

# Planning, Taxi Licensing & Rights of Way Committee

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Meeting Venue  
**Hybrid meeting - Zoom - County Hall**

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Meeting Date  
**Thursday, 12 January 2023**

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Meeting Time  
**10.00 am**

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



County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

5 January 2023

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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.

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## AGENDA

<b>1.</b>	<b>APOLOGIES</b>
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To receive apologies for absence.

<b>2.</b>	<b>MINUTES OF THE PREVIOUS MEETING</b>
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To authorise the Chair to sign the minutes of the previous meeting of the Committee held on 1 December 2022 as a correct record.

(Pages 5 - 8)

<b>Planning</b>
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<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>
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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.

<b>4.</b>	<b>PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE</b>
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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 9 - 10)

**4.1. Updates**

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

**4.2. 22/1906/FUL Land at Former Travis Perkins Site, New Road, Newtown, Powys, SY16 1AS**

(Pages 11 - 36)

**4.3. 22/1355/FUL Cae Henfron, Rhayader, Powys, LD6 5BL**

(Pages 37 - 56)

**4.4. 22/1528/FUL Bryn Derwen Motte, Abermule, Montgomery, SY15 6JP**

(Pages 57 - 76)

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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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 77 - 120)

<b>Rights of Way</b>
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<b>6.</b>	<b>DECLARATIONS OF INTEREST</b>
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To receive any declarations of interest from Members relating to the following items on the agenda.

<b>7.</b>	<b>TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 PUBLIC PATH ORDER PROPOSAL</b>
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To consider a proposal to divert public footpaths RB1387 (part), RB1391 & RB1392 (part), land at Gore Quarry, Walton, Presteigne, LD8 2PL (Community of Old Radnor)

(Pages 121 - 136)

<b>Taxi and other licensing</b>
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<b>8.</b>	<b>DECLARATIONS OF INTEREST</b>
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To receive any declarations of interest from Members relating to the following items on the agenda.

<b>9.</b>	<b>TAXI LICENSING FEES 2023/24</b>
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To consider the report regarding Taxi Licensing fees for 2023/24.

(Pages 137 - 140)

<b>10.</b>	<b>MINUTES OF TAXI LICENSING SUB-COMMITTEES</b>
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To authorise the Chair presiding at the Taxi Licensing Sub-Committee held on 7 December 2022 to sign the minutes as a correct record.

(Pages 141 - 142)

<b>11.</b>	<b>ANIMAL ESTABLISHMENT LICENSING FEES REVIEW</b>
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To consider the report.

(To Follow)

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**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT BY TEAMS ON THURSDAY, 1 DECEMBER 2022**

**PRESENT**

County Councillor K Lewis (Chair)

County Councillors A Davies, D Edwards, P James, A Jones, G E Jones, C Kenyon-Wade, I McIntosh, G Morgan, R G Thomas, E Vaughan and D H Williams

**1. APOLOGIES**

Apologies for absence were received from County Councillors G D Jones, T Colbert, L George, H Hulme, G Pugh, E Roderick and J Wilkinson.

**2. MINUTES OF THE PREVIOUS MEETING**

The Chair was authorised to sign as a correct record the minutes of the meeting held on 20 October 2022.

**Planning**

**3. DECLARATIONS OF INTEREST**

(a) County Councillor A Davies declared a prejudicial interest in application 21/2085/FUL

(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**

The Committee considered the report of the Head of Property, Planning and Public Protection (copies filed with the signed minutes).

**4.1 Updates**

The Members confirmed that they had received and had time to read the update circulated the previous day and prior to the meeting.

**4.2 21/2085/FUL Rhydoldog, Cwmdauddwr, Rhayader, Powys, LD6 5HB**

**Grid Ref:**

E: 294204 N: 267941

<b>Valid Date:</b>	30.11.21
<b>Community Council:</b>	Rhayader Town Council
<b>Applicant:</b>	Miss Charlotte Church
<b>Location:</b>	Rhydoldog, Cwmdauddwr, Rhayader, Powys, LD6 5HB
<b>Proposal:</b>	Change of use of dwelling (C3) to a D1 (wellbeing and healing retreat), conversion of part of barn to artist's studio and store, installation of solar arrays and all associated works
<b>Application Type:</b>	Full Application

County Councillor Angela Davies left the meeting before consideration of this item having declared a prejudicial interest.

The Committee was advised that Rhayader Town Council had confirmed that their opposition to the application still stood. The Highways network manager advised that highways issues raised could not be sustained at appeal as the number of vehicle movements would not increase significantly and that road signs, additional road markings and passing places would address any issues. Officers also confirmed that a maintenance and management plan for the approved foul water drainage system would have to be submitted and approved.

It was moved and duly seconded that the Committee be minded to approve the application and that the final decision be delegated to the Professional Lead - Planning in consultation with the Chair and Vice Chair of the Committee subject to confirmation from NRW of their agreement with the Appropriate Assessment.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That the Committee approve the application and that the approval is delegated to the Professional Lead - Planning in consultation with the Chair and Vice Chair of the Committee subject to confirmation from NRW of their agreement with the Appropriate Assessment.</b>	<b>As officer's recommendation as set out in the update report which is filed with the signed minutes.</b>

County Councillor Angela Davies returned to the meeting.

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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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 13 October 2022 and 22 November 2022.

## 6. APPEAL DECISIONS

The Committee received a copy of the Planning Inspectorate's letters regarding the following appeals:

- application 21/1055/CLP - Llanerchydol Hall, Welshpool, Powys, SY21 9PQ - the Committee noted that the Inspector had dismissed the appeal. The Committee was advised that notice had been received that the Inspector's decision may be judicially reviewed.
- application 21/2137/HH Winswood, Lower Gwestydd Lane, Aberbechan, Newtown SY16 3AY - the Committee noted that the Inspector had upheld the appeal
- application 22/1463/FU Pen-Y-Derw, Forden, Welshpool SY21 8NH - the Committee noted that the Inspector had dismissed the appeal.

### Rights of Way

## 7. DECLARATIONS OF INTEREST

There were no declarations of interest reported.

## 8. PUBLIC PATH ORDERS: WORKING PRACTICE AND CHARGES

Members of the Committee were asked for their views on a proposed change to the working practices and charges for Public Path Orders. The changes were needed to address the backlog of applications and enable the council to recover costs incurred in providing this discretionary service. The decision would be taken by the Portfolio Holder for a Greener Powys.

The Chair of the Committee agreed that he would write to the relevant Welsh Government Minister on behalf of the Committee to draw attention to the need for more resources for this service.

**Resolved that the new method of dealing with public path orders as outlined in the report, as a basis for a decision report to the Portfolio Holder for a Greener Powys be supported.**

### Taxi and other licensing

## 9. DECLARATIONS OF INTEREST

There were no declarations of interest reported.

<b>10.</b>	<b>MINUTES OF TAXI LICENSING SUB-COMMITTEES</b>
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The Chair presiding at the Taxi Review Panel held on 19 October 2022 was authorised to sign the minutes as a correct record.

**County Councillor K Lewis (Chair)**



**Planning, Taxi Licensing and Rights of Way Committee**  
**12<sup>th</sup> January 2023**

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><b>22/1906/FUL</b></p> <p>Newtown and Llanllwchaearn Community</p> <p>310878 291321</p> <p>10:11:2022</p>	<p>Full: Erection of block of 8 no appartments and all associated works</p> <p>Land at Former Travis Perkins Site, Newtown, Powys SY16 1AS</p> <p>Harry Bowen</p> <p><b>Recommendation:</b></p> <p>Conditional Consent</p>
<p><b>22/1355/FUL</b></p> <p>Nantmel Community</p> <p>297684 267695</p> <p>09.08.2022</p>	<p>Full Application: Provision of solar array and all associated works</p> <p>Cae Henfron, Rhayader, Powys LD6 5BL</p> <p>Mr Tony Davies</p> <p><b>Recommendation:</b></p> <p>Conditional Consent</p>
<p><b>22/1528/FUL</b></p> <p>Abermule and Llandyssil Community</p> <p>316318 295231</p> <p>09.09.2022</p>	<p>Full Application: Relocation of access to field and erection of fence</p> <p>Bryn Derwen Motte, Abermule, Montgomery. SY15 6JP</p> <p>Mr Gareth Pugh</p> <p><b>Recommendation:</b></p> <p>Conditional Consent</p>

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## Planning, Taxi Licensing and Rights of Way Committee Report

<b>Application Number:</b>	22/1906/FUL	<b>Grid Ref:</b>	E: 310878 N: 291321
<b>Community Council:</b>	Newtown And Llanllwchaiarn Community	<b>Valid Date:</b>	10.11.2022

**Applicant:** Harry Bowen

**Location:** Land at Former Travis Perkins Site, New Road, Newtown, Powys, SY16 1AS

**Proposal:** Erection of block of 8 no. apartments and all associated works

**Application Type:** Full Application

### Reason for Committee determination

The application has been called-in by the Local Member due to concerns over the amount of accommodation to be provided compared to the parking provided onsite and the impacts this may have on the surrounding highway networks.

### Consultee Responses

#### Consultee

#### Received

Hafren Dyfrdwy

22nd Nov 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](http://www.hdcymru.co.uk) under the 'New Site Developments' section.

NOTE: we would not permit a surface water discharge into the public combined sewer or the public foul sewer, and recommend the applicant seeks alternative arrangements.

PCC-(M) Highways

9th Dec 2022

The County Council as Highway Authority for the County Class I Highway, A4811.

Wish the following recommendations/Observations be applied

Recommendations/Observations

The applicant previously gained consent under application number 21/1961/FUL for six terraced dwellings in the location, where the current application seeks eight flats.

The previous application qualified under Appendix 6 of the CSS Wales Parking Standards 2014 (CSS) for a parking reduction. The total number of parking bays required under the previous application was 40 after the parking reduction had been applied.

CSS states "Other than for Zone 1 City Centre locations, the reductions in parking requirement for residential units shall not result in less than one parking space remaining and for all other developments the reduction shall not be applied unless an acceptable travel plan is also submitted."

Therefore, the eight flats do not qualify for a reduction in parking, being that each of the flats are one-bedroomed units.

The total allocation of parking bays at the wider development remains at 40 parking bays, as a reduction was previously applied to the two of the terraced dwellings.

Whilst the access is shared with the wider development, conditions shall be required in relation to securing the access improvements as part of the current proposal and we note the applicant has submitted full details of such.

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

1. Prior to any works commencing on the development site, all Highway and access Improvements shown on Drawing Numbers TP-LK-502 Rev E, TP-RC-504 Rev C, TP-SA-506 Rev C & TP-LS-507 Rev A, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.

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. Prior to the occupation of any dwellings hereby approved, provision shall be made within the site for the parking and turning of vehicles as detailed on the approved site plan TP-LK-502 Rev E. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

4. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course 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 existence.

5. The gradient of the access shall be constructed so as not to exceed 1 in 30 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.

6. All access to the development hereby permitted shall be gained via the vehicular/pedestrian access onto the A4811 and pedestrian access via Cwrt Croesawdy. No alternative vehicular or pedestrian access shall be used or created to service the site directly from the county highway for as long as the development remains in existence.

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

Environmental Protection

24th Nov 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

PCC-Affordable Housing Officer

13th Dec 2022

**Powys Common Housing Register for Social Housing and Social Housing Supply**  
Newtown – December 2022

**1. Summary**

households' 1st choice:	721
households' 2nd or subsequent choice:	310
households with a local connection:	686

**2. Housing Need and Demand**

Band 1, 2 and 3: Households that are in housing need.

Band 4: Households that are not in housing need, but would like to move.

Band 5: Households with and without housing need, but not ready to move.

Number of bedrooms is maximum number of bedrooms according common allocation policy.

**Households registered with Newtown as first preferred choice.**

1 <sup>st</sup> choice	1-bed	2-bed	3-bed	4-bed	≥5-bed	Total
Band 1,2,3	146	202	49	26	10	433
Band 4	63	98	44	17	5	227
Band 5	32	17	10	2		61
<b>Total</b>	<b>241</b>	<b>317</b>	<b>103</b>	<b>45</b>	<b>15</b>	<b>721</b>

**Households registered with Newtown as second or subsequent preferred choice.**

2 <sup>nd</sup> choice	1-bed	2-bed	3-bed	4-bed	≥5-bed	Total
Band 1,2,3	68	73	17	20	4	182
Band 4	29	38	24	6		97
Band 5	15	10	5	1		31
<b>Total</b>	<b>112</b>	<b>121</b>	<b>46</b>	<b>27</b>	<b>4</b>	<b>310</b>

**Households registered with Newtown as a preferred choice (both tables above combined).**

1 <sup>st</sup> or sub	1-bed	2-bed	3-bed	4-bed	≥5-bed	Total
Band 1,2,3	214	275	66	46	14	615
Band 4	92	136	68	23	5	324
Band 5	47	27	15	3	0	92
<b>Total</b>	<b>353</b>	<b>438</b>	<b>149</b>	<b>72</b>	<b>19</b>	<b>1031</b>

PCC-Contaminated Land Officer

29th Nov 2022

Concerning planning application 22/1906/FUL, the following advice is provided for the consideration of Development Control:

1. Records identify that the application site falls within the boundary of planning permission 21/1961/FUL, which was granted approval with attached land contamination planning conditions i.e., conditions 3, 4, 5, 6, 7 and 8 on the approval notice.

In respect of conditions 3, 4, and 5, attached to planning permission 21/1961/FUL, the

following information was submitted:

- o GeoSmart Information Ltd 'EnviroSmart: Phase 1 Contaminated Land Assessment - Former Travis Perkins Site, New Road, New Town, Powys' (ref: 752040R1) August 2021.
- o Groundfirst 'Phase 2 Land Quality Assessment: Millers Place, New Road, Newtown, Powys' (ref: 4258R1) 2nd June 2022.
- o Ground First Ltd 'Contaminated Land Remediation Strategy: Millers Place, New Road, Newtown, Powys' (ref: 4258R2rev1) 30th September 2022.
- o Ground First Ltd 'GF Responses to WK202210834 - 300922'.

As advised in a memorandum (ref: WK/202210834) dated 20 October 2022, in respect of planning permission 21/1961/FUL, prior to the discharge of conditions 6, 7 and 8, the approved remediation must be implemented and completed, and a site Verification Report, which demonstrates the effectiveness of the remediation undertaken, must be submitted for review and approval. In addition, it was advised that the remediation, verification and Verification Report must be completed by competent, qualified and experienced persons in accordance with current guidance and best practice e.g., the Environment Agency 'Land Contamination Risk Management' (LCRM) guidance.

2. As the planning application site falls within the boundary of planning permission 21/1961/FUL, and in consideration of the previously submitted information (referenced above), it is recommended that the following condition and note, to the applicant, are attached to any permission granted for planning application 22/1906/FUL:

Condition: 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 'Land Contamination Risk Management (LCRM)' guidance and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2017).

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

Note to Applicant

#### Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 01597 827645

PCC-(N) Land Drainage

5th Dec 2022

PCC Land Drainage have no comments to make on this application at this time.

The SuDS Approval Body (SAB) have previously approved surface water drainage arrangements for the site. Should there be any amendments to these arrangements, a new SAB approval should be sought.

Community Council

6th Dec 2022

The Town Council supports the application.

PCC-Building Control

17th Nov 2022

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

Ward Councillor

21st Nov 2022

I am writing to ask for this application to be called in

I am very concerned regarding the amount of accommodation compared to the parking provided onsite. I am concerned that this will cause problems with people who have two vehicles or visitors.

There are already issues with parking on New Road and my concern that as there doesn't appear to be a lot of parking provided with all the other properties that are already going to be built on the development there will end up being a real parking issue that will impact the surrounding properties that are all ready there.

I would like this to be carefully considered by the planning committee.

Natural Resources Wales (Mid Wales)  
DPAS

9th Dec 2022

We refer to your consultation dated 17/11/2022. We have no objection to the proposed development as submitted and provide the following advice.

#### Foul Drainage

We note that the application form confirms the development proposes a connection to the mains sewer. A connection must be discussed with the local sewer operator.

#### Protected Species

We note that there is no information about protected species with the application and therefore, we are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

NRW therefore has no comments to make on the application, as submitted with regards to protected species. Please consult us again if any survey undertaken finds that any protect species are present at the site and you require further advice from 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.

## Representations

Following the display of a site notice on 24<sup>th</sup> November 2022, one public response of objection has been received and is summarised as follows:

Inadequate access  
Inadequate parking provision  
Increase in traffic

## Planning History

App Ref	Description	Decision	Date
21/1961/FUL	Proposed residential development comprising 32 no. residential apartments and 6 no. terrace dwellings together with site facility building and all associated works	Approve	21/02/2022
22/0996/DIS	Discharge of planning condition no's 4,5,6,7 & 8 attached to planning permission 21/1961/FUL (site investigation report, remediation scheme, verification report, monitoring & maintenance scheme)	Split decision	08/08/2022
22/1406/DIS	Application to discharge conditions 3, 5, 6, 7, 8, 9, 10, 11 and 17 from planning approval 21/1961/FUL	Approve	25/11/2022
22/1791/NMA	Application for non-material amendments to permission 21/1961/FUL in respect of materials changes to elevations of apartment block	Approve	23/11/2022

## Principal Planning Constraints

Contaminated Land	Cemetery or Graveyard
LDP Development Boundaries	Newtown/ Y Drenewydd

LDP Retail Core Area  
 C2 Floodzone  
 Listed Buildings  
 Scheduled Monument

Newtown

### Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
NATPLA	Future Wales - The National Plan 2040		National Policy
TAN2	Planning and Affordable Housing		National Policy
TAN4	Retail and Commercial Development		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Communities		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN15	Development and Flood Risk		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 Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
R1	Development Within Town Centre Areas	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
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
DM15	Waste Developments Within	Local Development Plan 2011-2026

SPGRES	Residential Design Guide SPG (2020)	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 & Llanllwchaern Place Plan SPG (2021)	Local Development Plan 2011-2026
SPGCON	Conservation Areas SPG (2020)	Local Development Plan 2011-2026
SPGARC	Archaeology SPG (2021)	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	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

The application site is located between the railway line and New Road within the development boundary of Newtown. The site is set back from the main road behind a short terrace of red brick houses. Access to the site is via a gated opening off New Road with a dedicated filter lane and follows a ramped access road to the upper levels of the site. The site was previously used as a Builder's Merchant and therefore comprises a securely fenced and gated yard.

