HT
Llandrinio And Arddleen Community	Approve	31/12/2021	21/2353/RES	Reserved Matters	22/04/2022	Reserved matters application for details of appearance, landscaping, layout, and scale in connection with proposed dwelling approved under approval 21/0380/REM & outline approval P/2017/0974	Land Adj Gilfach Glyd Deytheur Llansantffraid Powys SY22 6TF
	Approve	09/03/2022	22/0456/DECC	DECC overhead line	04/05/2022	Application under section 37 of the Electricity Act 1989 to rebuild the existing 11kV single circuit overhead line - Llandrinio - Sarnau Phase II Rebuild Scheme	Overhead Power Line Courthouse Lane Four Crosses Llanymynech Powys



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	Consent	17/08/2021	21/1536/FUL	Full Application	29/04/2022	Erection of 48 dwellings comprising 24 affordable homes at Trawscoed site and 24 open market dwellings at Orchard Croft site to include landscaping, sustainable drainage, car parking and all associated works	Land At Trawscoed And At Orchard Croft Llandrinio Powys
Llandysilio Community	Approve	26/04/2022	22/0671/VAR	Discharge/Modification of S106	25/05/2022	Application for modification of Section 106 legal agreement attached to planning permission M/2007/0873	5 Hafod Cottages Parc Hafod Four Crosses Llanymynech Powys SY22 6NX
Llanelwedd Community	Approve	14/04/2022	22/0637/DIS	Discharge of Condition	26/05/2022	Application to discharge conditions 6 and 8 from planning permission P/2017/0760 in relation to remediation and monitoring and maintenance	Co-Operative Garage Station Road Llanelwedd Builth Wells LD2 3SS

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	Approve	27/04/2022	22/0809/DIS	Discharge of Condition	19/05/2022	Discharge of condition 5 of planning permission 20/0836/FUL (photographic survey)	Wye Cottage Howey Builth Wells Powys LD2 3TF
Llanerfyl Community	Approve	24/03/2022	22/0491/AGR	Agricultural Notification	20/04/2022	Erection of an agricultural building	Penparc Cottage Welshpool SY21 0EL
Llanfair Caereinion Community	Approve	30/11/2021	21/2173/FUL	Full Application	11/05/2022	Change of use and conversion of barn to a residential unit and associated works	Ty Uchaf Llanerfyl Welshpool SY21 0EZ
	Approve	01/12/2021	21/2187/FUL	Full Application	05/05/2022	Barn Conversion to a residential unit and associated works	Barn At Red House Llanfair Caereinion Welshpool Powys SY21 0BL
	Approve	11/02/2022	22/0174/REM	Removal or Variation of Condition	25/04/2022	Section 73 application to vary condition 3 of planning approval 20/1199/FUL in relation to attendance	Y Graig Llanfair Caereinion Welshpool Powys SY21 0DB

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	Approve	25/03/2022	22/0511/HH	Householder	12/05/2022	Proposed Extension to existing dwelling to include demolition of existing flat roof garage and all associated works.	Bryn Orian Llanfair Caereinion Welshpool SY21 0HW
	Approve	06/04/2022	22/0383/HH	Householder	16/05/2022	Erection of extension	Y Gaer Llanfair Caereinion Welshpool SY21 0DG
Llanfechain Community	Approve	21/02/2022	22/0246/HH	Householder	06/05/2022	Installation of ground mount solar panel system	Cae Dafydd Ystryd Y Ceunant Llanfechain Powys SY22 6XD
	Approve	07/04/2022	22/0615/DIS	Discharge of Condition	16/05/2022	Application to discharge condition 3 of planning approval 21/2279/LBC in relation to slate samples	Tynewydd Ystryd Y Ceunant Llanfechain Powys SY22 6XQ
Llanfihangel Community	Approve	24/02/2022	22/0312/FUL	Full Application	24/05/2022	Erection of an agricultural building to cover existing slurry store	Cefn Coed Isaf Llanfihangel Llanfyllin SY22 5JF

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Llanfihangel Rhydithon Community	Approve	23/03/2022	22/0499/HH	Householder	23/05/2022	Siting of a temporary log cabin to be used as ancillary accommodation which Llysin farmhouse is restored, including the installation of a treatment plant and drainage field	Llysin Dolau Llandrindod Wells LD1 5UN
Llanfyllin Community	Approve	14/02/2022	22/0238/LBC	Listed Building Consent	26/04/2022	Proposed removal of the existing external gas main supply pipe and its relocation on the North/East elevation adjacent the adjoining properties gas supply pipe.	The New Bakery High Street Llanfyllin SY22 5AG
	Approve	09/03/2022	22/0448/ELE	Electricity Overhead Line	20/04/2022	Section 37 application for upgrade of existing overhead 11kV overhead electricity line to three phase electricity supply (E107172)	Land At Cefn Gribin Llanfyllin Powys SY22 5EN

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Llangammarch Community	Approve	07/04/2022	22/0673/TPO	Works to Trees subject to a TPO	19/05/2022	Application for works / felling of trees subject to a Tree Preservation Order	Afan Lodge Llangammarch Wells Powys LD4 4BS
Llangors Community Council	Approve	17/05/2022	22/0850/DIS	Discharge of Condition	31/05/2022	Discharge of condition no. 18 attached to planning permission 21/1789/FUL (landscaping details)	Land Near Tal-y-llyn Brecon Powys
	Consent	15/10/2021	21/1789/FUL	Full Application	26/04/2022	Erection of a mixed use building (agricultural and storage) together with siting of 4 shepherd's huts for holiday accommodation, installation of sewage treatment plant, new vehicular access, access roadway, parking area and all associated works	Land Near Tal-y-llyn Brecon Powys
Llangunllo Community	Permitted Development	23/03/2022	22/0509/AGR	Agricultural Notification	19/04/2022	Extension to existing agricultural building.	Treboeth Bleddfa Knighton LD7 1PA