Planning permission was granted under reference 21/1961/FUL for proposed residential development comprising 32 no. residential apartments and 6 no. terrace dwellings together with site facility building and all associated works on a larger site. This application relates to the northern part of 21/1961/FUL and seeks to replace the approved 6 no. terraced dwellings with a block of 8 no. apartments.

The following materials for external finishes are proposed:

- Lower external walls - Charcoal facing brick in stretcher bond with flush finished mortar.
- Ground floor and first floor external walls - red facing brick in stretcher bond with flush finished mortar. Recessed, brick panels as indicated.
- Roof - Anthracite Plain Concrete Tiles including photovoltaic panels on the front (south-east) elevation.
- Rainwater Goods - Hoppers and Downpipes to be aluminium flush joint circular downpipes and aluminium hoppers.
- Windows - Polyester powder coated aluminium.
- Doors - Polyester powder coated Aluminium.

### Principle

Given that residential development has previously been accepted on the site and that the development is located on a brownfield site within a sustainable location in the settlement boundary of Newtown, the principle of the development is considered acceptable and in accordance with policy H1 of the Local Development Plan.

### Housing density

The site area measures approximately 0.1ha and therefore exceeds the density guidelines set out within the LDP of 27+ units per hectare.

### Housing type

The proposal seeks to alter the house types from a terrace of 6 no. three storey, split-level dwellings to a block of two storey 8 no. apartments. The approved terrace of dwellings comprised two end dwellings with three bedrooms and the middle four with two bedrooms, whilst the proposed apartments would all be one-bedroomed units.

The Council's Housing Department have provided the December 2022 figures for the Powys Common Housing Register for Social Housing and Social Housing Supply which indicates a housing need for one-bedroom units; although it is noted that housing need for two-bedroom units is higher than one bedroom units. Nevertheless, it is recognised that the development is being constructed for a Registered Social Landlord which hold their own register and as such have identified a need for the development. In addition, the residential apartments approved under planning permission 21/1961/FUL included a

mixture of one and two bedroomed units.

In terms of affordable housing provision, condition 3 of the previous consent 21/1961/FUL required the submission and implementation of an affordable housing scheme. The scheme was submitted and approved under application 22/1406/DIS. Eight of the previously approved apartment block have been approved as the affordable dwellings and the increase in the number of units hereby proposed does not affect this affordable housing provision (20%) in terms of location or quantity.

### Design

The Newtown Town Character Appraisal connects the prevailing identity and character of the town to its Victorian industrial era, when 'back-to-back cottages, high density terraces and factories were built along a regular grid pattern'. By comparison, modern development is described as sprawling and scattered, diluting the fabric of the historic town. "Newtown has become fragmented due to public and private house building in the last 30 years." The overriding materiality of Newtown is brick and slate roofs, although examples of stone and render do exist.

The proposed block of apartments would be located to the rear of the existing Victorian terraced houses along New Road, at the intermediate level of the wider site. A shared amenity space would be sited to the front of the apartments, between the proposed apartments and the gardens associated with the existing dwellings. Whilst the amenity space would be an alteration from the previously proposed private gardens, it would remain the same size as the previously approved gardens. In addition, the apartment block would have the same footprint and height as the previously approved terrace. The block has been attractively designed and would be similar in size to the terrace of dwellings to the north-west. The use of brick would fit in with the surrounding residential properties and the use of tiles would be as previously approved. Overall, it is considered that the proposed development complements the surrounding area.

Some landscaping measures are proposed including the planting of native species trees, the construction of an attenuation rain garden and mixed flowering lawn. The proposed scheme is like that previously approved via condition.

Taking into account the site's location, its previous use together with the character and scale of surrounding buildings, whilst the proposed amenity space and landscape planting is limited, taking into account the constraints of the site and the previous approval, it is considered that that the 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 and it would contribute towards the preservation of local distinctiveness and sense of place in accordance. The use of a condition to require the landscaping scheme to be implemented is recommended.

### Public open space

Given that the application proposes less than 10 units no specific public open space is



required for the development. It is noted that the previous approval included communal landscaped gardens.

The proposed change to an apartment block in place of the approved terrace would not impinge upon the previously approved public open space provision.

#### Historic environment

##### - Setting of listed buildings

The site is located within proximity to a number of listed buildings, the nearest being the Parish Church of St David and Croesawdy. The Planning Authority is required to have special regard to the desirability of preserving the listed buildings or their settings under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The setting of the identified listed buildings was considered within the previous proposal, within a Heritage Impact Assessment and by the Council's Built Heritage Officer.

Whilst Croesawdy has been listed since the determination of the previous application, given that the scale and design of the proposed development is similar to that previously approved, it is concluded that the development would not harm the identified listed buildings and would preserve the settings of the identified listed buildings under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

##### - Setting of Scheduled Ancient Monument

Scheduled Ancient Monument MG160 Newtown Hall and Castle Mound is located approximately 137 metres to the north-west across New Road and Park Street and beyond residential and commercial properties. Given the intervening built-form, it is considered that the development would not unacceptably adversely affect the setting of the identified scheduled ancient monument.

##### - Archaeology

CPAT advised in relation to the previous application that information held within the Historic Environment Record indicates recorded archaeological site PRN 117915 Roman Road (Forden to Caersws) at the southern extreme of the site (outside of the application site area for the current proposal). An archaeological survey was carried out which confirms that the Roman road alignment is not present and has probably been truncated by previous development of the site. The proposed change would not affect this considered and as such, it is concluded that the development would not have an unacceptable adverse impact upon the identified archaeological site.

#### Residential amenity

Whilst the apartment block would be sited on higher ground than the existing terraced dwellings along New Road, the previous submission demonstrated that the privacy and overshadowing guidelines within the Residential Design SPG would be complied with. Therefore, given that the siting and height of the apartment block would be similar to that previously approved, it is considered that adequate amenity levels would be retained by the separation distances.

Otherwise, given the close proximity to residential properties, the Environmental Protection department has recommended a condition to restrict construction working hours which is considered reasonable.

#### Highway safety and parking provision

The Local Member has raised concern over parking provision at the overall site and the public response has raised concern over the access onto New Road and also levels of parking provision.

The Highway Authority did not object to the previous application and the previous consent approved the use of the existing access to the site off the A4811 highway. Conditions were attached to require the submission and approval of detailed engineering drawings for the vehicular access onto the A4811, on-street parking to include Traffic Order, road markings and associated works with an informative note that 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. The relevant condition was discharged under application 22/1406/DIS, following advice received from the Highway Authority. The approved drawings have been included within this submission and the Highway Authority has advised that conditions are required to securing the access improvements alongside the previously approved development.

In terms of parking provision, the previous application qualified under Appendix 6 of the CSS Wales Parking Standards 2014 (CSS) for a parking reduction. The total number of parking bays required under the previous application was 40 after the parking reduction had been applied.

The Highway Authority has advised that the eight flats do not qualify for a reduction in parking, being that each of the flats are one-bedroomed units. However, the total allocation of parking bays associated with the wider development remains at 40 parking bays, as a reduction was previously applied to the two of the terraced dwellings and as such the proposed parking provision remains adequate for the overall site.

#### Natural environment

- Protected species

The previous application was supported by an Ecological Appraisal Report dated

14.5.21 which concluded that due to the nature of the site (primarily hardsurfaced), no protected species were likely to be present and negatively impacted by the proposed development.

In terms of external lighting, the ecological report recommended suitable lighting and location, in order to ensure there will be no conflict with the proposed biodiversity enhancements or protected species that may utilise the site at night. It is therefore recommended that an External Lighting Plan is secured through an appropriately worded condition as this information has not been provided pre-determination.

On this basis of the advice received from the Council's Ecologist on the previous application and NRW, it is considered that the development is unlikely to unacceptably adversely affect protected species.

- Protected sites

The Council's Ecologist advised during the processing of the previous application that there are no statutory or non-statutory designated sites present within 500m of the proposed development and as such it is considered unlikely that the development would unacceptably adversely affect any protected site.

- Biodiversity enhancement

The ecological report made recommendations regarding the installation of one integrated bat box and bird boxes. The Ecologist recommended additional features (additional bird and bat boxes and hedgehog friendly fencing) for priority species which were included on an ecological enhancement site plan. In respect of the site the subject of this application, the ecological enhancement plan included hedgerow friendly fencing, integral sparrow houses and bat boxes which have not been included in the current submission. Therefore, it is recommended that a condition is attached to secure the previously agreed biodiversity enhancements.

As discussed above, additional planting is proposed which incorporates native species planting and which was approved via condition under application 22/1406/DIS. It is recommended that the implementation of the landscaping scheme is secured via condition.

#### Flooding and surface water drainage

The site is not located within a C2 Flood Zone, however the Council's Land Drainage Department previously advised that there is a risk of surface water flooding to the wider site. The developer's drainage consultant provided additional information and clarified that a small area of the wider site towards the railway line that extends across the wider site and to the rear of the church is shown as potential flood risk. Therefore, the surface water flood risk relates to land outside the site area for the current application and the flooding identified will be addressed as part of a SAB application through a drainage

strategy. The Council's Land Drainage Section previously clarified that no further information was required and have not objected to the current application.

In terms of surface water flooding, Hafren Dyfrdwy have requested that a condition is attached to any consent to require the submission and approval of details of surface water disposal. The application form indicates that it is proposed to dispose of surface water drainage via mains sewer and a sustainable drainage scheme. It is also noted that SAB approval will be required for the development. Therefore, it is not considered reasonable or necessary to attach the condition recommended by Hafren Dyfrdwy.

### Contaminated land

Planning application 21/1961/FUL was granted approval subject to land contamination conditions requiring the submission and implementation of further contaminated land assessments and remediation strategy. The relevant conditions have been discharged under application reference 22/1406/DIS, however three conditions remain outstanding, in relation to the implementation and completion of the approved remediation strategy and the submission of a site Verification Report to demonstrate the effectiveness of the remediation undertaken. Therefore, the Council's Contaminated Land Officer has recommended that a condition is attached to require the approved remediation scheme to be carried out, etc to reflect the outstanding requirements.

### Foul drainage

As previously agreed, it is proposed to connect into the public sewerage system and Hafren Dyfrdwy have confirmed that they have no objections to the proposals subject to the inclusion of a condition requiring the submission and approval of drainage plans for foul and surface water flows. The previously approved plans indicated that a foul drainage connection will be made into an existing combined sewer on New Road and as such it is considered that an adequate level of detail has been provided to demonstrate that adequate utility services exist and can be connected to. Therefore, the condition recommended by Hafren Dyfrdwy is not considered reasonable or necessary.

### Waste

Bin stores were previously approved as communal facilities easily accessible to both the multi-unit apartment building and smaller apartment block to the west end of the primary access route. Recycling boxes for houses are to be accommodated within the dwelling and collected from kerbside. It is therefore considered that adequate information has been provided in this respect.

## **RECOMMENDATION**

The concerns raised by the Local Member and within the public representations have been carefully considered, however given the advice provided by the Highway Authority, it is considered that the access and parking provision is adequate. Otherwise, the

provision of residential units within the development boundary of Newtown is supported as discussed above and relevant matters can be conditioned appropriately. Therefore, the recommendation is one of conditional consent as set out below.

## 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: TP-LK-502 Rev E, TP-RC-504 Rev C, TP-SA-506 Rev C, TP-LS-507 Rev A, 2044 GA 206 Rev. A, 2044 P 405 Rev. B, 2044 P 202 Rev. A, 2044 P 355 Rev. B, 2044 EX 004.
3. Prior to any works commencing on the development site, all Highway and Access Improvements shown on Drawing Numbers TP-LK-502 Rev E, TP-RC-504 Rev C, TPSA-506 Rev C & TP-LS-507 Rev A, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.
4. 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.
5. Prior to the occupation of any dwellings hereby approved, provision shall be made within the site for the parking and turning of vehicles as detailed on the approved site plan TPLK-502 Rev E. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
6. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course 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 existence.
7. The gradient of the access shall be constructed so as not to exceed 1 in 30 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.
8. All access to the development hereby permitted shall be gained via the vehicular/pedestrian access onto the A4811 and pedestrian access via Cwrt

Croesawdy. No alternative vehicular or pedestrian access shall be used or created to service the site directly from the county highway for as long as the development remains in existence.

9. No surface water drainage from the site shall be allowed to discharge onto the county Highway.
10. The approved remediation scheme (approved under application 22/1406/DIS - Ground First Ltd 'Contaminated Land Remediation Strategy: Millers Place, New Road, Newtown, Powys' (ref: 4258R2rev1) 30<sup>th</sup> September 2022 and Ground First Ltd 'GF Responses to WK202210834 – 300922) 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 'Land Contamination Risk Management (LCRM)' guidance and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2017).
11. Prior to the occupation of any dwelling hereby approved, biodiversity enhancement measures as detailed below shall be implemented:
  - Installation of 2 no. integral enclosed Bat box type “C” within apartment fabric on south-eastern elevation;
  - Installation of 2 no. integral Sparrow houses within apartment fabric on north-western elevation; and
  - Installation of hedgerow friendly fencing to allow for free movement between internal and external site boundaries.

The above enhancement measures shall be retained and maintained in perpetuity.
12. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. 2044 GA 206 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.

13. 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 HolidaysDeliveries to and removal of plant, equipment, machinery and waste from the site must also only take place within the permitted hours detailed above
  
14. 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 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.

## **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. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
4. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
5. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
6. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).

7. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
8. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
9. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026) and Technical Advice Note (TAN) 18: Transport (2007).
10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys Local Development Plan (2011-2026).
11. To comply with Policy DM2 of the Powys Local Development Plan (Adopted 2018) in relation to The Natural Environment, and to meet the requirements of Planning Policy Wales (Edition 11, 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
12. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (Adopted 2018) in relation to The Natural Environment, and to meet the requirements of Planning Policy Wales (Edition 11, 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
13. To protect the amenities enjoyed by the occupants of neighbouring properties in accordance with Policy DM13 of the Powys Local Development Plan (2011-2026).
14. 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.

## **Informatives**

Council's Contaminated Land Section:

Further advice on compliance with the contaminated land condition may be



obtained by contacting the Environmental Health Service on 01597 827645.

Highway Authority:

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 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. Under section 171 of the Highways Act 1980 it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for the highway re-alignment works and road markings on the A4811.
4. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
5. 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](mailto:street.works@powys.gov.uk)

Street Works

Powys County Hall

Spa Road East  
Llandrindod Wells  
Powys  
LD1 5LG  
0845 6027035

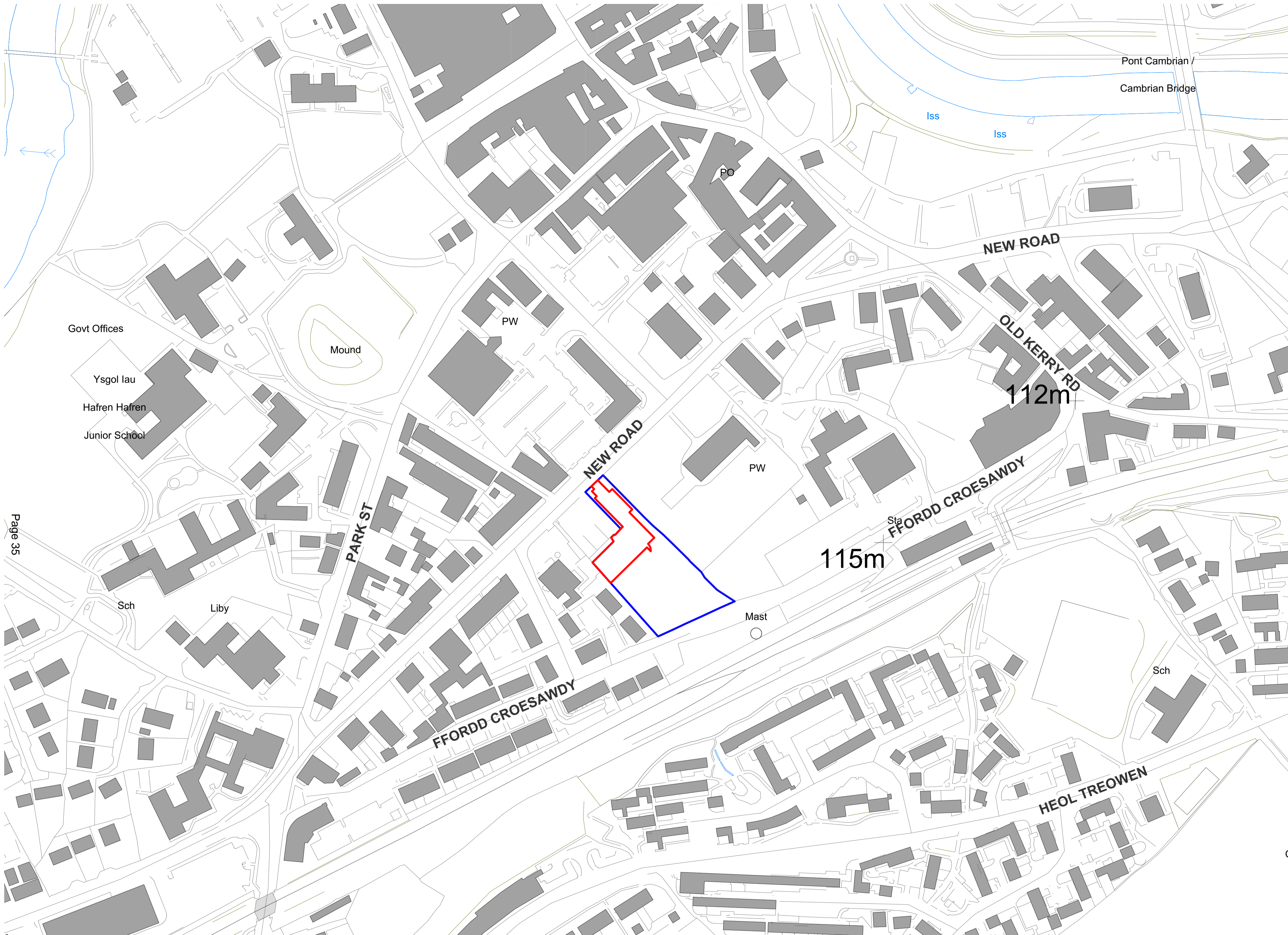
Advice from Hafren Dyfrdwy:

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](http://www.hdcymru.co.uk) under the 'New Site Developments' section.