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235 Applications

Llangurig Community	Approve	16/09/2021	21/1688/CAC	Conservation Area Consent	19/05/2022	Demolition of existing single storey extension and erection of new extension to existing dwelling.	3 Jubilee Terrace Cwmbelan Llanidloes Powys SY18 6RQ
	Approve	27/09/2021	21/1687/HH	Householder	19/05/2022	Demolition of existing single storey extension and erection of new extension to existing dwelling	3 Jubilee Terrace Cwmbelan Llanidloes Powys SY18 6RQ
	Approve	08/03/2022	22/0397/FUL	Full Application	06/06/2022	Erection of an agricultural building for the storage of machinery	Bont Dulas Cwmbelan Llanidloes SY18 6RF



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235 Applications

Approve	11/03/2022	22/0414/NMA	Non-Material Amendment	13/05/2022	Non-Material Amendment application to vary the prior to works commencement conditions - 5, 15, 22 & 23 attached to Planning approval P/2015/1192 to allow landowner to make a technical start to the access , but no further works after that until these conditions are discharged	Land At Bryn Posteg Landfill Site Tylwch Llanidloes Powys SY18 6JJ
Approve	26/04/2022	22/0793/ELE	Electricity Overhead Line	06/06/2022	Application made under Section 37 of the Electricity Act 1989: Overhead Lines (Exemption)(England and Wales) Regulation 2009 to install an additional wood pole to an existing overhead line	Grid Ref 290665 280077 Llangurig Powys SY18 6SG

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Approve	29/04/2022	22/0676/DIS	Discharge of Condition	18/05/2022	Discharge of condition 17 of planning permission 21/1170/FUL (external materials)	Bron Felin Old Hall Llanidloes SY18 6PW
Consent	10/02/2021	21/0238/FUL	Full Application	13/05/2022	Conversion of former agricultural building to form a dwelling, erection of garage building, alterations to existing vehicular access, installation of sewage treatment plant, demolition of adjoining building and all associated works	Bwlch Y Pridd Pantmawr Llangurig Llanidloes Powys SY18 6SX
Approve	07/01/2022	22/0006/FUL	Full Application	19/04/2022	Proposed agricultural building and temporary siting for mobile unit for accommodation during reconstruction of barn (12 months)	Henllan Fach Barn Llangyniew Welshpool Powys SY21 9EJ
Consent	03/11/2021	21/1937/FUL	Full Application	21/04/2022	Siting of 3 log cabins and extension to internal road	Penrhos Lodge Park Pontrobert Llanfyllin Powys SY22 6JH

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Llangyniew Community

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Llanidloes Community	Approve	24/03/2022	22/0378/FUL	Full Application	27/05/2022	Creation of an access door	Unit 1 Derwen Fawr Business Park Llanidloes SY18 6FE
	Approve	12/04/2022	22/0613/HH	Householder	31/05/2022	Replacement and extension of existing concrete paving drive and movement of drop kerb to widen entrance to driveway	76 Caegwyn Llanidloes SY18 6DS
Llanidloes Without Community	Approve	04/01/2022	21/2324/FUL	Full Application	09/05/2022	Proposed Holiday Lets and associated works	Llais Yr Awel Van Llanidloes Powys SY18 6NG
	Approve	21/01/2022	22/0098/FUL	Full Application	21/04/2022	New fodder store building	Coed Mawr Oakley Park Llandinam SY18 6LS
Llanigon Community	NMA Approved	08/04/2022	22/0681/NMA	Non-Material Amendment	03/05/2022	Application for non-material amendments to permission 19/0554/RES to allow for amended plans in respect of plot 8	Land South Of Willow Glade Llanigon Hereford Powys

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Llanrhaeadr-Ym-Mochoant Community	Approve	12/03/2021	21/0404/DIS	Discharge of Condition	05/05/2022	Discharge of condition 3 of planning approval 20/0251/FUL (Reinstatement of cast iron railings to the Waterfall Street elevation)	Capel Glanafon Waterfall Street Llanrhaeadr-Ym-Mochnant Oswestry SY10 0JX
	Approve	22/10/2021	21/1917/FUL	Full Application	26/04/2022	Proposed siting of three holiday pods and all associated works	Pandycoed Llanrhaeadr-Ym-Mochnant Oswestry SY10 0BX
	Approve	03/02/2022	22/0050/FUL	Full Application	05/05/2022	Conversion of former Chapel to holiday accommodation and all associated works	Ty Isa Maengwynedd Llanrhaeadr-Ym-Mochnant SY10 0DE
Llansantffraid Community	Approve	05/04/2022	22/0597/DIS	Discharge of Condition	28/04/2022	Application to discharge Condition 10 from planning permission reference P/2017/0375 in relation to passing bays	Ty Issa Winllan Lane Llansantffraid-Ym-Mechain SY22 6TN



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Approve	05/04/2022	22/0599/DIS	Discharge of Condition	28/04/2022	Application to discharge Condition 11 from planning permission reference 18/0454/FUL in relation to passing bays	Ty Issa Winllan Lane Llansantffraid-Ym-Mechain SY22 6TN
Consent	13/04/2022	22/0587/HH	Householder	31/05/2022	Extensions to existing garages and workshop	Cefn-Y-Coed, Cefn-Y-Coed Barn Llansantffraid-Ym-Mechain Powys SY22 6TB
Approve	08/03/2022	22/0349/DIS	Discharge of Condition	03/05/2022	Application to discharge conditions 5 and 18 for planning permission 21/1278/FUL in relation to landscaping and historic building survey	Barn Conversion To A Residential Unit Tynyfron Llansilin Oswestry Powys SY10 7JW
NMA Approved	09/05/2022	22/0802/NMA	Non-Material Amendment	31/05/2022	Non Material Amendment to planning approval 21/0539/HH (change to external elevation treatment)	3 Cae Eglwys, Hill View Llansilin Oswestry SY10 7PG

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Permitted Development	04/03/2022	22/0360/TEL	Telecommunications notification	29/04/2022	Application under Part 24 of Schedule 2 of the GPDO 1995 for the installation of a 25m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 2 no. equipment cabinets, 1 no. meter cabinet and ancillary development thereto including a generator and associated fuel tank, a fenced compound and a hard standing area for the Shared Rural Network project on behalf of Cornerstone.	Land At Pant Glas Ucha For The Installation Of A 25M Lattice Tower Moelfre Oswestry Powys	
Llanwddyn Community	Approve	10/03/2022	22/0286/FUL	Full Application	04/05/2022	Installation and display of visitor information signs at 5 car park locations	Land At Lake Vyrnwy Llanwddyn SY10 0LZ
	Approve	10/03/2022	22/0287/ADV	Advertisement Consent	04/05/2022	Display of 5 no. Welcome / Orientation signs at the 5 main parking areas	Land At Lake Vyrnwy Llanwddyn SY10 0LZ

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Approve	16/03/2022	22/0169/FUL	Full Application	11/05/2022	The removal of the existing 14m mast and installation of replacement 20m mast, supporting 3no. new antennae, the relocation of dipole, omni and yagi antennae, a proposed 1.8m high timber fence, equipment cabinets and ancillary development thereto.	Telecommunications Mast Lake Vyrnwy Nr Llanwddyn Abertridwr SY10 0LT
Approve	26/04/2022	22/0726/DIS	Discharge of Condition	26/05/2022	Discharge of condition no. 7 attached to planning approval 20/0318/FUL (landscaping details)	Blaen-Y-Cwm Cringoed Issa Llanwrthwl Llandrindod Wells LD1 6NU
Consent	16/03/2022	22/0362/FUL	Full Application	11/05/2022	Removal of existing steps, erection of an access ramp and steps including associated works to serve approved round shelter nearby	Land At Elan Village Rhayader By Elan Valley Suspension Bridge Elan Valley Rhayader Powys

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Llanwrtyd Wells Community	Approve	02/03/2022	22/0361/HH	Householder	06/05/2022	Erection of a rear single storey extension	12 Tai Cae Mawr Llanwrtyd Wells Powys LD5 4RJ
	Approve	05/05/2022	22/0798/NMA	Non-Material Amendment	31/05/2022	Non-material amendment to planning permission 21/1541/FUL in respect of alteration to single storey extension to barn, with slightly higher roof and amendment to windows on south elevation of barn	Llwyngychwydd U0026 From Junction With U0025 To Llwyn- Gwychwydd Llanwrtyd Wells LD5 4TL
	Consent	07/07/2021	21/1134/RES	Reserved Matters	17/05/2022	Reserved matters application for the erection of 2 dwellings, creation of access and demotion of an agricultural buildings following Outline Permission 19/0593/OUT	Land Adjacent To Llanwrtyd Wells Train Station Station Road Llanwrtyd Wells Powys

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	Consent	16/08/2021	21/1483/FUL	Full Application	13/05/2022	Change of use of agricultural land to land within the curtilage of Plot 1 and Plot 2 and installation of two private treatment plants.	Land Adjacent To Llanwrtyd Wells Train Station Station Road Llanwrtyd Wells Powys
Llanyre Community	Consent	24/01/2022	21/2321/FUL	Full Application	12/05/2022	Installation of biomass boilers, flues and associated works (part retrospective)	Dan Y Graig Nantmel Llandrindod Wells Powys LD1 6EF
Machynlleth Community	Approve	29/03/2022	22/0542/HH	Householder	24/05/2022	Construction of a half storey extension above existing extension.	10 Garden Village Machynlleth SY20 8HA
Manafon Community	Approve	08/12/2021	21/2243/DIS	Discharge of Condition	05/05/2022	Application to discharge Conditions 5, 6 and 12 attached to permission 20/1798/FUL, in relation to landscaping, highway arrangements and hedgerow translocation	Land At Belandeg New Mills Welshpool Powys