NOTE: we would not permit a surface water discharge into the public combined sewer or the public foul sewer, and recommend the applicant seeks alternative arrangements.

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



**Key**

- Ownership Boundary
- Application Boundary

**Note:**  
Refer to structural engineers information for foundation design.

Responsibility is not accepted for errors made by others scaling from this drawing.

All construction information should be taken from figured dimensions only. Dimensions are in millimetres unless otherwise stated.

All dimensions and conditions are to be checked on site prior to preparing drawings or commencing any work.

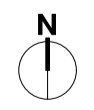
Any variations or supplementary drawings are to be approved by The Architect.

All details are to be read in strict accordance with GA drawings and construction notes

All steelwork sizes, padstones, blockwork strengths and associated structural design to be in accordance with structural engineers design and requirements. Hiraeth Architecture accepts no liability to any discrepancies in the structural design indicated on these drawings. Any structural related queries should be directed to the project engineer immediately.

Proposed Foul & Surface water drainage design to be read in strict accordance with the latest revision of Woodsyde Developments drawing no. TP GA-500 and associated details. Hiraeth Architecture accepts no liability to any discrepancies in the structural design indicated on these drawings.

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PLANNING

cc

**Hiraeth.** 2044 EX 004 Rev.

Mid Wales Property  
Former Travis Perkins Site

**EXISTING  
TERRACE LOCATION  
PLAN**

Scale 1:1250 @ A1, 1:2500 @ A3 Date 02/21

02920351645 | office@hiraetharchitecture.co.uk  
The Maltings | East Tyndall St | Cardiff | CF24 5EA

do not scale from this drawing | all dimensions to be verified on site | notify architect of all discrepancies | copyright Hiraeth architecture

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# 4.3



## Planning, Taxi Licensing and Rights of Way Committee Report

**Application Number:** 22/1355/FUL

**Grid Ref:** E: 297684  
N: 267695

**Community Council:** Nantmel Community

**Valid Date:** 09.08.2022

**Applicant:** Mr Tony Davies

**Location:** Cae Henfron, Rhayader, Powys, LD6 5BL

**Proposal:** Provision of a solar array and associated works

**Application Type:** Full Application

### The reason for Committee determination

The applicant is a close relative of an Elected Member.

### Consultee Responses

Consultee	Received
-----------	----------

WG - Highways Directorate

5th Sep 2022

I refer to your consultation of 19th August 2022 regarding the above application and advise that the Welsh Government as highway authority for the A470 trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

The applicant must provide the following information to support this application or resubmit the application with the following details;

- 1) The applicant is required to confirm how the solar panels will be delivered to site.

*Additional comments received 18<sup>th</sup> October 2022 –*

I refer to your consultation of 13/10/2022 regarding the above planning application and advise that the Welsh Government as highway authority for the A470 trunk road is content to remove the present holding direction and no longer wishes to issue a direction

in respect of this application.

PCC-(M) Highways

30th Aug 2022

Does not wish to comment on the application

Welsh Water

9th Sep 2022

The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

Sewerage

As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Powys County Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water and/or land drainage shall be allowed to connect directly or indirectly

with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

#### Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

#### WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Natural Resources Wales

22nd Aug 2022

We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics, Development Planning Advisory Service: Consultation Topics (September 2018): <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/our-role-in-planning-and-development/?lang=en>. We therefore do not have any comment to make on the proposed development.

Please note that our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Community Council

29th Sep 2022

The Council encourages this type of development and were in full support.

PCC-Building Control

No comments received at the time of writing this report.

Ward Councillor

No comments received at the time of writing this report.

## **Representations**

A site notice was displayed on September 8<sup>th</sup> 2022. At the time of writing this report no third party representations have been received by Development Management.



## Planning History

App Ref	Description	Decision	Date
PPAE/2016/0106	Pre-planning application enquiry in relation to residential development	Planning Permission Needed	15th Jul 2016
18/0455/AGR	Application for prior notification of agricultural development - proposed building	Planning Permission Required	Mon 03 Sep 2018
18/0884/HDG	Application for hedgerow removal	Approve	Mon 17 Dec 2018
19/0560/FUL	Erection of agricultural general purpose building, creation of new field gate access and blocking up of existing field gate access	Approve	9th Oct 2019
20/0384/FUL	Installation of a biomass boiler, flue and associated works	Approve	21st May 2020
21/0467/FUL	Tourism development of four holiday pods to include access road and associated works (part retrospective)	Pending Consideration	

## Principal Planning Constraints

Mineral Safeguarding Sand\_Gravel Cat 2  
 Special Area of Conservation approximately 100m from site  
 River Wye SSSI approximately 100m from site  
 Phosphorus Sensitive Welsh River SAC  
 Public rights of way network 150/218/2 within 100m of site  
 2 listed buildings within 500m of site

## Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales – The		The National

	National Plan 2040	Development Framework National Policy
PPW	Planning Policy Wales – Edition 11 February 2021	
TAN5	Nature Conservation and Planning	National Policy
TAN13	Design	National Policy
TAN18	Transport	National Policy
TAN24	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
DM8	Minerals safeguarding	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
RE1	Renewable Energy	Local Development Plan 2011 – 2026
SPGBIO	Biodiversity and Geodiversity SPG	Local Development Plan 2011 – 2026
SPGLAN	Landscape SPG	Local Development

		Plan 2011 – 2026
SPG	Renewable Energy	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 located within Nantmel Community Council area and is located within the open countryside as defined by the Powys Local Development Plan (2018). The agricultural field in which the application site is located directly adjoins the development boundary of Rhayader town to the west. The field is partially bounded to the south by the A470 Trunk Road and partially by the Unclassified Highway U1535 which connects to the A470. The field is bounded by agricultural land to the north-west and north-east and the ground rises significantly from the main road in the south to the north-east.

Consent is sought for the erection of a 0.03MW ground mounted solar array and associated works. The proposed PV array is to be formed by two separate rows of panels, each measuring approximately 24.7 metres x 2.3 metres. There will be 80 panels in total. The array will be approximately 0.6 metres high along its southern length and 1.5 meters high along its northern length and will be used to power the existing building on site which houses farm equipment, a small farm office and heating system. Surplus electricity will be exported into the National Grid.

#### Principle of Development

Policy RE1 of the Powys Local Development Plan 2018 (LDP) supports proposals for renewable and low carbon energy development, subject to compliance with its own specific criteria and all other policies of the LDP.

The proposed development under consideration is a PV array with an anticipated output of 30kW. The nearest Local Search Area (LSA) for solar energy is located approximately 3.0 kilometres to the north-east of the development site. Due to the distance and the fact that the proposal refers to a private development which is within the output requirements of solar PV permitted within local solar search areas it is not considered that the proposals will prejudice the purpose of the LSA.

It is noted that the array will be fixed by ground anchors which do not require the use of concrete and the agent has confirmed that upon decommissioning all above-ground infrastructure shall be removed and recycled and the land returned to beneficial use within the site. Given that policy RE1 point 4 requires proposals to make provision for the restoration and after-care of land for its beneficial re-use, Officers consider it appropriate to include a condition to ensure that detailed proposals for the restoration and after-care of the proposed development are submitted to and approved by the Local Planning Authority within six months of the decommissioning of the PV array.

Subject to the inclusion of an appropriate condition and to the following considerations therefore, it is considered that the principle of development is fundamentally acceptable.

#### Design, Layout and Scale

LDP Policy DM13 confirms that development proposals must demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources. Proposals will therefore only be permitted where the 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.

The proposed solar array is to be sited to the rear (north) of the existing building on site at a distance of approximately 8.5 metres. Given the natural rise in topography this is considered sufficient to ensure that the south-facing solar array will not be unacceptably overshadowed.

The array is however more than double the length of the existing building. As such and also due to the nature of the topography, consideration has been given to whether the array is likely to be visible from neighbouring land to the south including the A470 trunk road.

Officers note that in this location there are substantial landscape features (mature trees and hedgerow) between the proposed development site and the A470. As such it is considered that the development will only be partially visible for a short distance (approximately 25-30 metres) and then only to traffic and pedestrians travelling in a southerly direction. For those travelling north the site is unlikely to be visible, particularly when the trees and hedgerow are in leaf.

Based upon the above observations together with the design proposed, officers consider the proposed development to be appropriate with regard to design layout and scale and therefore do not consider that the proposed development will unacceptably affect the existing character and appearance compliant with policy DM13.

#### Neighbouring Amenity

Policy DM13 further confirms 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.

Officers note that none of the nearby residential dwellings face towards the development site and are located at some distance, the nearest being approximately 50 metres away.

It is therefore considered that there will be no loss of residential amenity as a result of development and in this respect the proposed development is in accordance with LDP policy DM13.

#### Highway Safety

In accordance with the requirements of policies DM13 and T1, development proposals must be 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.

Both Welsh Government Transport and PCC Highways have been consulted on the application. PCC Highways have confirmed that they have no comment to make in relation to the development and Welsh Government Transport has withdrawn its holding objection following confirmation regarding how the solar panels will be delivered to site.

The agent has confirmed that while the panels will not be treated with an anti-glare coating, the solar panels are black Monocrystalline modules which are designed to reduce glare. The agent also notes that the raised elevation of the array, higher than local dwellings or roads also reduces any possibility of glare.

Officers consider that based on the above comments and consultee advice, the proposed development fundamentally complies with LDP policies DM13 and T1.

### Landscape

LDP policy DM4 confirms that development proposals must also be appropriate and sensitive with regard to the character and qualities of the Powys landscape and have regard to LANDMAP and the visual amenity enjoyed by users of the landscape. Further details are provided in the Landscape SPG.

With regard to the five areas of landscape assessment defined on LANDMAP the proposed development site has been evaluated with regard to Visual and Sensory and Landscape Habitat criteria as of moderate or local importance and with regard to Geological and Historic landscape criteria as of high or regional importance.

On balance it is therefore considered that the landscape of and surrounding the development site is of moderate quality and importance. There will be minimal loss of existing landscape features as a result of development and an existing access will be utilised.

With reference to the above observations and based upon the design details submitted, it is considered that there is unlikely to be any unacceptable impact upon the Powys landscape as a result of development. In this regard the proposal is in compliance with LDP policies DM4, SP7, DM13 and the Landscape SPG.

### Public Footpaths and bridleways

Policy SP7 of the LDP further confirms that development proposals must have no unacceptable adverse impact on any of the County's strategic resources or assets which includes the Public Rights of Way Network.

There are a number of public rights of way in the vicinity, most notably the 150/218/2 bridleway which passes in front (to the south) of the field in which the application site sits. Other rights of way are located in excess of 50 metres from the development site.

While Officers consider that the proposed development would not have an unacceptable adverse impact on the Public Rights of Way network nor upon the amenity of the wider landscape and surrounding area in accordance with LDP policies SP7, DM4 and DM13,

an informative note has been included to ensure that all Public Rights of Way remain unaffected during construction of the development.

### Mineral Safeguarding

LDP policy DM8 states that non-mineral development proposals within Mineral Safeguarding Areas will only be permitted where it can be demonstrated by the developer that: 1. The mineral resource is not of potential future value; or 2. The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or 3. The mineral can be extracted satisfactorily prior to the incompatible development taking place; or 4. Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or 5. There is an over-riding need in the public interest for the development; or 6. The development is householder development and / or of a very minor nature such as extensions to existing dwellings, and associated development within the curtilage of the property.

The proposed development is located within an area designated for the safeguarding of sand and gravel. However, it is considered that the proposed development is of a temporary nature such that once the use is no longer required the site could be restored to a condition that would allow future mineral extraction. Officers therefore consider the proposal to be appropriate and in accordance with LDP policy DM8.

### Biodiversity and Geodiversity

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.

Consideration has been given as to whether the proposed development would have a potential detrimental impact upon a natural environment asset.

### *River Wye Catchment Area*

The application site is wholly located within the catchment of the River Wye SAC. Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site (previously designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate

standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and, therefore, such proposals must be screened through an HRA to determine whether they are likely to have a significant effect on the SAC condition.

The application has been screened in accordance with Natural Resources Wales' advice for planning applications affecting phosphorous sensitive river Special Areas of Conservation (SACs) (updated July 2022). The screening confirmed that the development is unlikely to increase phosphate inputs as it fell within the following criterion in the current published advice:

*“Any development that does not increase the volume and phosphorus concentration of wastewater.”*

### *Protected Species*

The proposed development is a ground mounted solar array located within an existing agricultural field which is considered to be of low ecological value. The application has been reviewed by NRW who do not consider that the application will impact upon any of their consultation topics and therefore have no comment to make.

Based upon consultee advice and the design proposed, Officers do not consider that the proposed development will unacceptably affect protected species and in this respect is therefore compliant with policy DM2 of the Powys LDP, Technical Advice Note 5 and Planning Policy Wales

### *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.

Two woodcrete bird boxes are included on plan 0025/2 and their inclusion is considered appropriate to the scale of the development proposed.

### *External Lighting*

Due to the application site's location in the open countryside, Officers consider the inclusion of a condition controlling external lighting to be appropriate.

Officers therefore consider that subject to appropriately worded planning conditions the proposed development complies with LDP Policy DM2 and DM7, the Biodiversity SPG



and TAN5.

### Built Heritage

Local Development Plan (2018) policy SP7 seeks to safeguard strategic resources and assets in the County, whilst development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

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 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.

It is acknowledged that two grade II listed buildings are located within proximity of the application site (Wye Siphon Outlet House approximately 275 metres away and Old House Felindre approximately 200 metres away). Having considered the distance between the listed building and the application site and the intervening built development, it is not considered the proposed development is visible from the listed building. It is therefore considered that the proposed development will not harm the setting of this listed milestone.

It is therefore considered that the proposed development would not detrimentally harm the setting of the listed building and is in accordance with relevant planning policy and in particular LDP Policy SP7.

### Agricultural Land Classification

Planning Policy Wales (11th edition, 2021) outlines national policy towards conserving Wales' Best and Most Versatile (BMV) agricultural land. Further guidance is provided in Technical Advice Note (TAN) 6, including the consultation arrangements with the Welsh Government included at Annex B. The Predictive Agricultural Land Classification (ALC) Map indicates that the application site is classified as 'Moderate to Poor quality agricultural land' (3b/4). Planning Policy Wales (PPW) seeks to protect agricultural and grade 1-3a.

Land graded 1 – 3a is considered of the highest quality and development must be protected (Future Wales – The National Plan 2040).

Given the classification of the application site, it is not considered that development on the proposed site would result in the loss of high grade agricultural land, compliant with Planning Policy Wales (11th Edition, 2021).

### Surface Water Drainage

Welsh Water has been consulted on the proposed development and raised no objection to the development subject to the inclusion of a condition regarding no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

In light of the above and subject to the recommended condition it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### **RECOMMENDATION – Conditional Consent**

Having carefully considered the proposed development, for the reasons discussed above, Officers are satisfied that the proposed development is in accordance with planning policy.

The recommendation is therefore one of conditional consent subject to the conditions detailed below.

### **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 approved documents (application form, email dated September 15<sup>th</sup> 2022 regarding delivery arrangements for 80 solar panels to the site, Sunfixings Park Terra Ground Anchor Brochure V062018) and plans (0025/1, 0025/2, 0025/3).
3. No external lighting shall be installed within the development hereby permitted 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 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.

4. The Biodiversity Enhancement features, namely two woodcrete bird nest boxes shall be erected upon permanent features within the site at a minimum height of 2 metres above ground prior to the first use of the solar array hereby approved. Thereafter, the features shall be retained as approved in perpetuity.
5. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
6. Within 6 months of the decommissioning of the PV array hereby approved, a scheme for the restoration and after-care of the site shall be submitted to and approved in writing by the Local Planning Authority in order to ensure beneficial re-use of the land.

## **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 comply with Policies DM2, DM4 and DM7 of the Powys Local Development Plan 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.
4. 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.
5. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
6. To comply with Powys County Council's LDP Policy RE1 in relation to Renewable Energy and to meet the requirements of Planning Policy Wales (Edition 11, February 2021) and Future Wales 2040 – The National Development Plan.

## Advisory Notes

### Welsh Water

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

### WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

### Public Rights of Way

Development over, or illegal interference with, a public right of way, is a criminal offence and enforcement action will be taken against a developer who ignores the presence of

affected public rights of way. This includes temporary obstructions such as rubble mounds, building materials, parked vehicles etc...

Landscaping & Surfacing - Advice will need to be sought before interfering or surfacing a public right of way.

New fencing or boundaries – The developer will need to seek a licence for a new structure if intending to create a boundary across a public footpath or bridleway. We cannot authorise a structure across a Restricted Byway or Byway Open to All Traffic.