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	Approve	10/01/2022	21/2242/FUL	Full Application	11/05/2022	Erection of a log cabin to be used as for tourism, installation of a treatment plant, creation of vehicular access and all associated works	Lower House Farm Manafon Welshpool Powys SY21 8BJ
Meifod Community	Approve	27/04/2022	22/0740/NMA	Non-Material Amendment	24/05/2022	Application for a Non Material Amendment from planning approval 21/2113/HH in relation to increasing the height of the roof to incorporate an additional room, insertion of roof lights and revision of gable fenestration	The Smithy Llanfyllin SY22 5NA
	Refused	01/04/2022	22/0489/OUT	Outline planning	23/05/2022	Demolition of derelict building, proposed development of a dwelling and creating access to shared driveway	Erection Of A Dwelling At Land Adjacent To Tyddyn-y-sais Bwlch-y-cibau Llanfyllin Powys

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Merthyr Cynog Community	Approve	16/08/2021	21/1524/FUL	Full Application	21/04/2022	Extension to existing holiday development and siting of one additional cabin	Cwmachau Farm Lower Chapel Brecon LD3 9RF
	Approve	25/02/2022	22/0334/FUL	Full Application	06/05/2022	Addition of roof to existing dry manure store	Agricultural Sheds At Rhyd-Y-Berry Merthyr Cynog Brecon LD3 9SA
	Consent	10/08/2021	21/1434/FUL	Full Application	20/05/2022	Construction of two lodges for holiday accommodation, installation of solar panels, and package sewage treatment plant	Pentwyn Merthyr Cynog Brecon LD3 9SB
Mogre Community	Approve	27/10/2021	21/2039/LBC	Listed Building Consent	07/06/2022	Listed building consent for demolition of single storey extension and erection of a new single storey extension	Glanhafren Hall Llanidloes Road Newtown Powys SY16 4HZ
	Approve	09/11/2021	21/2037/HH	Householder	07/06/2022	Demolition of existing single storey extension and erection of new single storey extension	Glanhafren Hall Llanidloes Road Newtown Powys SY16 4HZ

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Page 231	Approve	19/04/2022	22/0619/HH	Householder	06/06/2022	Erection of a balcony (part retrospective)	Broombush Penstrowed Newtown Powys SY16 4LB
	Consent	09/02/2022	22/0153/HH	Householder	29/04/2022	Enlargement of single storey lean-to to create utility/modify porch	Cynefin Formerly Known As Coed Poeth Newtown Powys SY16 4JN
	Consent	11/04/2022	22/0634/DIS	Discharge of Condition	23/05/2022	Discharge of condition no's. 3,4 & 5 attached to planning approval 21/1653/RES (details of materials, landscaping and hedgerow scheme)	Land Adj Manteg Mochdre Newtown SY16 4JJ
Montgomery Community	Approve	01/11/2021	21/1981/LBC	Listed Building Consent	27/04/2022	Single storey extension to rear of house, raising of existing rear extension roof and internal alterations	2 Castle Terrace Montgomery SY15 6PB
	Approve	02/11/2021	21/1980/HH	Householder	27/04/2022	Single storey extension to rear of house and internal alterations	2 Castle Terrace Montgomery SY15 6PB

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Approve	17/12/2021	21/2312/FUL	Full Application	06/06/2022	1. Change of use from A1 to class A3 Food and Drink with existing living accommodation over to remain. 2. Provision of access between the property and Castle Kitchen by: a) Removal of non structural partition at ground floor level; b) Insertion of doorway in partition wall at first floor level; c) Formation of serving hatch in rear ground floor partition wall. 3. Lay levelling screed over existing concrete ground floor.	The Little Gallery Broad Street Montgomery SY15 6PH
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235 Applications

Approve	17/12/2021	21/2313/LBC	Listed Building Consent	06/06/2022	1. Change of use from A1 to class A3 Food and Drink with existing living accommodation over to remain. 2. Provide access between the property and Castle Kitchen by: a) Removal of non structural partition at ground floor level. b) Insertion of doorway in partition wall at first floor level. c) Formation of serving hatch in rear ground floor partition wall. 3. Lay levelling screed over existing concrete ground floor.	The Little Gallery Broad Street Montgomery SY15 6PH
Approve	07/03/2022	22/0388/HH	Householder	06/06/2022	Removal of chimney and windows added to rear elevation. Addition of side extension as well.	2 Alexandria Terrace Chirbury Road Montgomery Powys SY15 6QN



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Approve	12/04/2022	22/0691/TRE	Works to trees in Conservation Area	12/05/2022	Application for works to trees in a conservation area	Clive House Chirbury Road Montgomery Powys SY15 6QJ
Approve	09/05/2022	22/0768/NMA	Non-Material Amendment	07/06/2022	Non Material Amendment application to planning approval 21/0939/HH (amend external material and amend hipped roof of extension to half pitch)	Porth Arthur Montgomery SY15 6HZ
Consent	18/03/2022	22/0485/CAC	Conservation Area Consent	13/05/2022	Removal of chimney and porch	2 Alexandria Terrace Chirbury Road Montgomery Powys SY15 6QN
Refused	23/11/2021	21/2063/HH	Householder	19/05/2022	Erection of a two side storey extension and a new enclosed porch	Brockwell Montgomery Powys SY15 6HZ