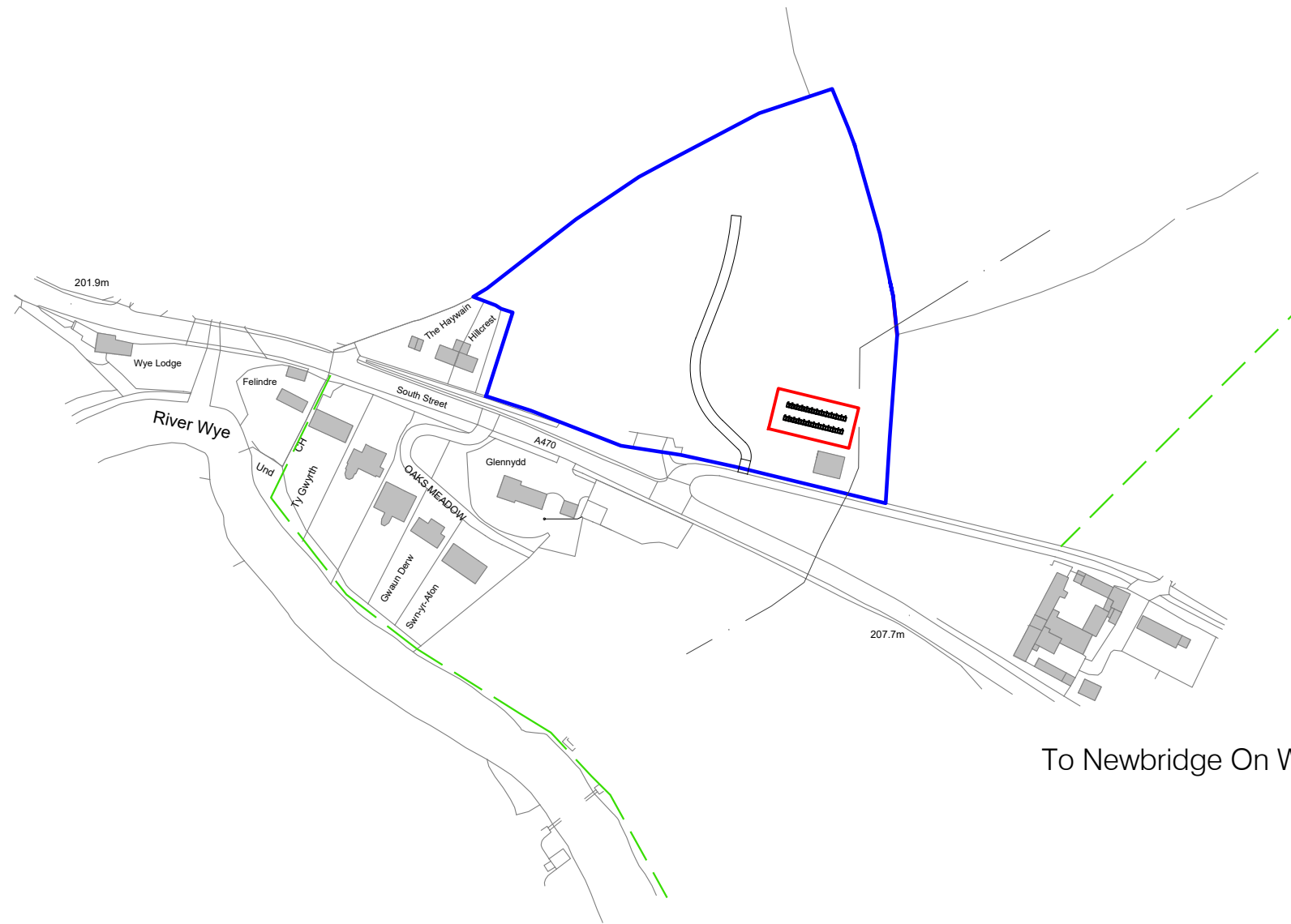
Temporary closures – The developer can seek a temporary closure of a public right of way from the council if they feel the public may be at risk during development.

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Case Officer: Emma Jones, Planner  
Tel: E-mail: emma.jones3@powys.gov.uk

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To Rhayader



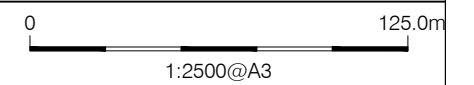
To Newbridge On Wye

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Rev.	Note.	Date.

**Gareth Price**  
**Chartered Building Surveyor**

Upper Dolfyr, Rhayader  
 LD6 5NT  
 Tel: 07792731826  
 Email: garethprice@btinternet.com

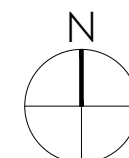


Project.  
 PROPOSED SOLAR ARRAY, CAE HENFRON,  
 SOUTH STREET, RHAYADER

Subject.  
 LOCATION PLAN

Drn.	SAB	Scale.	1:2500@A3
Date.	8/22	Ref.	0025 / 1

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## Planning, Taxi Licensing and Rights of Way Committee Report

**Application Number:** 22/1528/FUL      **Grid Ref:** E: 316318  
 N: 295231

**Community Council:** Abermule And Llandyssil      **Valid Date:** 09.09.2022  
 Community

**Applicant:** Mr Gareth Pugh

**Location:** Bryn Derwen Motte, Abermule, Montgomery, SY15 6JP,

**Proposal:** Relocation of access to field and erection of a fence

**Application Type:** Full Application

### The reason for Committee determination

The applicant is a Powys County Councillor.

### Consultee Responses

#### Consultee

#### Received

PCC-(M) Highways

10<sup>th</sup> Oct 2022

Wish the following recommendations/Observations be applied

#### Recommendations/Observations

The application to relocate a severely substandard access is a resubmission of application 22/0048/FUL, which the Highway Authority offered support to.

The existing access is severely substandard in terms of visibility in both directions, width, setback position of the gate, lack of bound surfacing and drainage.

Whilst improvement can be made to the visibility in a southeasterly direction, access width, setback of the gate, surfacing and drainage, the visibility to the west cannot be improved due to the listed structure over the River Severn. We understand that the applicant proposes

to relocate the access away from the listed structure to increase access visibility in both directions, set the access gate[s] a sufficient distance from the highway and the access shall have appropriate access radii.

We understand the location of the proposed access has been agreed with CADW to avoid negatively impacting on the Ancient Scheduled Monument as far as practical.

The HA consider the proposed relocation of the access to be a significant improvement over the existing circumstance and recommend that the following conditions be attached to any consent given.

1. Prior to the first beneficial use of new access, the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. 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.
2. 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.
3. Prior to the first beneficial use of the new access, 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 12 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 first beneficial use of the new access, the area of the access to be used by vehicles is to be finished in a suitably bound material for a distance of 12 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.
5. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 12 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.
6. Upon construction of the new access as condition 1 above, the existing means of access shown on drawing number 1036/21/3C shall be stopped up, in the materials shown

on drawing numbers 1036/22/4 and this shall be retained for as long as the development is in existence.

7. Any vehicular entrance gates installed within the application site shall be set back at least 12 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.

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

Hafren Dyfrdwy

27<sup>th</sup> September 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.

PCC-Ecologist

12<sup>th</sup> Oct 2022

The above application is a resubmission of 22/0048/FUL. As with the previous application, the proposal will result in the net loss of hedgerow (priority) habitat and it does not appear that any compensation measures have been provided. I note the letter from CADW included the SAM consent for information but this is not available on the portal, nor is evidence confirming CADW objected to planting of a replacement hedgerow behind the new visibility splay. Planting of oak trees within the SAM boundary was previously suggested, which presumably CADW would also have objected to, but no details appear to have been provided with the present application.

In addition, no information has been provided to demonstrate that the proposal will provide a net biodiversity gain. The Chief Planning Officer for Wales has confirmed 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.' It has not been satisfactorily demonstrated that biodiversity enhancement in addition to hedgerow compensation cannot be achieved.

Based on the information submitted the development would result in a net biodiversity loss and would be contrary to Powys LDP Policy DM2, PPW11 Wales and the Environment (Wales) Act 2016.

If the applicant has identified suitable location(s) for compensatory planting, to include biodiversity enhancement, submission of further details prior to determination of the application would be welcome.

*Additional comments received 30th November 2022 –*

Having reviewed the submitted landscape plan by Philip Humphreys Architects, I'm satisfied that appropriate compensation for the loss of the roadside hedgerow section has been provided and given the condition of the hedgerow the trees will provide enhancement once mature.

Therefore, should you be minded to approve the application I recommend the following condition is attached to any consent:

The development shall be undertaken in strict accordance with the tree planting measures identified on landscape plan, drawing no 1036/22/5A, dated February 2022. The measures identified shall be adhered to and implemented in full within six months of the date of this permission and maintained thereafter. Removal of any of the trees shall not be undertaken without prior written approval of the Local Planning Authority.

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to The Natural Environment, 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.

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:

- 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.

CPAT

22<sup>nd</sup> Sept 2022

The proposed access may directly impact the scheduled monument SM MG054, Bryn-Derwen Mound and Bailey Castle from the B4386. The new access may also impact the setting of the scheduled monument. The applicant should be made aware that any ground disturbing works within this land would impact a scheduled monument which is protected by law. The applicant should familiarise themselves with the scheduled monument boundary here by contacting Cadw via [cadwplanning@gov.wales](mailto:cadwplanning@gov.wales) to obtain plans of the scheduled boundary and to discuss the potential for scheduled monument consent being required.

A previous application 22/0048/FUL for a similar access received the following reply from CADW in February 2022.

The application area is located entirely inside the boundaries of scheduled monument MG054 Bryn-Derwen Mound and Bailey Castle and the proposed development will require Scheduled Monument Consent (SMC) to be granted before it can proceed: However, no application for SMC has been submitted for the proposed development. As such, it will be premature for your authority to determine this planning application until an application for SMC has been submitted and determined. The SMC decision will be critical in enabling your authority to assess the suitability of the planning application against section 6.1.24 and 6.1.26 of Planning Policy Wales (December 2018) and section 4 of TAN 24 The Historic Environment. In particular, the presumption against proposals which would involve significant alteration or cause damage to a scheduled monument.

Therefore, I recommend that they complete Scheduled Monument Consent, as advised above, prior to any works commencing.

Cadw – SAM

6<sup>th</sup> Oct 2022

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

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

## Assessment

All the proposed works covered by this application are inside the boundaries of scheduled monument MG054 Bryn-Derwen Mound and Bailey Castle.

Scheduled monument consent has been granted for the proposed works and therefore their impact on the designated historic assets has been fully considered and deemed to be acceptable, a copy of the consent is also attached. This will therefore not now be an issue in the determination of this application and conditions should not be attached to any consent that is granted, regarding archaeological works or conservation requirements, as these would duplicate any conditions which are attached to the scheduled monument consent. The duplication of conditions would be contrary to the advice given in section 3.6 of Welsh Government Circular WGC 016/2016 "The Use of Planning Conditions for Development Management

### Canal & River Trust

23rd Sep 2022

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

We are happy to comment on particular applications that fall outside the new notified areas if you would like the Canal & River Trusts comments in specific cases, but this would be outside the statutory consultation regime and this must be made clear to us in any notification letter you send.

### PCC-Built Heritage Officer

30<sup>th</sup> Nov 2022

The proposal is to remove a hedge and replace it with a green V-mesh weld wire fence, and also to move a gateway. The hedge is immediately before the railings of the II\* listed bridge.

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."

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.”*

TAN 24, 1.26 It is for the applicant to provide the local planning authority with sufficient information to allow the assessment of their proposals in respect of scheduled monuments, listed buildings, conservation areas, registered historic parks

Preserving means “doing no harm” and the harm to the setting of the listed buildings identified should be afforded considerable weight.

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

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

Paragraph 1.26 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.

It is considered that the bridge benefits from a rural setting, which with the development of a housing estate to the south, has been eroded somewhat. The consideration is that the bridge had hedges as one approached it. This aspect is lost on the south side of the road, having been replaced with boarded fencing.

The proposed fence type (V-Mesh) is not the type usually found around fields and is out of step with a rural location.

The loss of hedging would isolate the bridge further from its setting, this is in part because of the loss of hedging, and in part because the proposed fence type is semi-industrial in appearance. The proposal does not have a positive impact on the setting of the listed bridge.

No assessment of the potential impact of the development on the setting of the listed bridge was received.

It would be preferable to see the hedge retained or re-planted. The impact of the V-mesh fencing would be minimised with hedging in front. Alternatively, a different fencing type that is more in keeping with a rural setting might be specified.

Recommendation - That further information is provided and/or amended plans.

*Additional comments received 30<sup>th</sup> November 2022 –*

Previous comments were given on an out of date detail for the fence. The proposal is for estate type fencing with wire mesh attached.

This would be considered acceptable in terms of the setting of the listed bridge.

It is regrettable that there will be no trees planted alongside the fence, as is often done with estate fencing. However, there is mitigation for the loss of the hedge elsewhere on site.

Recommendation - Approval.

Natural Resources Wales

22<sup>nd</sup> Sept 2022

We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics, Development Planning Advisory Service: Consultation Topics (September 2018): <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/our-role-in-planning-and-development/?lang=en>. We therefore do not have any comment to make on the proposed development.

Please note that our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Community Council

5<sup>th</sup> Oct 2022

The Council strongly objects to the industrial style fencing and the destruction of habitat which is against Nature recovery action plan for Wales and Powys. The fence is not in keeping with the entrance to a Rural village setting, it also prevents the movement of wildlife



as hedges and rivers are natural corridors (ecological networks)

As referenced by CPAT it required schedule moment consent.

However the council does not object to the relocation of the entrance.

### PCC-Building Control

No response received at the time of writing this report.

### **Representations**

Following the erection of a site notice on the 28<sup>th</sup> of September 2022, the Local Planning Authority has received 3 letters of objection at the time of writing this report. The main issues raised are as follows:

- Removal of the hedgerow
- The need for the access.

### **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
22/0048/FUL	Relocation of agricultural access.	Application Withdrawn	27th May 2022

### **Principal Planning Constraints**

Canals and Waterways - Minor & Household  
Scheduled Ancient Monument  
Mineral Safeguarding Sand\_Gravel Cat 1  
Listed Building – Bryn Derwen Bridge

### **Principal Planning Policies**

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
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
TAN23	Economic Development	National Policy
TAN24	Historic Environment	National Policy
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM8	Mineral Safeguarding	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources & Assets	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures	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
SPGBIO	Biodiversity SPG	Local Development Plan 2011-2026
SPGHIS	Historic Environment SPG	Local Development Plan 2011-2026
SPG	Landscape	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

The application site is located within the Community Council area of Abermule with Llandyssil. The application site is located within the open countryside as defined within the Powys Local Development Plan (2018). The application site is surrounded by residential properties to the east and south and the River Severn to the west. The application site is located within the boundaries of scheduled monument MG054 Bryn-Derwen Mound and Bailey Castle.

This application seeks full planning permission for the formation of a new agricultural access. The proposal is to block up the existing field entrance to the west and to relocate the new access away from the bridge to improve visibility. The existing hedgerow is to be removed to accommodate the visibility splay, the proposal also includes the erection of a fence.

### Principle of Development

Policy DM13 and T1 of the Powys LDP states 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.

It is therefore considered that the principle of development complies with the Powys LDP (2018) subject to the following:

### Highway Safety

A safe access, parking and visibility splays are a fundamental requirement of any development (LDP: DM13, Part 10).

The application seeks to relocate a severely substandard agricultural access. The existing access is severely substandard in terms of visibility in both directions, width, setback position of the gate and lack of bound surfacing and drainage.

PCC Highway Authority has been consulted on the proposed development and have confirmed that the proposed relocation of the access to be a significant improvement to the existing access and would provide adequate visibility. The Highway Authority requested the inclusion of a number of conditions to any grant of consent relating to visibility, drainage and gradient. The conditions are considered necessary in order to ensure highway safety on the B4368 classified highway.

A condition will also be imposed to ensure that the existing entrance will be closed following the completion of the proposed development.

In light of the above it is considered that the proposed development fundamentally complies with planning policy DM13, T1 and TAN18.

### The Natural Environment

LDP Policy DM2 states that proposals need to demonstrate how they protect, positively manage and enhance biodiversity and geodiversity of the natural environment. Proposals which have an impact on natural environment assets and protected sites shall only be permitted if they do not adversely affect those assets. This is reinforced within TAN 5 (Nature Conservation and Planning).

Consideration has been given as to whether the proposed development would have a potential detrimental impact upon a natural environment asset. It is considered the proposed new access road is located on land which is semi-improved agricultural land considered to be of low ecological value.

A section of hedgerow will be required to be removed in order to meet the visibility requirements. The hedgerow is to be replaced with a mesh fence due to its robustness and low upkeeping costs. To compensate for the removal of the hedgerow, several trees are proposed to be planted to the north of the site. The Powys Ecologist has been consulted on the proposed development and confirmed that appropriate planting has been proposed to compensate for the loss of the hedgerow.

Given the proposed planting, it is not considered that further biodiversity enhancements are required. The proposed fencing has been altered to include gaps so that wildlife can pass through.

The site is located approximately 0.1km away from Montgomery Canal which is a recognised SSSI and SAC to the west. Given the nature of the development, it is not considered that these protected sites would be impacted by the proposed development.

In light of the above it is considered that the proposed development fundamentally complies with planning policy DM2.

### Design

The application proposes to remove a section of hedge to form a visibility splay and replace this with a new fence. The proposed fencing is to measure approximately 20 metres in length with an overall height of 1.55 metres. The fencing proposed is V Mesh estate fencing in a green colour.

The height is considered reasonable for a boundary of this nature (being adjacent to a highway), it is acknowledged that the hedgerow that is existing is of similar height. It is not considered that the proposal would cause any unacceptable detrimental impact

upon the character of the area.

In light of the above it is considered that the proposal complies with LDP planning policy DM13.

### Landscape

LDP policy DM4 confirms that proposals for new development must not, individually or cumulatively, have an unacceptable adverse effect, on the valued characteristics and qualities of the Powys landscape. All proposals will need to be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape including its: topography; development pattern and features; historical and ecological qualities; open views; and tranquillity.

Having assessed the proposed site under LANDMAP, it is classified as:

A significant open valley / vale with a patchwork of medium to large field parcels many displaying established field boundaries of managed and overgrown hedgerows with numerous hedgerow trees. Predominantly arable farming with some lowland dairy farming. Settlements of varying sizes are prevalent from farmsteads to significant urban areas such as Welshpool and Newtown. Open skies dominate with wooded valley sides fringing the valley bottom.

Geological Landscape – Moderate  
Landscape Habitat – High  
Visual and Sensory – Moderate  
Historic Landscape – Outstanding

Given the scale of the fencing proposed being approximately 20 metres in length and 1.5 metres in height, it is not considered this will adversely affect the landscape. The fencing which would appear green in colour although not prominent in terms of height, would result in a difference visually. The fencing proposed is typical estate fencing and is not considered to adversely affect the character of the area given that the existing site is agricultural.

In light of the above it is considered that the proposal complies with LDP planning policies.

### Scheduled Ancient Monument

The application site is located within the boundaries of scheduled monument MG054 Bryn-Derwen Mound and Bailey Castle. Scheduled Monument Consent has been granted for the proposed works and therefore their impact on the designated historic assets has been fully considered and deemed to be acceptable. CADW has been consulted on the proposed development and raised no objection to the development.

Scheduled Monument consent has been granted by CADW for the works prior to submission of this application.

In light of the above, it is considered that the proposed development is acceptable in its location and meets planning policy.

### Built Heritage

Local Development Plan (2018) policy SP7 seeks to safeguard strategic resources and assets in the County, whilst development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

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 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.

The application site is located to the east of Brynderwen Bridge which is a grade II\* listed structure. As such, the Powys Built Heritage Officer has been consulted on the application and raised no objection to the estate type fencing with mesh attached.

It is therefore considered that the proposed development would not have a significant adverse impact causing harm to the setting of the listed building and is in accordance with relevant planning policy and in particular LDP Policy SP7.

### Mineral Safeguarding

The application site is located within a mineral safeguarding zone and therefore consideration has been given to DM8 of the local development plan. Given the nature of the development, and the Scheduled Monument designation, it is considered that the development would not have a significant impact upon any potential future extraction.