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Nantmel Community	Approve	24/01/2022	21/2310/FUL	Full Application	06/05/2022	Installation of non-domestic biomass boilers, flues and associated works (part retrospective)	Cae-Llwyn Nantmel Rhayader Powys LD6 5PE
	Approve	24/01/2022	21/2319/FUL	Full Application	06/05/2022	Installation of a biomass boilers, flues and associated works	Daverneithon Rhayader Powys LD6 5PD
	Approve	07/02/2022	22/0144/FUL	Full Application	22/04/2022	Replacement dwelling on existing footprint of fire damaged bungalow	Awel Y Bryn Rhayader LD6 5NY
	Approve	11/02/2022	22/0219/FUL	Full Application	06/05/2022	Erection of Steel Portal Framed Building for use as a General Purpose Agricultural Building, together with all other associated works	Caerfagu Nantmel Llandrindod Wells LD1 6EF
	Consent	24/01/2022	21/2320/FUL	Full Application	12/05/2022	Installation of biomass boilers, flues and associated works (part retrospective)	Upper Dolau Barn Nantmel Rhayader LD6 5PE

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235 Applications

New Radnor Community	Consent	01/03/2022	22/0337/HH	Householder	12/05/2022	Oak framed outbuilding containing ground floor garage & garden store with workshop within loft space. PV panels on south elevation roof.	Holly Cottage New Radnor Presteigne LD8 2TN
Newtown And Llanllwchaiarn Community	Approve	10/11/2020	20/1801/LBC	Listed Building Consent	21/04/2022	Listed building consent for internal alterations	14, The Bank Newtown SY16 2AB
	Approve	24/11/2021	21/2220/DIS	Discharge of Condition	25/05/2022	Application to discharge conditions 12, 14 & 15 attached to permission P/2017/1228	Land Adjoining Penybryn Bryn Lane Llanllwchaiarn Newtown Powys SY16 3LZ
	Approve	25/11/2021	21/2036/FUL	Full Application	20/04/2022	Erection of a rural enterprise dwelling, creation of vehicular access, installation of septic tank, together with all other associated works	Land At The Bryn Bryn Lane Aberhafesp Newtown SY16 3LZ

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Approve	10/01/2022	21/2307/FUL	Full Application	19/05/2022	New single storey side extension to an existing Royal Mail delivery office. The works include the modifications and realignment of an existing external fire escape.	Newtown Post Office Shortbridge Street Newtown Powys SY16 1AB
Approve	14/02/2022	22/0022/FUL	Full Application	27/04/2022	Replacement front porch and access ramp	Police Station Park Lane Newtown Powys SY16 1EN
Approve	24/03/2022	22/0465/RES	Reserved Matters	06/05/2022	Application for reserved matters following the approval of 20/0502/REM for the creation of 2 vehicular accesses	Enclousure 9190 Upper Dolfor Road Newtown Powys SY16 3AD



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235 Applications

Approve	25/03/2022	22/0464/RES	Reserved Matters	05/05/2022	Application for reserved matters for appearance, layout, landscaping and scale following the approval of 20/0502/REM for the erection of 3 dwellings and all associated works	Enclousure 9190 Upper Dolfor Road Newtown Powys SY16 3AD
Approve	28/03/2022	22/0548/DIS	Discharge of Condition	06/05/2022	Application to discharge condition 3 attached to permission 21/0395/LBC in respect of proposed materials	18 Llanfair Road Newtown Powys SY16 2DQ
Approve	05/04/2022	22/0577/DIS	Discharge of Condition	05/05/2022	Discharge of condition no's 3 & 7 attached to planning approval 21/1288/FUL (biodiversity enhancement plan and contamination investigation assessment)	10 Workshop And Premises Crescent Street Newtown SY16 2HB
Approve	08/04/2022	22/0623/FUL	Full Application	30/05/2022	Change of use from retail back to residential	14 The Bank Newtown SY16 2AB

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Approve	08/04/2022	22/0626/DIS	Discharge of Condition	16/05/2022	Application to discharge condition 5 of planning approval P/2016/0899 in relation to photographic survey	Middle Scafell, Dairy Cottage Milford Newtown Powys SY16 3HQ
Approve	14/04/2022	22/0635/DIS	Discharge of Condition	30/05/2022	Discharge of condition 5 of planning approval P/2016/0862 in relation to Pollution Prevention Plan	Middle Scafell Dairy Cottage Milford Newtown SY16 3HQ
Refused	23/11/2021	21/2137/HH	Householder	10/05/2022	Demolition of portion of dwelling and erection of a single storey side extension. Exterior of original dwelling to be clad with EWI and a brick skin, and re-roofed with natural slates.	Winswood Lower Gwestydd Lane Aberbechan Newtown SY16 3AY
Approve	01/03/2022	22/0288/REM	Removal or Variation of Condition	09/05/2022	Section 73 application to vary condition 18 from planning permission 21/0915/FUL in relation to the location of the passing bay.	Land At Yardro Walton Presteigne Powys

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Old Radnor
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	Consent	17/06/2021	21/1045/LBC	Listed Building Consent	25/04/2022	Proposals to fully refurbish the existing Listed farmhouse and attached ancillary building.	Court Farm Evenjobb Presteigne LD8 2SD
Paincastle Community	Prior Approval Approved	01/04/2022	22/0365/AGR	Full Application	05/05/2022	Erection of a Free-Standing Portal Frame agricultural building	The North Rhosgoch Builth Wells Powys LD2 3JT
Penybont Community	Consent	25/04/2022	22/0664/DIS	Discharge of Condition	16/05/2022	Discharge of condition 4 of planning approval 21/1807/FUL (Biodiversity Enhancement Plan)	Tynewydd Penybont Llandrindod Wells LD1 5TY
	Permitted Development	30/03/2022	22/0492/AGR	Agricultural Notification	27/04/2022	Agricultural notification for building to cover existing yard	Upper Cwm Farm Llandegley Llandrindod Wells Powys LD1 5UH
	Refused	11/11/2020	20/1742/RES	Reserved Matters	29/04/2022	Application for reserved matters following the approval of P/2017/0815 for the erection of 5 dwellings and associated works	Land Off Old Market Meadows Penybont Llandrindod Wells Powys LD1 5US

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Refused	16/11/2020	20/1808/RES	Reserved Matters	20/04/2022	Application for reserved matters, following the approval of P/2017/0497 (outline), for the erection of 5 dwellings	Land To South Of A44 Penybont Llandrindod Wells LD1 5TY
Refused	01/02/2022	22/0142/FUL	Full Application	20/04/2022	Engineering works associated with foul drainage system in connection with planning application 20/1808/RES	Land To South Of A44 Penybont Llandrindod Wells LD1 5TY
Refused	07/02/2022	22/0191/FUL	Full Application	29/04/2022	Engineering Works associated with foul drainage system in connection with Planning Application 20/1742/RES	Land Off Old Market Meadows Penybont Llandrindod Wells Powys LD1 5US



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235 Applications

Pen-y-bont Fawr Community	Approve	07/03/2022	22/0368/FUL	Full Application	29/04/2022	Installation of a 40m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 2 no. equipment cabinets, 1 no. meter cabinet and ancillary development thereto including a generator and associated fuel tank, a supporting gabion wall, and a 1.8m fenced compound for the Shared Rural Network project on behalf of Cornerstone.	Land At Bwlch Greolen Penygarnedd Llanrhaeadr-Ym-Mochnant Oswestry SY10 0AT
	Consent	07/03/2022	22/0276/REM	Removal or Variation of Condition	20/05/2022	Section 73 application to remove condition 2 of planning permission M3645 (agricultural occupancy)	Fron Heulog Hirnant Pen-y-bont-fawr Oswestry Powys SY10 0HR

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Presteigne Community	Approve	18/01/2022	22/0026/HH	Householder	19/05/2022	Replacement windows on side elevation (South West facing)- 5 windows (W1-W5) and refurbishment of existing windows to front elevation (South-East facing) - 6 windows (W6-W11)	Breeze Cottage 3 Fold Farm Broad Street Presteigne Powys LD8 2AG
	Approve	18/01/2022	22/0027/LBC	Listed Building Consent	19/05/2022	Listed building consent for replacement windows on side elevation (South West facing)- 5 windows (W1-W5) and refurbishment of existing windows to front elevation (South-East facing) - 6 windows (W6-W11)	Breeze Cottage 3 Fold Farm Broad Street Presteigne Powys LD8 2AG
	Approve	28/01/2022	22/0094/DIS	Discharge of Condition	25/04/2022	Discharge of condition 11 of planning permission P/2011/1405 in relation to external lighting	Cottage Wild Meadow Discoed Presteigne Powys LD8 2NQ

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Approve	28/01/2022	22/0108/FUL	Full Application	25/04/2022	Retrospective approval of window on southern elevation, lean to shed on northern elevation and balcony supports on western elevation	Cottage Wild Meadow Discoed Presteigne Powys LD8 2NQ
Approve	28/01/2022	22/0109/REM	Removal or Variation of Condition	25/04/2022	Section 73 application to vary condition 4 of planning permission P/2011/1405 (period of each let)	Cottage Wild Meadow Discoed Presteigne Powys LD8 2NQ
Approve	11/04/2022	22/0592/HH	Householder	31/05/2022	Single storey extension to existing garage	The Garden House Greenfield Road Presteigne Powys LD8 2AY
Approve	13/04/2022	22/0643/HH	Householder	25/05/2022	Single storey rear extension, together with internal and external alterations	24 Caefelyn Norton Presteigne LD8 2UB
Approve	19/04/2022	22/0663/HH	Householder	06/06/2022	Erection of a home office / garden store	Porthleven House Presteigne LD8 2ET

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	Consent	20/10/2021	21/1900/FUL	Full Application	12/05/2022	Erection of a holiday let chalet, connection to an existing package treatment plant and formation of internal access track	Holiday Chalet At Harp Meadow Warden Road Presteigne LD8 2NL
	Consent	05/04/2022	22/0600/DIS	Discharge of Condition	16/05/2022	Application to discharge conditions 12, 15 and 16 from permission 20/0458/FUL	9 Harpers Lane Presteigne Powys LD8 2AN
	Consent	19/04/2022	22/0702/DIS	Discharge of Condition	23/05/2022	Discharge of condition 5 (bat roost assessment), 7 (biodiversity enhancement plan), 9 (site contamination report) and 15 (photographic survey) in relation to planning permission 21/0361/FUL	Former Church Of St Andrew's Norton Presteigne Powys
Rhayader Community	Approve	12/05/2021	21/0903/FUL	Full Application	24/05/2022	Formation of car park extension and access improvement works	Rhayader C In W School Rhayader LD6 5LT