Therefore, the proposed development is considered to fundamentally comply with the relevant planning policy given above and is deemed acceptable at this location.

### **RECOMMENDATION - Conditional Consent**

In light of the above, it is considered that the proposed application would improve

highway safety and is therefore considered to be acceptable and in accordance with relevant planning policies. The recommendation is therefore one of conditional consent.

## 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 (1036/22/4A, 1036/22/5A, 1036/21/5A, 1036/21/3C & 1036/21/2A).
3. The development shall be undertaken in strict accordance with the tree planting measures identified on landscape plan, drawing no 1036/22/5A, dated February 2022. The measures identified shall be adhered to and implemented in full within six months of the date of this permission and maintained thereafter.
4. Prior to the first beneficial use of new access, the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. 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.
5. 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.
6. Prior to the first beneficial use of the new access, 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 12 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.
7. Prior to the first beneficial use of the new access, the area of the access to be used by vehicles is to be finished in a suitably bound material for a distance of 12 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 12 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. Upon construction of the new access, the existing means of access shown on drawing number 1036/21/3C shall be stopped up, in the materials shown on drawing numbers 1036/22/4 and this shall be retained for as long as the development is in existence.
10. Any vehicular entrance gates installed within the application site shall be set back at least 12 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 development hereby permitted remains in existence.
11. 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 Powys County Council's Policies LDP DM2 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.
4. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
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).

### Informative Notes

#### *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)*

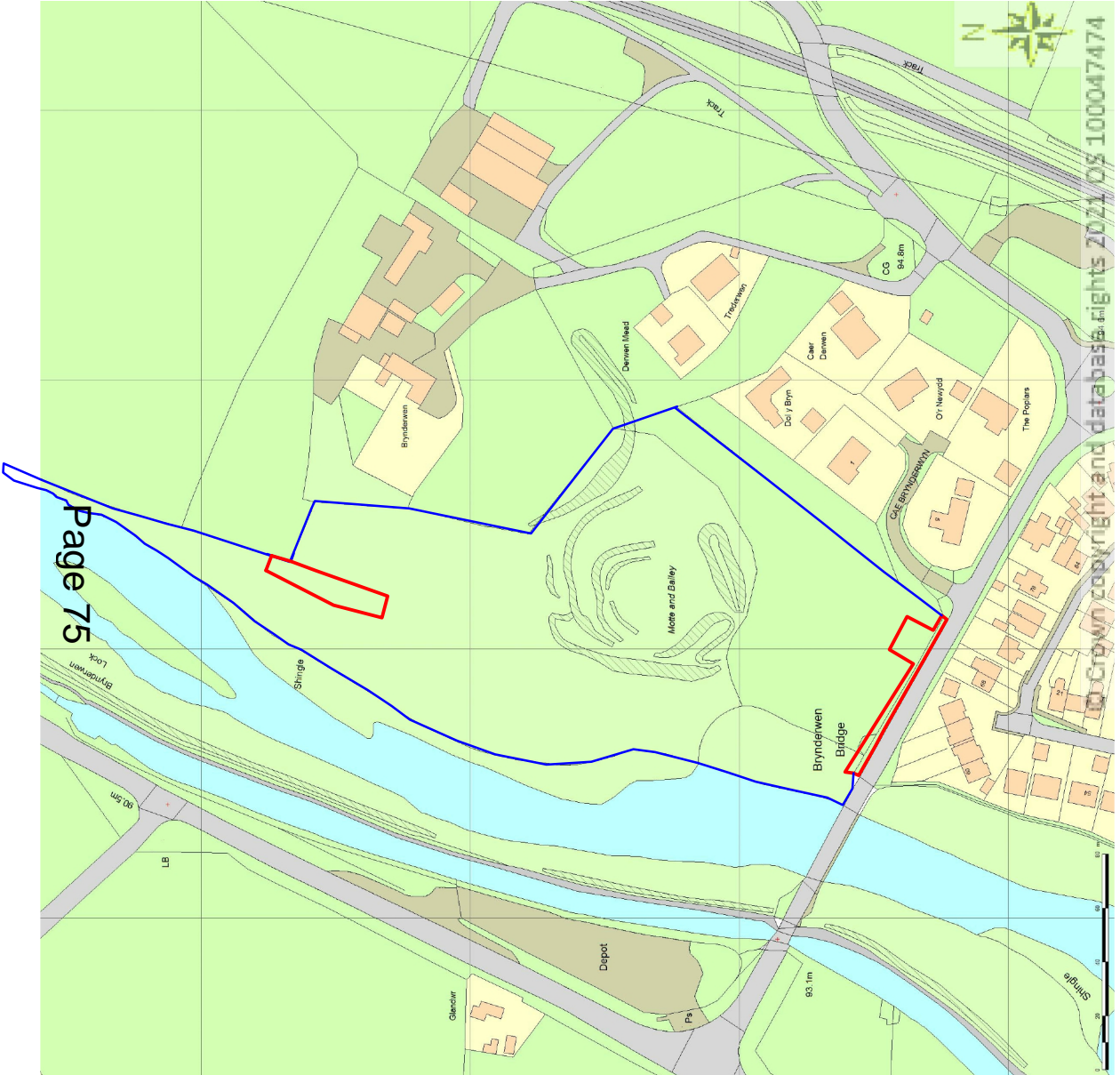
*All nesting birds, their nests, eggs, and young are protected by law and it is an offence to:*

- *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.*

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| Parish Name                      | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                       | Location                                                   |
|----------------------------------|----------|------------------------|-----------------|------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Abbey Cwm-Hir Community          | Consent  | 03/08/2022             | 22/1287/DIS     | Discharge of Condition | 19/12/2022           | Application to discharge conditions 3,4,5,7 and 9 for planning permission 21/1769/FUL                                          | Waun Farm Bwlch-y-sarnau Rhayader Powys LD6 5NB            |
| Aberhafesp Community             | Consent  | 18/10/2022             | 22/1742/DIS     | Discharge of Condition | 09/12/2022           | Application to discharge condition 12 attached to planning permission 18/1040/FUL in relation to a demolition method statement | Wern To Aberhafesp Newtown SY 16 3JH                       |
| Abermule And Llandysil Community | Approve  | 31/10/2022             | 22/1845/FUL     | Full Application       | 06/12/2022           | Formation of access and track to serve approved dwelling                                                                       | Land Opposite Parkside Abermule Montgomery Powys           |
| Banwy Community                  | Consent  | 27/07/2022             | 22/1109/FUL     | Full Application       | 02/12/2022           | Siting of 6 holiday cabins, access tracks and all associated works                                                             | Land Near Cann Office Hotel Llangadfan Welshpool SY 21 0PL |
| Bausley With Criggion Community  | Approve  | 07/09/2022             | 22/1396/OUT     | Outline planning       | 15/12/2022           | Outline application for erection of dwelling, including access works (all other matters reserved)                              | Land Adjacent To Ingledene Crew Green Shrewsbury SY5 9AT   |

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| Parish Name                     | Decision | Date Application Valid | Application No. | Application Type        | Date Decision Issued | Proposal                                                                                                                                                                                                                                                                                                                                                         | Location                                                   |
|---------------------------------|----------|------------------------|-----------------|-------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Bausley With Criggion Community | Approve  | 12/10/2022             | 22/1701/DIS     | Discharge of Condition  | 04/01/2023           | Application to discharge conditions 5 and 7 attached to permission P/2017/0604, in relation to Tree and Hedgerow Protection Plan and highway requirements                                                                                                                                                                                                        | Land Adj Seven Oaks Holiday Park, Crew Green Powys SY5 9AS |
| Beguildy Community              | Approve  | 03/11/2022             | 22/1797/HH      | Householder             | 19/12/2022           | Installation of ground based solar panels in a residential garden.                                                                                                                                                                                                                                                                                               | Highfield Cottage Bwlch-Y-Plain Knighton LD7 1RE           |
| Berraw Community                | Approve  | 29/06/2022             | 22/1184/LBC     | Listed Building Consent | 23/11/2022           | Listed building consent for retention of works already carried out - alterations in connection with conversion of part of attached outbuilding to provide additional living accommodation including addition of thermal insulation to walls, floors & roof void. Replacement of rotten external boarding & minor repairs to the timber frame & external boarding | 1 Church Terrace Berriew Welshpool Powys SY21 8PF          |

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| Parish Name        | Decision | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                               | Location                                                      |
|--------------------|----------|------------------------|-----------------|-------------------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Berriew Community  | Approve  | 29/06/2022             | 22/1185/FUL     | Full Application                    | 23/11/2022           | Conversion of part of attached outbuilding to provide additional living accommodation (retrospective)                                                  | 1 Church Terrace<br>Berriew<br>Welshpool<br>Powys<br>SY21 8PF |
|                    | Approve  | 14/10/2022             | 22/1738/DIS     | Discharge of Condition              | 25/11/2022           | Discharge of conditions 3, 4, 5 and 6 of reserved matters approval 20/1724/RES (external surfaces, landscaping, tree protection and external lighting) | Land Adjacent To Fox Farm<br>Garthmyl<br>Montgomery<br>Powys  |
|                    | Approve  | 14/10/2022             | 22/1740/DIS     | Discharge of Condition              | 25/11/2022           | Discharge of conditions 5 and 6 of outline planning permission P/2017/1345 (wheel washing facility and external lighting)                              | Land Adjacent To Fox Farm<br>Garthmyl<br>Montgomery<br>Powys  |
|                    | Approve  | 02/11/2022             | 22/1884/TRE     | Works to trees in Conservation Area | 30/11/2022           | Works to a tree in a conservation area                                                                                                                 | The Vicarage<br>Berriew<br>Welshpool<br>Powys<br>SY21 8PL     |
| Bronllys Community | Approve  | 21/09/2022             | 22/1499/FUL     | Full Application                    | 07/12/2022           | Change of use of former tennis court to car park (retrospective)                                                                                       | Bronllys Hospital<br>Bronllys<br>Brecon<br>Powys<br>LD3 0LY   |

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| Parish Name            | Decision | Date Application Valid | Application No. | Application Type | Date Decision Issued | Proposal                                                                                                                                                                                             | Location                                       |
|------------------------|----------|------------------------|-----------------|------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Builth Wells Community | Approve  | 11/08/2022             | 22/1378/HH      | Householder      | 23/11/2022           | Householder planning application for renovation and extension of existing dwelling to include removing the flat roofed single extension and replacing it with a pitched roof single storey extension | 22 HillviewBuilth WellsPowysLD2 3DY            |
| Caderch Community      | Approve  | 24/02/2022             | 22/0200/HH      | Householder      | 04/01/2023           | Extension and Alterations                                                                                                                                                                            | Tan Y Bryn Melin-ByrhedynMachynllethSY20 8SH   |
|                        | Approve  | 26/09/2022             | 22/1576/HH      | Householder      | 30/11/2022           | Erection of a Hobby Shed for storage of vintage machinery                                                                                                                                            | 7 FelingerrigMurmur-Y-Nant MachynllethSY20 8UH |
|                        | Approve  | 03/10/2022             | 22/1559/HH      | Householder      | 30/11/2022           | Construction of timber framed garage with playroom above                                                                                                                                             | Frondirion PenegoesMachynllethSY20 8NH         |

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| Parish Name       | Decision | Date Application Valid | Application No. | Application Type | Date Decision Issued | Proposal                                                                                                                                                                                                      | Location                                          |
|-------------------|----------|------------------------|-----------------|------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Caersws Community | Approve  | 24/11/2021             | 21/2138/FUL     | Full Application | 19/12/2022           | Erection of holiday home and change of use of land to allow for the siting of 1no. shepherds hut, installation of a sewage treatment plant, construction of access and passing place and all associated works | Gwern Y Pwll LlanwnogCaerswsSY17 5PA              |
| Page 81           | Approve  | 09/11/2022             | 22/1841/HH      | Householder      | 15/12/2022           | Erection of a two storey side extension                                                                                                                                                                       | 26 MaesydreCaerswsPowys SY17 5HX                  |
|                   | Refused  | 25/10/2022             | 22/1670/FUL     | Full Application | 13/12/2022           | Erection of 6 holiday units, formation of a new vehicular access and roadway, installation of sewage treatment plant, formation of car parking area and all associated works                                  | Land At TregastellAberhafesp NewtownPowysSY16 3HR |

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### 181 Applications

| Parish Name             | Decision              | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                 | Location                                                   |
|-------------------------|-----------------------|------------------------|-----------------|-------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Carno Community Council | Permitted Development | 27/10/2022             | 22/1816/AGR     | Agricultural Notification           | 23/11/2022           | Proposed Agricultural Building                                                                                                           | CastellCarnoCaersws PowysSY17 5JP                          |
| Carreghofa Community    | Approve               | 17/10/2022             | 22/1761/TRE     | Works to trees in Conservation Area | 23/11/2022           | Application for works to trees along canal in conservation area                                                                          | Boundary Of The Montgomery CanallLlanymynechPowys SY22 6ER |
|                         | Approve               | 01/11/2022             | 22/1818/VAR     | Discharge/Modification of S106      | 06/12/2022           | Modification of Section 106 Agreement attached to planning permission M/2006/0742 in relation to adding a mortgagee in possession clause | 2 Parc LlwyfenLlanymynech PowysSY22 6FD                    |
| Churchstoke Community   | Approve               | 14/07/2022             | 22/0566/FUL     | Full Application                    | 25/11/2022           | Erection of an agricultural building for machinery (retrospective)                                                                       | Todleth ViewChurchstoke MontgomeryPowysSY15 6DU            |

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| Parish Name           | Decision              | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                       | Location                                                             |
|-----------------------|-----------------------|------------------------|-----------------|-------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Churchstoke Community | Approve               | 13/10/2022             | 22/1552/FUL     | Full Application                    | 23/11/2022           | Replacement of barn and cow house with a holiday let log cabin, construction of a small car parking area and installation of a new septic tank | Field Opposite The Hollies Old Churchstoke Montgomery Powys SY15 6EL |
|                       | Approve               | 20/10/2022             | 22/1721/DIS     | Discharge of Condition              | 24/11/2022           | Discharge of condition 7 of planning permission 21/1530/FUL in relation to Parking and Turning Arrangement                                     | Pleasant View Pentre Churchstoke SY15 6SU                            |
|                       | Approve               | 14/11/2022             | 22/1702/FUL     | Full Application                    | 21/12/2022           | Erection of ground mounted solar PV panels and associated works                                                                                | Daisy Bank Touring Caravan Park Snead Montgomery SY15 6EB            |
|                       | Approve               | 22/11/2022             | 22/1904/TRE     | Works to trees in Conservation Area | 13/12/2022           | Application for works to fell three attached English Elms within a conservation area.                                                          | The Old Barn Hyssington Montgomery Powys SY15 6AT                    |
|                       | Permitted Development | 30/11/2022             | 22/2069/AGR     | Agricultural Notification           | 06/12/2022           | Erection of a portal framed fodder and implement store.                                                                                        | Acorn Workshop Snead Montgomery Powys SY15 6EB                       |

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| Parish Name           | Decision        | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                                                              | Location                                                 |
|-----------------------|-----------------|------------------------|-----------------|-------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Churchstoke Community | Refused         | 02/11/2022             | 22/1787/TPO     | Works to Trees subject to a TPO     | 14/12/2022           | Works to an oak tree subject of a Tree Preservation Order                                                                                                                             | Lyndon Castle Road Churchstoke Montgomery Powys SY15 6AG |
| Clyro Community       | Approve         | 20/10/2022             | 22/1788/TRE     | Works to trees in Conservation Area | 25/11/2022           | Copper beech tree to be felled to ground level in conservation area.                                                                                                                  | Rose Cottage Clyro Hereford HR3 5RZ                      |
| Page 84               | Approve         | 04/11/2022             | 22/1846/HH      | Householder                         | 15/12/2022           | Erection of balcony, enlarging of existing opening to form doorway, minor roof extension to form covered porch, replacement of existing velux rooflights with conservation rooflights | Hendom Barn Clyro Hereford HR3 5JX                       |
|                       | Consent         | 10/10/2022             | 22/1709/FUL     | Full Application                    | 30/11/2022           | Installation of solar arrays and associated works                                                                                                                                     | Pant Y Rhiw Llandewi'r-cwm Builth Wells Powys LD2 3RZ    |
| Duhonw Community      | S106 Discharged | 01/09/2022             | 22/1480/VAR     | Discharge/Modification of S106      | 08/12/2022           | Modification of section 106 legal agreement attached to planning consent P/2008/0444 (release of land from agreement)                                                                 | Ty Caebrith Llandewi'r-cwm Builth Wells Powys LD2 3RZ    |

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| Parish Name      | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                     | Location                                         |
|------------------|----------|------------------------|-----------------|------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Dwyriw Community | Approve  | 28/06/2022             | 22/0926/FUL     | Full Application       | 29/11/2022           | Part conversion of adjoining barn to form a residential annexe linked to existing dwelling                                                                   | Plas Helyg Cefn CochWelshpoolSY21 0AJ            |
| Erwood Community | Approve  | 16/11/2022             | 22/1940/DIS     | Discharge of Condition | 05/12/2022           | Discharge of conditions 5 and 6 of outline planning permission P/2017/0154 (scheme for disposal of foul and surface water and scheme for affordable housing) | Land Adjoining 'The Garage'AdfaNewtown Powys     |
|                  | Consent  | 03/11/2022             | 22/1823/HH      | Householder            | 29/12/2022           | Extend curtilage to build a small wood construction workshop to provide domestic storage space and a shepherds hut to be used as an office                   | Clear ViewCourt GwenddwrBuilth WellsPowysLD2 3YR |
|                  | Refused  | 08/07/2022             | 22/1156/DIS     | Discharge of Condition | 24/11/2022           | Application to discharge condition 8 attached to permission B/05/0012                                                                                        | Plot 3 WyevaleErwoodBuilth WellsPowys            |