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	Approve	16/02/2022	22/0206/HH	Householder	06/05/2022	Erection of extensions and a balcony	16 Penmaes Rhayader Powys LD6 5PN
	Approve	21/02/2022	22/0299/CAC	Conservation Area Consent	06/05/2022	Demolition of a single storey extension	The Gables West Street Rhayader Powys LD6 5AB
St. Harmon Community	Approve	10/01/2022	21/2250/FUL	Full Application	27/04/2022	Engineering operations involving installation of 5 no. underground holiday let units (hobbit homes), parking area, water treatment plant together with all associated works	Development Of 11 Hobbit Houses At Land Near Llwyngwilym Rhayader Powys LD6 5NS
Trefeglwys Community	Approve	30/11/2020	20/1833/FUL	Full Application	20/05/2022	Erection of three broiler poultry units and conversion of existing free range building into broiler accommodation, associated infrastructure and landscaping	Argoed Trefeglwys Caersws Powys SY17 5QT

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Approve	24/08/2021	21/1544/FUL	Full Application	27/04/2022	Conversion of a former motor garage building into a single family dwelling including installation of a sewage treatment plant.	Pant Garage Pant Y Gamallt Staylittle Llanbrynmair Powys SY19 7BU
Approve	07/12/2021	21/2132/FUL	Full Application	20/04/2022	Erection of holiday chalet (replacing former caravan) (retrospective)	Brynafon Trefeglwys Caersws SY17 5QE
Approve	22/03/2022	22/0483/FUL	Full Application	26/05/2022	Erection of steel portal framed agricultural building, together with all other associated works	Glan Gwden Trefeglwys Caersws SY17 5PX
Approve	01/03/2022	22/0316/FUL	Full Application	29/04/2022	Erection of a general purpose building for fodder storage	Caerau Llangammarch Wells LD5 4UF
Refused	23/03/2022	22/0390/HH	Householder	18/05/2022	Proposed internal alterations and rear extension	Cae Bedw Garth Llangammarch Wells Powys LD4 4AT

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Trefeglwys
Community

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Tregynon Community	Approve	05/04/2022	22/0550/HH	Householder	16/05/2022	Proposed single storey rear extension and detached outbuilding	Haulwen Tregynon Newtown SY16 3EL
	Consent	20/04/2022	22/0622/DIS	Discharge of Condition	16/05/2022	Application to discharge condition 3 from planning approval 22/0034/HH in relation to roofing material	Ty Coch Cottage Tregynon Newtown SY16 3PA
	Consent	04/05/2022	22/0718/DIS	Discharge of Condition	06/06/2022	Discharge of condition no's 3, 4 & 6 attached to planning approval 21/2135/FUL (details of landscaping, pedestrian access & materials to stop up existing access)	Glebeland Opposite Saint Cynons Church Tregynon Newtown Powys
Trewern Community	Approve	08/04/2021	21/0577/OUT	Outline planning	20/04/2022	Outline permission for the erection of up to 40 dwellings, formation of new school parking and access road and associated works	Land To The East Of Trewern School Trewern Welshpool Powys SY21 8TB

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Caersws Community	Consent	08/12/2020	20/2009/RES	Reserved Matters	20/05/2022	Application for Reserved Matters for the development of up to 7 dwellings (Appearance, Landscaping, Layout and Scale) including formation of vehicular access and associated works, following approval of Outline Planning Application P/2017/0567	Development At Land Adjoining Maes Yr Eglwys Llanwnnog Caersws Powys
Welshpool Community	Approve	07/02/2022	22/0194/DIS	Discharge of Condition	29/04/2022	Application to discharge condition 5 attached to permission 21/0812/LBC in relation to the requirement of a method statement	23 Broad Street Welshpool Powys SY21 7RN
	Approve	08/02/2022	22/0126/HH	Householder	21/04/2022	Erection of a garage and associated works (part retrospective)	Sweeps Lane Belan Welshpool Powys SY21 8SQ

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Approve	21/02/2022	22/0295/HH	Householder	29/04/2022	Installation of wall mounted Air Source Heat Pump and roof mounted solar PV array	Home Farm, Ramblers Barn Llanerchydol Welshpool SY21 9PQ
Approve	03/03/2022	22/0131/FUL	Full Application	27/04/2022	Erection of 3 portacabins for office space as well as training / meeting areas for our staff	Bsw Timber Solutions Severn Farm Industrial Estate Welshpool Powys
Approve	17/03/2022	22/0454/HH	Householder	16/05/2022	Single storey side extension to provide a residential garage	Home Farm, Ramblers Barn Llanerchydol Welshpool SY21 9PQ
Approve	04/05/2022	22/0829/DIS	Discharge of Condition	24/05/2022	Discharge of Condition 3 of planning permission 21/1543/REM (revised engineering details and calculations)	Land At Former Awelfa Red Bank Welshpool Powys SY21 7PL



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235 Applications

Consent	29/08/2017	P/2017/0984	Removal or Variation of Condition	10/05/2022	Section 73 application - variation of condition 1 from existing permission P/2012/0134 with regards to time	Potters Yard Severn Road Welshpool Powys SY21 7BE
Consent	28/02/2022	22/0314/FUL	Full Application	25/04/2022	Erection of a rural enterprise dwelling and associated works	Land At Court Farm Court Farm Belan School Lane Llwynderw Welshpool Powys SY21 8SF
Consent	28/03/2022	22/0496/RES	Reserved Matters	23/05/2022	Reserved matters application following outline permission 21/0775/OUT for the erection of a rural enterprise dwelling, garage and associated works	Gungrog Farm Welshpool SY21 9HW
Refused	21/01/2022	22/0086/FUL	Full Application	04/05/2022	Siting of a temporary rural enterprise dwelling, alterations to access and all associated works	Valley View Groes-pluen Welshpool Powys SY21 9BW



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Whitton
Community

Approve	02/02/2022	22/0164/HH	Householder	19/05/2022	Make two new window openings in replacement of glazed ventilation slits, convert half the integral double garage to a garden room installing a stud wall and replacing one garage door with a French window, and install a stud wall with doorway on the first floor to create a pantry.	The Granary Court Whitton Knighton LD7 1NP
Approve	02/02/2022	22/0165/LBC	Listed Building Consent	19/05/2022	Make two new window openings in replacement of glazed ventilation slits, convert half the integral double garage to a garden room installing a stud wall and replacing one garage door with a French window, and install a stud wall with doorway on the first floor to create a pantry.	The Granary Court Whitton Knighton LD7 1NP

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Ystradgynlais
Community

Approve	13/01/2022	21/2274/HH	Householder	19/04/2022	Erection of 6.7m x 2m single height extension consisting of one back door entry and 2 windows, with a single pitch roof with a one draw run off (part retrospective)	4-5 Henfelin Gurnos Road Ystradgynlais SA9 2JT
Approve	17/01/2022	22/0033/HH	Householder	05/05/2022	Erection of garage/outbuilding	Land Adjacent To Wharf Cottage Gurnos Road Ystradgynlais Swansea Powys SA9 1BY
Approve	01/02/2022	22/0148/HH	Householder	06/06/2022	Proposed double storey side and rear extensions	Cwmtawe Villa Brecon Road Abercrave Swansea SA9 1SW
Approve	01/02/2022	22/0151/HH	Householder	05/05/2022	Erection of a two storey side extension and a single storey rear extension with a first-floor roof terrace	Gnoll House Neath Road Ystradgynlais SA9 1PR

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Approve	09/02/2022	22/0149/HH	Householder	31/05/2022	Proposed Two Storey Side Extension & Garage	89 Heol Giedd Ystradgynlais SA9 1LS
Approve	15/02/2022	22/0245/HH	Householder	25/04/2022	Alteration to front elevation- construction of single story bay	54 Wind Road Ystradgynlais Swansea Powys SA9 1AF
Approve	03/03/2022	22/0371/DIS	Discharge of Condition	25/05/2022	Application to discharge condition 7 of planning approval 21/0940/RES in relation to highway works	Development Land Rear Of Nos 64 To 78 Brecon Road Ystradgynlais Swansea Powys
Approve	16/03/2022	22/0394/DIS	Discharge of Condition	09/05/2022	Discharge of condition 16 of outline planning permission 18/0663/OUT in relation to Arboricultural Report (ArbTS, 15th February 2022)	Penrhos County Primary School Brecon Road Ystradgynlais Swansea SA9 1PX



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Approve	30/03/2022	22/0540/NMA	Non-Material Amendment	26/04/2022	Non-Material Amendment application for the variation of conditions 6, 7, 8, 9, 10 and 17 of planning consent 20/1314/FUL	Land At Bryngroes Farm Ystradgynlais Swansea Powys SA9 1LF
Approve	20/04/2022	22/0618/DIS	Discharge of Condition	03/05/2022	Application to discharge condition 5 from planning permission 18/0663/OUT in relation to highway details and plans	Penrhos County Primary School Brecon Road Ystradgynlais Swansea SA9 1PX
Consent	18/03/2022	22/0473/TRE	Works to trees in Conservation Area	10/05/2022	Application for works to trees subject to a Tree Preservation Order (variety of trees)	Land At Tesco Supermarket Wind Road Ystradgynlais Swansea Powys SA9 1AD
Split Decision	05/05/2021	21/0836/DIS	Discharge of Condition	26/04/2022	Application to discharge conditions 4, 7, 13, 19, 20, 21, 22, 23, 24 and 25 of planning approval P/2018/0373	Land At 89 Gorof Road Lower CWMTWRCH Swansea SA9 1DS

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CYNGOR SIR POWYS COUNTY COUNCIL

PLANNING, TAXI LICENSING AND RIGHTS OF WAY COMMITTEE

16th June 2022

REPORT BY: HEAD OF HIGHWAYS, TRANSPORT AND
RECYCLING

SUBJECT: Appointment of Council representative to Powys
Local Access Forum

REPORT FOR: DECISION

Title: Appointment of Council representative to Powys Local Access Forum

Background:

1. The Powys Local Access Forum is a statutory advisory body to the Council in relation to countryside access matters.
2. Local Access Fora are appointed by every local Highway Authority and National Park Authority in England and Wales, under the provisions of section 94 of the Countryside and Rights of Way Act 2000.
3. The Council appoints the members for a term of 3 years at a time. The membership is made up of individuals with a wide variety of perspectives on countryside access. It must include representatives of users of local rights of way and of landowners and occupiers, together with any other interests that may be relevant to the Authority's area.
4. There is a Memorandum of Understanding between Powys County Council and the Powys Local Access Forum. This sets out the relationship between the Council and the Forum (as an independent advisory body.)
5. The Local Access Forum currently meets quarterly. This has been via Teams during the COVID 19 outbreak; it can also include in person meetings and site visits where this would assist with the discussion.
6. There is a Council representative on the Forum, being a member of the Planning, Taxi Licensing and Rights of Way Committee. Following the Local Government elections in May 2022, there is a need to appoint a new Council representative to the Forum.

Recommendation:

That the Planning, Taxi Licensing and Rights of Way Committee appoints a Council representative to the Powys Local Access Forum.

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