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### 181 Applications

| Parish Name                          | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                           | Location                                                       |
|--------------------------------------|----------|------------------------|-----------------|------------------------|----------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Forden With Leighton & Trelystan Com | Approve  | 25/11/2020             | 20/1822/FUL     | Full Application       | 16/12/2022           | Conversion of redundant estate office (B1) and agricultural building to two residential units (C3) | Estate Office At WoodlandsForden WelshpoolPowysSY21 8NP        |
|                                      | Approve  | 19/08/2022             | 22/1308/FUL     | Full Application       | 24/11/2022           | Erection of a silage pit and all associated works                                                  | The Gaer FordenWelshpoolSY21 8NR                               |
|                                      | Approve  | 11/10/2022             | 22/1714/HH      | Householder            | 25/11/2022           | Proposed Two Storey Extension & Internal Alterations to Existing Dwelling                          | Llwyn Tref FordenWelshpoolSY21 8NN                             |
|                                      | Approve  | 15/11/2022             | 22/1927/DIS     | Discharge of Condition | 24/11/2022           | Discharge of condition 3 of planning permission 22/1021/RES in relation to external materials      | Land Adjoining Rosehill Kingswood LaneFordenWelshpoolSY 21 8TR |

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| Parish Name                           | Decision                | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                                                                                                                    | Location                                                           |
|---------------------------------------|-------------------------|------------------------|-----------------|---------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Fornden With Leighton & Trelystan Com | Consent Section 106     | 17/03/2021             | 21/0422/FUL     | Full Application          | 07/12/2022           | Erection of a temporary marquee for wedding receptions (between April and October each year), creation of access, installation of infrastructure and siting of a temporary toilet unit (Part Retrospective) | Land Near To St Mary The Virgin Church Trelystan WelshpoolSY21 8LD |
| Page 87                               | Prior Approval Required | 16/11/2022             | 22/1736/AGR     | Agricultural Notification | 23/11/2022           | Erection of a slurry store                                                                                                                                                                                  | LlettygynfachFornden WelshpoolPowysSY21 8TU                        |
|                                       | Split Decision          | 31/08/2022             | 22/1461/DIS     | Discharge of Condition    | 20/12/2022           | Application to discharge conditions 4,15,16,17 and 18 for permission 21/1162/FUL in relation to biodiversity plan, external lighting plan, landscaping plan, engineering plan and photographic survey       | Land At OaklandsFornden WelshpoolPowys                             |

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| Parish Name                          | Decision              | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                                       | Location                                                            |
|--------------------------------------|-----------------------|------------------------|-----------------|---------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Fordeu With Leighton & Trelystan Com | Split Decision        | 15/11/2022             | 22/1926/DIS     | Discharge of Condition    | 04/01/2023           | Discharge of conditions 9 and 11 of planning application P/2017/0910 in relation to a tree protection plan and drainage plans. | Land Adjoining Rose HillKingswood LaneFordeuWelshpool PowysSY21 8TR |
| Gladestry Community                  | Permitted Development | 21/11/2022             | 22/1556/AGR     | Agricultural Notification | 25/11/2022           | Extension to existing agricultural building for the pupose of storing fodder                                                   | New House FarmNewchurchKington PowysHR5 3QF                         |
| Glarevymyn Community                 | Approve               | 22/09/2022             | 22/1525/HH      | Householder               | 30/11/2022           | Erection of an extension                                                                                                       | Dolfor LlanwrinMachynlleth PowysSY20 8QJ                            |
|                                      | Approve               | 18/10/2022             | 22/1744/FUL     | Full Application          | 20/12/2022           | Installation of 130kW biomass boiler to include flue and all associated works                                                  | AberffrydIan LlanwrinMachynllethSY 20 8NA                           |
| Glasbury Community                   | Consent               | 25/08/2022             | 22/1375/FUL     | Full Application          | 24/11/2022           | Proposed installation of photovoltaic panels                                                                                   | 3 Church CloseStation RoadBoughroodBrecon PowysLD3 0DJ              |





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| Parish Name          | Decision | Date Application Valid | Application No. | Application Type        | Date Decision Issued | Proposal                                                                                                                                                                           | Location                                    |
|----------------------|----------|------------------------|-----------------|-------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Guilsfield Community | Approve  | 11/05/2022             | 22/0814/LBC     | Listed Building Consent | 14/12/2022           | Listed building consent for Internal alterations, including insertion of first floor & erection of partitions. Insertion of rooflights into existing openings on upper roof slopes | The SquareGuilsfield WelshpoolPowysSY21 9NJ |
|                      | Approve  | 07/06/2022             | 22/0951/FUL     | Full Application        | 30/11/2022           | Erection of extension, including formation of openings and modifications to existing built structure (part retrospective) (revised proposal to 21/1200/HH)                         | Broniarth Farm GuilsfieldWelshpoolSY21 9DT  |
|                      | Approve  | 07/06/2022             | 22/0952/LBC     | Listed Building Consent | 30/11/2022           | Listed Building consent for retention and amendment of built extension, including formation of openings and modifications to existing structure (revised proposal to 21/1201/LBC)  | Broniarth Farm GuilsfieldWelshpoolSY21 9DT  |

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| Parish Name          | Decision              | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                               | Location                                             |
|----------------------|-----------------------|------------------------|-----------------|---------------------------|----------------------|--------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Guilsfield Community | Approve               | 10/06/2022             | 22/0898/FUL     | Full Application          | 23/11/2022           | Erection of a replacement dwelling, installation of sewage treatment plant and all associated works    | Burgedin Hall Pool QuayWelshpoolSY21 9LN             |
|                      | Consent               | 05/08/2022             | 22/1201/FUL     | Full Application          | 07/12/2022           | Construction of silage pit and all associated works                                                    | Stonehouse Farm Maes MawrWelshpoolSY21 9DB           |
|                      | Consent               | 05/08/2022             | 22/1204/FUL     | Full Application          | 07/12/2022           | Erection of covering to existing holding yard and all associated works (part retrospective)            | Stonehouse Farm Maes MawrWelshpoolSY21 9DB           |
|                      | Consent               | 08/09/2022             | 22/1386/RES     | Reserved Matters          | 14/12/2022           | Reserved matters application for the erection of 9x dwellings following outline permission 20/0387/OUT | Fairview Service Station GuilsfieldWelshpoolSY21 9ND |
|                      | Permitted Development | 02/12/2022             | 22/2053/AGR     | Agricultural Notification | 19/12/2022           | Proposed Agricultural Building 36.5m x 12.19m                                                          | Burgedin Hall Pool QuayWelshpoolSY21 9LN             |

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| Parish Name           | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                                                | Location                                                                          |
|-----------------------|----------|------------------------|-----------------|------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Gwernyfed Community   | Approve  | 15/07/2022             | 22/1159/NMA     | Non-Material Amendment | 01/12/2022           | Non material amendment to planning permission P/2016/0786 in relation to change to wording of conditions 4,5,6,7,8,9,11,12,14,16 to accommodate flexibility to allow phased progress of the development | Black Mountain Business Park Black Mountains Business ParkPont ItheIBreconLD3 0SD |
| Honddu Isaf Community | Approve  | 28/09/2022             | 22/1629/HH      | Householder            | 24/11/2022           | Rear and Side Extensions to Existing House, with a new front entrance                                                                                                                                   | Ty Isaf Llandefaelog FachBreconLD3 9PU                                            |
|                       | Refused  | 19/10/2022             | 22/1780/HH      | Householder            | 13/12/2022           | Extension of existing garage to form a car workshop, home office and hobby room together with fenestration changes and a new porch to the main house                                                    | Henllys SarnauBreconLD3 9PT                                                       |

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| Parish Name     | Decision | Date Application Valid | Application No. | Application Type        | Date Decision Issued | Proposal                                                                                                                                                                  | Location                                  |
|-----------------|----------|------------------------|-----------------|-------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| Kerry Community | Approve  | 20/04/2022             | 22/0590/HH      | Householder             | 22/12/2022           | Demolition of existing extension and outbuildings, erection of two storey rear extension and detached garage, to include alterations to dwelling                          | 6 Springfields KerryNewtownPowysSY 16 4LJ |
|                 | Approve  | 20/04/2022             | 22/0591/LBC     | Listed Building Consent | 22/12/2022           | Demolition of existing extension and outbuildings, erection of two storey rear extension and detached garage, to include alterations to dwelling and all associated works | 6 Springfields KerryNewtownSY16 4LJ       |
|                 | Approve  | 25/07/2022             | 22/1135/FUL     | Full Application        | 23/11/2022           | Conversion of barn to two residential units and associated works including alterations to existing access and installation of septic tank                                 | White Gwentrew SarnNewtownSY16 4EQ        |

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| Parish Name        | Decision | Date Application Valid | Application No. | Application Type                     | Date Decision Issued | Proposal                                                                                                                                                                                                                                  | Location                                                            |
|--------------------|----------|------------------------|-----------------|--------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Kerry Community    | Approve  | 13/09/2022             | 22/1541/DIS     | Discharge of Condition               | 16/12/2022           | Discharge of condition 10 of planning permission 21/0551/FUL (Passing Place Detail)                                                                                                                                                       | Land Adjacent Upper Cefnperfa House Kerry Newtown Powys             |
|                    | Approve  | 23/09/2022             | 22/1566/FUL     | Full Application                     | 21/12/2022           | Relocation of existing access road further to the east (Retrospective)                                                                                                                                                                    | Upper Cefnperfa Kerry Newtown SY16 4DW                              |
| Knighton Community | Approve  | 10/10/2022             | 22/1616/FUL     | Full Application                     | 02/12/2022           | Creation of 3 ponds on a section of marshy field                                                                                                                                                                                          | Upper Pitts Pitts Lane Knighton Powys LD7 1LS                       |
|                    | Approve  | 20/10/2022             | 22/1789/CLP     | Certificate of Lawfulness - Proposed | 09/12/2022           | Application for a Lawful Development Certificate (Section 192), for the proposed conversion of an agricultural building to form a dwelling, as granted by planning permission P/2017/1018 which is extant and has been lawfully commenced | Glyndawr Barn Brook House Farm Cwmgilla Lane Knighton Powys LD7 1PG |
|                    | Consent  | 19/10/2022             | 22/0908/TRE     | Works to trees in Conservation Area  | 28/11/2022           | Remove 2 Ash trees and remove large lower limb/stem from mature Sycamore tree                                                                                                                                                             | Ystrad House Church Road Knighton Powys LD7 1EB                     |

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| Parish Name                 | Decision                | Date Application Valid | Application No. | Application Type                     | Date Decision Issued | Proposal                                                                                                                                                | Location                                                            |
|-----------------------------|-------------------------|------------------------|-----------------|--------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Knighton Community          | Permitted Development   | 21/11/2022             | 22/1873/AGR     | Agricultural Notification            | 14/12/2022           | Proposed erection of a storage shed and wood store.                                                                                                     | Narrows Wood Cwmgilla Woods Knighton, Powys, Wales Knighton LD7 1PG |
| Llanafan-Fawr Community     | Approve                 | 24/06/2022             | 22/0476/FUL     | Full Application                     | 15/12/2022           | Change of use of land and the erection of an equestrian stable and menage                                                                               | Ludlows Fields, Penybont, Llandrindod Wells LD1 5SY                 |
| Llanbadarn Fawr Community   | Approve                 | 31/10/2022             | 22/1837/HH      | Householder                          | 15/12/2022           | Erection of a single storey rear extension                                                                                                              | 20 Guidfa Meadows Crossgates Llandrindod Wells Powys LD1 6RY        |
| Llanbadarn Fynydd Community | Consent                 | 30/09/2022             | 22/1646/CLE     | Certificate of Lawfulness - Existing | 05/12/2022           | Section 191 application for the lawful development certificate for existing use - relating to the continued use of a caravan as a residential dwelling. | Brynrygg, Caravan Abbey Cwm-Hir Llandrindod Wells LD1 6PT           |
|                             | Prior Approval Approved | 27/10/2022             | 22/1522/AGR     | Full Application                     | 20/12/2022           | Extension of building for fodder store                                                                                                                  | Middle Cochran Dolfor Llandrindod Wells LD1 6YT                     |

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| Parish Name            | Decision                       | Date Application Valid | Application No. | Application Type                     | Date Decision Issued   | Proposal                                                                                                                                                  | Location                                                                                      |
|------------------------|--------------------------------|------------------------|-----------------|--------------------------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Llanbister Community   | Approve                        | 12/08/2022             | 22/1314/HH      | Householder                          | 14/12/2022             | Partial ground floor and full first floor extensions and replacement garage                                                                               | Winchester LlanbisterLlandrindod WellsLD1 6TN                                                 |
| Llanbrynmair Community | Approve                        | 15/06/2022             | 22/0927/REM     | Removal or Variation of Condition    | 28/11/2022             | Section 73 application to vary condition 2 of permission P/2014/1060 to allow for amended plans                                                           | Bryncoch LlanbrynmairPowysSY19 7DL                                                            |
| Page 95                | Approve                        | 19/10/2022             | 22/1727/HH      | Householder                          | 20/12/2022             | Extension and Alterations and renovation to existing cabin                                                                                                | Cedris PennantLlanbrynmairSY 19 7BL                                                           |
|                        | Approve                        | 06/12/2022             | 22/1987/CLP     | Certificate of Lawfulness - Proposed | 07/12/2022             | Section 192 application for a certificate of lawfulness for proposed use in relation to the plantation of shrubs, and the erection of stock proof fencing | Nant Y FedwenPennant LlanbrynmairPowysSY19 7BL                                                |
|                        | Llanddewi Ystradenni Community | Approve                | 15/11/2022      | 22/1982/NMA                          | Non-Material Amendment | 07/12/2022                                                                                                                                                | Non Material Amendment to planning approval PR171205 (RAD/1998/0296) - garage siting position |

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| Parish Name                 | Decision       | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                    | Location                                                               |
|-----------------------------|----------------|------------------------|-----------------|------------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Llandinam Community         | Approve        | 18/11/2022             | 22/1888/DIS     | Discharge of Condition | 07/12/2022           | Application to discharge conditions 4, 5, 6, 7 and 8 attached to permission 20/0019/FUL in relation to land contamination   | The Lion Hotel Llandinam Powys SY17 5BY                                |
|                             | Split Decision | 24/10/2022             | 22/1766/DIS     | Discharge of Condition | 24/11/2022           | Discharge of conditions 3,4,5,6,7,8,18,21,23 & 24 of planning permission 19/1104/FUL                                        | Middle Esgair Dolwen Llanidloes SY18 6LJ                               |
| Llandrindod Wells Community | Approve        | 28/09/2022             | 22/1175/FUL     | Full Application       | 15/12/2022           | Siting of a container/building, creation of pedestrian entrance and all associated works                                    | Unit 1 Ddole Industrial Estate Road Llandrindod Wells Powys LD1 6DF    |
|                             | Approve        | 08/12/2022             | 22/2092/DIS     | Discharge of Condition | 20/12/2022           | Application to discharge condition 3 attached to planning approval 21/1940/FUL in relation to scheme for Affordable Housing | Land East Of Ithon Road Phase 3,4,5 Ithon Road Llandrindod Wells Powys |





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| Parish Name                 | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                                              | Location                                                  |
|-----------------------------|----------|------------------------|-----------------|------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Llandrindod Wells Community | Consent  | 06/09/2022             | 22/1450/DIS     | Discharge of Condition | 23/11/2022           | Discharge of conditions 3, 4 and 5 of planning application 20/2017/FUL (2214_20/2017/FUL Conditions 3, 4 and 5, 2214 GA.104 Section Through Site Access - 01, 2214 DT.01 Typical Window Details - 01) | Land At Cecil Lodge Spa RoadLlandrindod WellsPowysLD1 5EY |
| Page 97                     | Consent  | 27/10/2022             | 22/1826/HH      | Householder            | 09/12/2022           | Erection of rear extension and porch                                                                                                                                                                  | Meadows End 12 BrookfieldsLlandrindod WellsLD1 5LF        |
|                             | Consent  | 04/11/2022             | 22/1860/HH      | Householder            | 13/12/2022           | First floor side extension                                                                                                                                                                            | 12 Gorse FarmLlandrindod WellsLD1 5SH                     |
|                             | Consent  | 04/11/2022             | 22/1872/HH      | Householder            | 20/12/2022           | Replacement porch, first-floor extensions to the front, two-storey infill extension to the side and alteration of external materials                                                                  | Guidfa House BroadwayLlandrindod WellsLD1 5HT             |

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| Parish Name                       | Decision                          | Date Application Valid | Application No. | Application Type                  | Date Decision Issued | Proposal                                                                                                                                       | Location                                                            |
|-----------------------------------|-----------------------------------|------------------------|-----------------|-----------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Llandrindod Wells Community       | Split Decision                    | 10/11/2022             | 22/1909/DIS     | Discharge of Condition            | 04/01/2023           | Discharge of conditions 17 and 18 of planning approval 21/1940/FUL in relation to detailed highway drawings and drainage plans.                | Land East Of Ithon Road<br>Ithon Road<br>Llandrindod Wells<br>Powys |
| Llandrinio And Arddleen Community | Approve                           | 11/10/2022             | 22/1703/DIS     | Discharge of Condition            | 05/12/2022           | Application to discharge condition 3 attached to planning permission P/2016/0912 in relation to a scheme for the surface water drainage        | Street Record<br>Penrhos Llanymynech<br>Powys SY22 6QH              |
|                                   | Approved Subject to a Section 106 | 02/12/2021             | 21/2153/REM     | Removal or Variation of Condition | 20/12/2022           | Section 73 application to vary condition 11 of planning permission P/2017/0977 in relation to Highways Improvements and new car park           | Land Adjacent To Trederwen View<br>Arddleen<br>Llanymynech<br>Powys |
| Llandysilio Community             | Approve                           | 04/11/2022             | 22/1824/DIS     | Discharge of Condition            | 15/12/2022           | Discharge of conditions 5 and 7 of planning approval 21/2051/FUL in relation to lighting Plan and report from Clwyd Powys Archaeological Trust | Pentre Haughton<br>Llandrinio<br>Llanymynech SY22 6SH               |

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| Parish Name                   | Decision       | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                                                | Location                                                                   |
|-------------------------------|----------------|------------------------|-----------------|------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Llanelwedd Community          | Refused        | 17/06/2022             | 22/1001/DIS     | Discharge of Condition | 15/12/2022           | Discharge of Conditions 3 (Site Investigation and Risk Assessment) and 6 (Contamination Monitoring and Maintenance Method Statement) attached to planning approval P/2015/0707                          | Preserved Timber Products Builth Road Builth Wells LD2 3RG                 |
| Llanerfyl Community           | Split Decision | 05/10/2022             | 22/1650/DIS     | Discharge of Condition | 04/01/2023           | Discharge of Conditions 4, 6, 7 and 8 of planning approval P/2017/1402, in relation to Affordable Housing, Foul and Surface Water Drainage Scheme, Landscaping, Management and Hedgerow Protection Plan | Land Adjacent To Derwent Talerddig Road Llanerfyl Welshpool Powys SY21 0EG |
| Llanfair Caereinion Community | Approve        | 05/10/2022             | 22/1561/HH      | Householder            | 25/11/2022           | Erection of a detached double garage with storage above to include change of use of land to form additional residential curtilage                                                                       | Ger Y Nant Dolanog Welshpool SY21 0HU                                      |

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| Parish Name                   | Decision | Date Application Valid | Application No. | Application Type                  | Date Decision Issued | Proposal                                                                                                                                                            | Location                                                                                 |
|-------------------------------|----------|------------------------|-----------------|-----------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Llanfair Caereinion Community | Approve  | 10/10/2022             | 22/1596/FUL     | Full Application                  | 05/12/2022           | Change of use of ground floor from cafe to complimentary therapy business and shop and change of use of first and second floors from storage to residential         | Victoria House<br>Bridge Street<br>Llanfair Caereinion<br>Welshpool<br>Powys<br>SY21 0RZ |
|                               | Approve  | 13/10/2022             | 22/1690/HH      | Householder                       | 20/12/2022           | Proposed single storey rear extension                                                                                                                               | 7 Minffordd<br>Llanfair Caereinion<br>Welshpool<br>SY21 0BT                              |
|                               | Consent  | 02/08/2022             | 22/1309/FUL     | Full Application                  | 28/11/2022           | Partial conversion of a building and creation of a 1st floor to provide a residential unit, to include all associated works                                         | Bluebell Park<br>Llanerfyl<br>Welshpool<br>Powys<br>SY21 0EY                             |
|                               | Consent  | 13/10/2022             | 22/1657/REM     | Removal or Variation of Condition | 08/12/2022           | Section 73 application to remove Condition 3 and vary Condition 4 of planning permission M/2004/0142 (to allow site to operate by way of a 12 month holiday season) | Oakwood Valley Lodges<br>Llanfair Caereinion<br>Welshpool<br>SY21 0DB                    |

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| Parish Name                   | Decision | Date Application Valid | Application No. | Application Type                  | Date Decision Issued | Proposal                                                                                                                                                                                       | Location                                                    |
|-------------------------------|----------|------------------------|-----------------|-----------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Llanfair Caereinion Community | Consent  | 13/10/2022             | 22/1658/REM     | Removal or Variation of Condition | 08/12/2022           | Section 73 application to vary Condition 3 and remove Condition 4 of planning permission M/2005/0361 (to operate by way of a 12 month holiday season and without a stay limitation on letting) | Oakwood Valley Lodges Llanfair CaereinionWelshpoolSY 21 ODB |
|                               | Consent  | 13/10/2022             | 22/1659/REM     | Removal or Variation of Condition | 08/12/2022           | Section 73 application to vary Condition 1 of planning permission M/2007/0742 (to allow the lodges to be occupied for holiday purposes on a year round basis)                                  | Oakwood Valley Lodges Llanfair CaereinionWelshpoolSY 21 ODB |
|                               | Consent  | 13/10/2022             | 22/1660/REM     | Removal or Variation of Condition | 08/12/2022           | Section 73 application to remove Condition 11 from planning permission P/2009/1079 (to allow the 21 holiday lodges to be occupied for holiday purposes on a year round basis)                  | Oakwood Valley Lodges Llanfair CaereinionWelshpoolSY 21 ODB |

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| Parish Name            | Decision              | Date Application Valid | Application No. | Application Type                | Date Decision Issued | Proposal                                                                                                                                                                        | Location                                           |
|------------------------|-----------------------|------------------------|-----------------|---------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Llanfihangel Community | NMA Approved          | 16/11/2022             | 22/1944/NMA     | Non-Material Amendment          | 12/12/2022           | Application for non-material amendments to planning permission 21/1978/FUL in respect of change of materials to windows and doors.                                              | Gwaelod Llanfihangel Llanfyllin SY22 5JA           |
| Llanfihangel Community | Permitted Development | 30/11/2022             | 22/2112/AGR     | Agricultural Notification       | 20/12/2022           | Erection of agricultural building for storage of fodder, implements and machinery                                                                                               | Cwm Ffynnon Llanfihangel Llanfyllin SY22 5JF       |
| Llanfyllin Community   | Approved              | 19/11/2021             | 21/1877/FUL     | Full Application                | 30/11/2022           | Siting of 2 shepherd huts for holiday use, formation of new vehicular access and access roadway, parking areas, installation of sewage treatment plant and all associated works | Fron Heulog Llanfihangel Llanfyllin Powys SY22 5HZ |
| Llanfyllin Community   | Consent               | 14/09/2022             | 22/1595/TPO     | Works to Trees subject to a TPO | 07/12/2022           | Works to 2 oak trees subject of a Tree Preservation Order                                                                                                                       | 29 Maes Myllin Llanfyllin Powys SY22 5DQ           |

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| Parish Name                | Decision              | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                                                       | Location                                        |
|----------------------------|-----------------------|------------------------|-----------------|---------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Llanfyllin Community       | Permitted Development | 23/11/2022             | 22/1948/AGR     | Agricultural Notification | 16/12/2022           | Erection of slurry store and all associated works                                                                                              | Tybrith PenygarneddOswestrySY10 0AR             |
| Llangedwyn Community       | Approve               | 13/09/2022             | 22/1533/HH      | Householder               | 14/12/2022           | Demolition of conservatory & erection of two storey extension.                                                                                 | Spring Cottage BrithdirLlanfyllinSY22 5HA       |
|                            | Approve               | 11/10/2022             | 22/1708/DIS     | Discharge of Condition    | 14/12/2022           | Application to discharge condition 16 attached to permission 22/0350/FUL in relation to passing bay                                            | Street Record BrithdirLlanfyllinSY22 5EZ        |
|                            | Approve               | 08/11/2022             | 22/1930/DIS     | Discharge of Condition    | 04/01/2023           | Discharge of conditions 3 and 4 of planning approval 22/1062/LBC in relation to details of lime mortar mix and method statement for fireplace. | Golfa Isaf FarmLlangedwyn OswestryPowysSY10 9JY |
| Llangors Community Council | Approve               | 07/11/2022             | 22/1856/DIS     | Discharge of Condition    | 07/12/2022           | Application to discharge condition 5 from planning approval 21/0914/FUL                                                                        | Upper Drostre Llan-Y-WernBreconLD3 0TN          |

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| Parish Name          | Decision     | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                                                              | Location                                             |
|----------------------|--------------|------------------------|-----------------|------------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Llangunllo Community | Approve      | 30/03/2022             | 22/0555/FUL     | Full Application       | 02/12/2022           | Proposed Wheelchair accessible holiday Pod, formation of new vehicular access and associated works as farm diversification                                                                                            | Vronladies Farm HeyopeKnightonLD7 1RA                |
| Llangurig Community  | Approve      | 03/05/2022             | 22/0776/FUL     | Full Application       | 06/12/2022           | Siting 4 no. Glamping Pods for holiday use, installation of sewage treatment plant, access roads, new access with highway improvements, provision of passing bay & all associated works (resubmission of 21/1902/FUL) | Land At Maes MawrLlangurigLlanidloes PowysSY18 6SL   |
|                      | Approve      | 01/11/2022             | 22/1815/HH      | Householder            | 15/12/2022           | Construction of a front porch                                                                                                                                                                                         | Forest Lodge Tan-Y-GroesLlangurigLlanidloes SY18 6SQ |
|                      | NMA Approved | 14/10/2022             | 22/1730/NMA     | Non-Material Amendment | 09/12/2022           | Non material amendment to planning approval M98842 in relation to changing low level natural stone back to brickwork                                                                                                  | Land Adj To Maes CurigLlangurigLlanidloes Powys      |

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| Parish Name          | Decision                | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                     | Location                                      |
|----------------------|-------------------------|------------------------|-----------------|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Llangurig Community  | Prior Approval Approved | 24/08/2022             | 22/1310/AGR     | Full Application       | 01/12/2022           | Agricultural building for general purpose storage of farm equipment and fodder                                               | Glanbidno Uchaf LlangurigLlanidloesSY18 6SW   |
| Llangyniew Community | Approve                 | 21/03/2022             | 22/0484/FUL     | Full Application       | 12/12/2022           | Erection of a dwelling and associated works (Revised Proposal) P/2015/0630 & non-material amendment application 20/0304/NMA) | Land At Y-ffermPont RobertMeifodPowysSY22 6JA |
| Page 105             | Approve                 | 26/09/2022             | 22/1514/FUL     | Full Application       | 23/11/2022           | Proposed Agricultural Building Extension                                                                                     | Maesneuadd Pont RobertMeifodSY22 6JP          |
|                      | Approve                 | 12/10/2022             | 22/1691/DIS     | Discharge of Condition | 07/12/2022           | Application to discharge conditions 3,4,5,6,11 for planning permission 20/2130/FUL                                           | NewbridgeMeifodPowys SY22 6HS                 |
|                      | Approve                 | 21/10/2022             | 22/1663/HH      | Householder            | 16/12/2022           | Proposed alteration, renovation and associated works to existing dwelling                                                    | Weeg Smithy DolanogWelshpoolSY21 0LE          |
|                      | Approve                 | 25/10/2022             | 22/1808/DIS     | Discharge of Condition | 25/11/2022           | Application to discharge Conditions 3 and 5 from planning permission 22/1027/FUL                                             | Dolobran Hall PontrobertMeifodSY22 6HX        |

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| Parish Name                  | Decision       | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                                                                     | Location                                                                      |
|------------------------------|----------------|------------------------|-----------------|-------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Llangyniew Community         | Approve        | 28/10/2022             | 22/1858/DECC    | DECC overhead line                  | 16/12/2022           | Application under Section 37 of the Electricity Act 1989 to dismantle/remove a section of existing 11KV overhead electricity line and replace it with an overhead line in a revised position | Henllan Caravan ParkLlangyniew WelshpoolPowysSY21 9EJ                         |
| Llangynog Community          | Prior Approval | 21/10/2022             | 22/1343/AGR     | Full Application                    | 30/11/2022           | The alteration and improvement of current access road.                                                                                                                                       | Land At Buarth-y-Rae Forming Part Of Mathrafal FarmMeifod PowysMeifodSY22 6HT |
|                              | Approved       | 15/09/2022             | 22/1482/HH      | Householder                         | 30/11/2022           | The creation of gabled extension to front elevation and flat roof extension to rear.                                                                                                         | Bryn Pistyll LlangynogOswestrySY10 0EZ                                        |
|                              | Approve        | 16/11/2022             | 22/2009/TRE     | Works to trees in Conservation Area | 20/12/2022           | The removal of three Leylandii trees within a conservaton area.                                                                                                                              | GwaliaLlangynog OswestryPowysSY10 0ET                                         |
| Llanidloes Without Community | Approve        | 23/09/2022             | 22/1419/FUL     | Full Application                    | 06/12/2022           | Extension to fishing lodge and erection of new storage building                                                                                                                              | The Fishing LodgeVanLlanidloes Powys                                          |

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| Parish Name                      | Decision                     | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                                                           | Location                                                                     |
|----------------------------------|------------------------------|------------------------|-----------------|---------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Llanrhaeadr-Ym-Mochant Community | Planning Permission Required | 25/11/2022             | 22/1954/AGR     | Agricultural Notification | 16/12/2022           | The building is an extension to cover an existing cattle feeding area.                                                                             | Parc Isa Llanrhaeadr-Ym-MochnantOswestrySY10 0DR                             |
| Llansantffraid Community         | Approve                      | 01/11/2022             | 22/1852/NMA     | Non-Material Amendment    | 28/11/2022           | Application for a non-material amendment to vary the triggers for Conditions 5, 21, 22, 23, 24 and 25 from outline planning permission P/2017/0363 | Development At Land Adjoining CranfordLlansantffraid-ym-mechainPowysSY22 6AX |
|                                  | Approve                      | 24/11/2022             | 22/2004/NMA     | Non-Material Amendment    | 14/12/2022           | Non-Material Amendment to planning approval 20/1064/RES - minor design adjustments to each dwelling and garage                                     | The Old Station YardPenybont-Llanerch-EmrysOswestryPowys                     |
| Llansilin Community              | Approve                      | 19/07/2022             | 22/1072/DIS     | Discharge of Condition    | 02/12/2022           | Application to discharge Condition 5 attached to permission P/2017/0702                                                                            | Development At Land Opposite The Old VicarageLlansilin OswestryPowys         |

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| Parish Name         | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                                                   | Location                                             |
|---------------------|----------|------------------------|-----------------|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Llansilin Community | Approve  | 14/11/2022             | 22/1835/DIS     | Discharge of Condition | 05/12/2022           | Application to discharge conditions 7 and 14 from planning permission<br>22/0415/FUL                                                                                                                       | Lledrod LlansilinOswestrySY10 7PU                    |
|                     | Consent  | 17/02/2022             | 22/0217/FUL     | Full Application       | 01/12/2022           | Renovation of former dwelling, to include erection of an extension and alterations, erection of a dedicated bat building, installation of a septic tank, creation of passing bays and all associated works | Former Dwelling At Hafotty LlansilinOswestrySY10 7JN |
| Llanwddyn Community | Approve  | 06/10/2022             | 22/1694/FUL     | Full Application       | 09/12/2022           | Removal of the existing tower and replace with a 17.5m lattice tower and all ancillary equipment & associated works .                                                                                      | Land At Tyn-y-garregLlanwddyn OswestryPowys          |
| Llanyre Community   | Approve  | 18/10/2022             | 22/1726/FUL     | Full Application       | 15/12/2022           | Proposed Roof Cover Over Existing Slurry Store                                                                                                                                                             | Berthllwyd Newbridge-On-WyeLlandrindod WellsLD1 6HP  |

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| Parish Name       | Decision | Date Application Valid | Application No. | Application Type                     | Date Decision Issued | Proposal                                                                                             | Location                                                 |
|-------------------|----------|------------------------|-----------------|--------------------------------------|----------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Llanyre Community | Consent  | 20/10/2022             | 22/1767/LBC     | Listed Building Consent              | 07/12/2022           | Listed building consent for the replacement of the roof covering with zinc standing seam roof panels | Dolau Siphon Outlet HouseNantmel Llandrindod WellsPowys  |
| Page 109          | Consent  | 27/10/2022             | 22/1778/HH      | Householder                          | 13/12/2022           | Demolition of existing porch and erection of side extension and decking to the rear.                 | Rowan Gravel RoadLlanyreLlandrindod WellsLD1 6EB         |
|                   | Consent  | 07/11/2022             | 22/1424/HH      | Householder                          | 16/12/2022           | Installation of a Samsung 5 kw air source heat pump to rear of property.                             | Cambrian CottageNewbridge-On-WyeLlandrindod WellsLD1 6LD |
| Maescar Community | Approve  | 21/10/2022             | 22/1793/CLP     | Certificate of Lawfulness - Proposed | 07/12/2022           | Section 192 application in relation to internal and external alterations to property                 | ToryffynonSennybridge BreconPowysLD3 8UA                 |

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| Parish Name             | Decision              | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                                                                                                                                                                                                                 | Location                                              |
|-------------------------|-----------------------|------------------------|-----------------|---------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Meifod Community        | Approve               | 12/10/2022             | 22/1666/FUL     | Full Application          | 08/12/2022           | Existing 16m high monopole to be removed and replaced with 25m high monopole to support 6 no. antennas with ancillary equipment, including 2 no. equipment cabinets, 1 no. meter cabinet, 9 no. RRUs, 2 no. 0.3m transmission dishes, installation of minor ancillary apparatus and associated equipment | Mast SiteBroniarth HallPentre'r-beirddGuilsfieldPowys |
|                         | Permitted Development | 02/12/2022             | 22/2056/AGR     | Agricultural Notification | 19/12/2022           | Proposed Agricultural Building Extension 22.86m x 6.09m                                                                                                                                                                                                                                                  | Brynfa LlanfyllinSY22 5NA                             |
| Merthyr Cynog Community | Consent               | 04/10/2022             | 22/1672/HH      | Householder               | 24/11/2022           | Construction of 2 storey extension to lower gable wall                                                                                                                                                                                                                                                   | Penrhiw Upper ChapelBreconLD3 9RG                     |

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| Parish Name                         | Decision | Date Application Valid | Application No. | Application Type                     | Date Decision Issued | Proposal                                                                                                                                                                      | Location                                               |
|-------------------------------------|----------|------------------------|-----------------|--------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| Montgomery Community                | Approve  | 05/12/2022             | 22/2035/TRE     | Works to trees in Conservation Area  | 20/12/2022           | Proposed reduction in height of a cherry tree, felling of a sorbus, removal of dead and hanging branches to 2 cedars and removal of dead and diseased branches of an ash tree | Burdett HouseCastle StreetMontgomeryPowys SY15 6PP     |
| Nantmel Community                   | Consent  | 11/10/2022             | 22/1716/FUL     | Full Application                     | 06/12/2022           | The formation of a new access and internal road, together with landscaping                                                                                                    | Gigrin Farm RhayaderLD6 5BL                            |
| Newtown And Llanfychaiarn Community | Approve  | 18/08/2022             | 22/1406/DIS     | Discharge of Condition               | 25/11/2022           | Application to discharge conditions 3, 5, 6, 7, 8, 9, 10, 11 and 17 from planning approval 21/1961/FUL                                                                        | Showroom Workshop And Premises New RoadNewtownSY16 1AS |
|                                     | Approve  | 15/09/2022             | 22/1258/CLP     | Certificate of Lawfulness - Proposed | 02/12/2022           | The replacement of existing sloped ground with a permeable (gravel) surface, creation of a vehicle parking area and a new set of terraced retaining walls. Section 192        | 2 The Fron Fron LaneNewtownSY16 2EL                    |



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| Parish Name                          | Decision | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                        | Location                                                                                         |
|--------------------------------------|----------|------------------------|-----------------|------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Newtown And Llanllwchaiarn Community | Approve  | 16/09/2022             | 22/1550/HH      | Householder            | 30/11/2022           | First floor extension                                                                                                           | Nant Y Ffrydd Bryn Lane<br>Llanllwchaiarn<br>Newtown SY16 3LZ                                    |
|                                      | Approve  | 05/10/2022             | 22/1539/FUL     | Full Application       | 02/12/2022           | Siting of two holiday let cabins and all associated works                                                                       | Land At Puppy Plus Dog Training Site<br>Middle Scafell<br>Milford Road<br>Newtown Powys SY16 6HQ |
|                                      | Approve  | 10/10/2022             | 22/1560/FUL     | Full Application       | 15/12/2022           | Retrospective application for the erection of an agricultural building and improvements to an agricultural track                | Cefn Vastre Kerry<br>Newtown SY16 4DU                                                            |
|                                      | Approve  | 17/10/2022             | 22/1693/HH      | Householder            | 12/12/2022           | Proposed stand alone solar panels                                                                                               | Springfield Middle Dolfor Road<br>Newtown SY16 4BG                                               |
|                                      | Approve  | 27/10/2022             | 22/1811/HH      | Householder            | 16/12/2022           | Proposed two storey extension                                                                                                   | 40 Meadow View<br>Newtown SY16 1NU                                                               |
|                                      | Approve  | 11/11/2022             | 22/1898/NMA     | Non-Material Amendment | 24/11/2022           | Application for non-material amendments to planning permission 21/1660/FUL in respect of changes to external cladding materials | Cedewain School Plantation Lane<br>Newtown SY16 1LH                                              |

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| Parish Name                          | Decision                | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                           | Location                                               |
|--------------------------------------|-------------------------|------------------------|-----------------|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| Newtown And Llanllwchaiarn Community | Approve                 | 15/11/2022             | 22/1975/DIS     | Discharge of Condition | 15/12/2022           | Discharge of condition 3,5,6,8,11,12,13 & 14 attached to planning approval 21/2344/FUL                                             | AshbrookMiddle Dolfor RoadNewtownSY16 4BG              |
|                                      | NMA Approved            | 21/10/2022             | 22/1791/NMA     | Non-Material Amendment | 23/11/2022           | Application for non-material amendments to permission 21/1961/FUL in respect of materials changes to elevations of apartment block | Land At Former Travis Perkins SiteNew RoadNewtownPowys |
| Oldradnor Community                  | Approve                 | 21/09/2022             | 22/1577/HH      | Householder            | 25/11/2022           | Alterations to window openings in north elevation, including new front porch.                                                      | Lower Thorne EvenjobbPresteigneLD8 2NN                 |
| Painscastle Community                | Approve                 | 17/10/2022             | 22/1755/HH      | Householder            | 20/12/2022           | Extensions and new outbuilding to an existing dwelling                                                                             | Ashdown RhosgochBuilth WellsLD2 3JY                    |
| Penybont Community                   | Approve                 | 27/10/2022             | 22/1734/FUL     | Full Application       | 20/12/2022           | Installation of biomass boiler and flue                                                                                            | 3 Sunnyside PenybontLlandrindod WellsLD1 5UA           |
|                                      | Prior Approval Approved | 09/11/2022             | 22/1741/AGR     | Full Application       | 03/01/2023           | Proposed roof covering over existing concrete yard                                                                                 | EaglestonePenybont Llandrindod WellsPowysLD1 5UH       |

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| Parish Name          | Decision | Date Application Valid | Application No. | Application Type                    | Date Decision Issued | Proposal                                                                                                                                                                               | Location                                                                   |
|----------------------|----------|------------------------|-----------------|-------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Presteigne Community | Approve  | 03/12/2021             | 21/2205/FUL     | Full Application                    | 28/11/2022           | Change of use and conversion of Barn to two storey dwelling                                                                                                                            | Ackhill BarnPresteignePowysLD 8 2ED                                        |
|                      | Consent  | 12/10/2022             | 22/1680/DIS     | Discharge of Condition              | 07/12/2022           | Discharge of conditions 4 and 5 of planning application 21/0702/FUL in relation to external lighting and biodiversity.                                                                 | Plot 4 Broadaxe Business ParkBroadaxe Business ParkPresteignePowysLD 8 2UH |
|                      | Consent  | 23/11/2022             | 22/2057/TRE     | Works to trees in Conservation Area | 03/01/2023           | Tree works application for removal of cypress tree                                                                                                                                     | Castle Barn40A High StreetPresteignePowys LD8 2BE                          |
| Rhayader Community   | Approve  | 30/11/2021             | 21/2085/FUL     | Full Application                    | 19/12/2022           | Change of use of dwelling (C3) to a D1 (wellbeing and healing retreat), conversion of part of barn to artist's studio and store, installation of solar arrays and all associated works | RhydoldogCwmduddwr RhayaderPowysLD6 5HB                                    |
|                      | Consent  | 28/10/2022             | 22/1831/HH      | Householder                         | 14/12/2022           | Erection of oak frame pergola & balcony to the rear elevation (south)                                                                                                                  | Mill Cottage CwmduddwrRhayader LD6 5EY                                     |

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| Parish Name          | Decision | Date Application Valid | Application No. | Application Type                  | Date Decision Issued | Proposal                                                                                                                                                                                          | Location                                                  |
|----------------------|----------|------------------------|-----------------|-----------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| St. Harmon Community | Approve  | 02/11/2022             | 22/1591/FUL     | Full Application                  | 20/12/2022           | Erection of 7 no. underground hobbit home holiday units, installation of sewage treatment plant, parking area and all associated works                                                            | Land Near LlwyngwilymRhayader Powys                       |
|                      | Consent  | 10/10/2022             | 22/1588/HH      | Householder                       | 24/11/2022           | Extension to rear of house                                                                                                                                                                        | HirfronPant-Y-DwrRhayaderLD6 5LR                          |
| Trefeglwys Community | Approve  | 10/08/2022             | 22/1361/REM     | Removal or Variation of Condition | 23/11/2022           | Section 73 application to vary conditions 2 and 4 attached to planning approval M/2007/0675 (substitution of plans - design changes and revised Ecology report and provision of Method statement) | Barn Adjacent To Tyn-Yr-Wrtra Llawr-Y-GlynCaerswsSY17 5RJ |
|                      | Approve  | 18/08/2022             | 22/1376/FUL     | Full Application                  | 19/12/2022           | Extension to residential curtilage together with a replacement foul drainage system                                                                                                               | Barn Adjacent To Tyn-Yr-Wrtra Llawr-Y-GlynCaerswsSY17 5RJ |
|                      | Approve  | 10/10/2022             | 22/1684/HH      | Householder                       | 14/12/2022           | Two storey side extension to dwelling - Part retrospective                                                                                                                                        | Long HillTrefeglwysCaersws PowysSY17 5QG                  |

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## Delegated List

181 Applications

| Parish Name         | Decision                     | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                                             | Location                                         |
|---------------------|------------------------------|------------------------|-----------------|---------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Trefglwys Community | Planning Permission Required | 20/12/2022             | 22/1951/AGR     | Agricultural Notification | 03/01/2023           | Erection of steel portal framed building to cover an existing uncovered yard area                                    | Cefn Barach TrefglwysCaerswsSY17 5QG             |
| Treflys Community   | Permitted Development        | 17/11/2022             | 22/1901/AGR     | Agricultural Notification | 24/11/2022           | Erection of a steel portal framed building with open sides                                                           | Cefngast Farm Llanwrtyd WellsLD4 4DE             |
| Tregynon Community  | Approve                      | 23/08/2022             | 22/1428/DIS     | Discharge of Condition    | 25/11/2022           | Application to discharge condition 5 of planning permission P/2017/0580 in relation to scheme for affordable housing | Land Adjacent To Tyn Y DdolTregynonNewtown Powys |
|                     | Approve                      | 25/10/2022             | 22/1673/HH      | Householder               | 15/12/2022           | Erection of a two storey side extension                                                                              | Upper Fachwen TregynonNewtownSY16 3EU            |

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## Delegated List

### 181 Applications

| Parish Name         | Decision       | Date Application Valid | Application No. | Application Type       | Date Decision Issued | Proposal                                                                                                                                                                       | Location                                                         |
|---------------------|----------------|------------------------|-----------------|------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Trewern Community   | NMA Approved   | 01/11/2022             | 22/1855/NMA     | Non-Material Amendment | 08/12/2022           | Application for non-material amendments to planning permission 20/1962/RES (outline planning permission P/2017/0747) in respect of changes to approved plans.                  | Priors Cottage<br>MiddletownWelshpoolSY21 8DF                    |
| Unknown             | Split Decision | 28/11/2022             | 22/2014/DIS     | Discharge of Condition | 16/12/2022           | Discharge of condition 8 and partial discharge of condition 10 of planning approval P/2016/0793 in relation to tree protection plan.                                           | Land At The Rear Of<br>Bronllys<br>SchoolBronllysBrecon<br>Powys |
| Welshpool Community | Approve        | 02/02/2022             | 22/0171/HH      | Householder            | 30/11/2022           | Proposed Demolition of Existing Garage/Outbuildings. Removal of an adjacent dead tree. Erection of Replacement outbuilding to provide garaging, storage and home office space. | Fronwylfa Red<br>BankWelshpoolSY21<br>7PR                        |



## Delegated List

### 181 Applications

| Parish Name             | Decision              | Date Application Valid | Application No. | Application Type          | Date Decision Issued | Proposal                                                                                    | Location                                                        |
|-------------------------|-----------------------|------------------------|-----------------|---------------------------|----------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Welshpool Community     | Permitted Development | 12/12/2022             | 22/1979/AGR     | Agricultural Notification | 20/12/2022           | Single storey steel portal framed building for storage purposes.                            | Dingle Nurseries FrochasWelshpoolSY21 9JD                       |
| Whitton Community       | Approve               | 30/09/2022             | 22/1651/FUL     | Full Application          | 24/11/2022           | Proposed conversion of rural barn to residential dwelling.                                  | Upper Woodgate CascobPresteigneLD8 2NT                          |
| Ystradgynlais Community | Approve               | 26/11/2021             | 21/2159/NMA     | Non-Material Amendment    | 22/12/2022           | Application for non-material amendments to permission 21/0346/HH to allow for amended plans | 24 Glan-Rhyd RoadYstradgynlaisSA9 1AU                           |
|                         | Consent               | 24/05/2022             | 22/0865/FUL     | Full Application          | 05/12/2022           | Change of use of former bank to a restaurant & shop together with alterations               | Barclays Bank Plc2 Brecon RoadYstradgynlais SwanseaPowysSA9 1HE |
|                         | Consent               | 22/08/2022             | 22/1048/HH      | Householder               | 24/11/2022           | Installation of a dropped kerb to create parking space                                      | 86 Heol TaweAbercraveSwansea SA9 1XS                            |
|                         | Consent               | 16/09/2022             | 22/1593/HH      | Householder               | 30/11/2022           | Proposed dormers, fenestration alterations, and facade upgrade                              | 67 - 69 Ynyscedwyn RoadYstradgynlais SwanseaPowysSA9 1BH        |

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## Delegated List

181 Applications

| Parish Name              | Decision | Date Application Valid | Application No. | Application Type | Date Decision Issued | Proposal                                                            | Location                                      |
|--------------------------|----------|------------------------|-----------------|------------------|----------------------|---------------------------------------------------------------------|-----------------------------------------------|
| Ystradgynlais Community  | Consent  | 06/10/2022             | 22/1679/HH      | Householder      | 07/12/2022           | Proposed first floor bedroom extension                              | 26A Commercial Street Ystradgynlais SA9 1HD   |
|                          | Consent  | 21/10/2022             | 22/1794/OUT     | Outline planning | 07/12/2022           | Outline: erection of 1 No. detached dwelling (all matters reserved) | 258 Brecon Road Ystradgynlais Swansea SA9 1QX |
| <b>Application Total</b> |          | <b>181</b>             |                 |                  |                      |                                                                     |                                               |

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## CYNGOR SIR POWYS COUNTY COUNCIL

PLANNING, TAXI LICENSING AND RIGHTS OF WAY COMMITTEE  
12 January 2022**REPORT BY:** HEAD OF HIGHWAYS, TRANSPORT AND RECYCLING**SUBJECT:** Town and Country Planning Act 1990, section 257  
Public path order proposal

---

**REPORT FOR:** DECISION

---

**Proposal to divert public footpaths RB1387 (part), RB1391 & RB1392 (part), land at Gore Quarry, Walton, Presteigne, LD8 2PL (Community of Old Radnor)****Background:**

The need for a diversion of footpaths RB1387, RB1391 & RB1392 has arisen partly because of the future operational area of Gore Quarry, and partly to regularise a currently truncated length of footpath. The Gore Quarry development scheme was permitted in 1993 and was subject of review of planning conditions under planning application number P/2008/1383. An updated schedule of planning conditions was issued in March 2009. The plan found at appendix A shows the red boundary line of Gore Quarry and footpaths RB1391 and RB1392 crossing the southern area of the defined site; and the plan found at appendix B, shows the final quarry layout, and which confirms the necessity to divert RB1391 and RB1392 from their current alignment in order to allow the approved development to be implemented. A plan of the proposed rights of way diversion (version 6) can be found at appendix C.

The applicant for the proposed diversion of the footpaths is Tarmac Trading Ltd. The diversion proposal affects land owned by Tarmac Trading Ltd and a private landowner who has consented to the proposal.

**Current Definitive Line:**

The footpaths to be extinguished are described below:

RB 1387 Part of the footpath commencing from Ordnance Survey grid reference SO 2577, 5943 (Letter point A as shown on the diversion plan at appendix C) at Gore Farm to SO 2549, 5947 (point B) on the Old Radnor/Walton Road. A total distance of 299 metres in length. The width is undefined in the statement.

RB 1391 Footpath commencing from RB 1392, at SO 2544, 5876 (point H) near Lower Sunnybank, to the road near Yatt Farm and RB1392 at SO 2493,5872

(point I). A total distance of 531 metres in length. The width is undefined in the statement.

RB 1392 Part of the footpath commencing from SO 2493, 5872 (point I) near Yatt Farm and junction with RB 1391 to SO 2512,5856 (point L) near Green Lane Cottages. A total distance of approximately 299 metres in length. The width is undefined in the statement.

### **Proposed Line:**

The proposed alternative route would provide a circular route around the quarry perimeter with the benefit of additional links to the public highway C1335 at Old Radnor via points G & K.

Footpath C-D-E-F-G commencing at OS grid reference SO 2581,5935 near Lower Gore (point C) and ending on the Walton to Old Radnor public highway C1335 at SO 2541,5945 (point G). A total distance of 521 metres in length, 2metres width.

Footpath F-J-I-K commencing at OS grid reference SO 2544, 5940 (point F) and ending on the public highway C1335 near Yatt Farm at SO 2488, 5873 (point K). A total distance of 920 metres in length, 2 metres width.

Footpath I-M-L commencing at OS grid reference SO 2493, 5872 (point I) and ending at SO 2515, 5856 (point L). A total distance of 356 metres in length, 2 metres width.

### **Works required:**

The works to make the new routes ready for use have been undertaken by the applicant.

### **Consultation:**

SLR Consulting Limited carried out a pre-Order consultation on behalf of the applicant in December 2019, responses have been received from:

- Open Spaces Society who requested that all public rights of way under the control of the quarry at this site were clear and walkable before responding to the consultation.
- PCC Planning Services, Ramblers Association, Clwyd-Powys Archaeological Trust, Dwr Cymru, none of whom objected to the proposals.
- Old Radnor Community Council who responded by reference to version 3 of the proposal plan that had been provided as part of an earlier informal consultation. Version 3 of the plan can be found at appendix E. The community Council considered the length B-G to be difficult to walk in winter and advised that this length be stoned and for the whole route to be carefully considered and an appropriate surface provided. Members also suggested that regular maintenance should be carried out and reviewed to ensure it is

adequate. It was also highlighted that some people are not in favour of the length F-E being removed and the area H-D was very steep. It should be noted that the route H-D has been revised on plan V6 to G-F which more closely follows an existing boundary, as suggested by the Community Council.

The Local Member at the time – Cllr M Jones did not make comment due to a declared interest.

### **Objection:**

Mr Peter Newman of the Open Spaces Society was contacted for further comment in October 2021. His letter and subsequent emails can be found at appendix D. In his response Mr Newman stated that he was unable to accept the Extinguishment of RB1387 E-F-H as the alternative proposed path H-D-E and onto the A44 involves a steep climb at both ends of the route and walking back on oneself at the eastern end. (Please note that this route is referred to as E-F-H on proposal plan v.3 but is shown as **A-B-G** on v.6 and H-D-E is shown as **C-D-E-F-G** but with a slight amendment on v.6 of the plan.)

Mr Newman requested the retention of the length RB1387 E-F-H (now labelled A-B-G on v6) which essentially requires a new link from point B to connect to G on the public highway at Old Radnor. An additional link X-Y between the two strands of RB1387 was also suggested. His plan showing the link X-Y is included in the documents found at Appendix D.

The applicant has formally written to the adjacent landowner to establish whether the provision of a new link between points B-G is possible, but this has not been granted as the landowner feels the current proposal put forward is an improvement to the footpath network.

### **Options:**

This application has been made under section 257 of the Town and Country Planning Act 1990. The legal criteria for the making of a diversion Order under this legislation is that it is necessary to do so, in order to enable development to be carried out in accordance with planning permission that has been granted.

The periodic review of Mineral Planning Consent R4561A has been granted under planning reference P/2008/1383 that will lie on the line of footpaths RB1391 and RB1392. As such, and as the quarry development is not 'substantially complete', it is considered that the legal criteria for the making of a diversion Order are met.

If a diversion Order is made, opposed and submitted to PEDW (Planning and Environment Decisions Wales previously known as Planning Inspectorate Wales), the Inspector could consider wider issues, including the suitability of the proposed new route, in deciding whether the Order should be confirmed or not. However, they will not re-open the matter of the planning merits of the development itself.

The Committee could:

1. Decide not to make a diversion Order in respect of this application; in that event, the applicant would not be able to implement the development subject of the planning permission that has been granted, as to do so would obstruct the line of footpaths RB1391 and RB1392.
2. Approve the making of a diversion Order. Given the outstanding objection, there is a significant risk that the Order may then be formally opposed.

If a diversion Order is made and opposed, it could be formally abandoned. Alternatively, the Order could be submitted to PEDW for determination.

If a diversion Order is made, opposed, and submitted to PEDW, the Council can decide to support, remain neutral with respect to, or oppose the confirmation of the Order.

If the Council decides to support the Order, then it must make a case as to why the Order should be confirmed. If the Council chooses to remain neutral or oppose the confirmation of the Order, that responsibility lies with the applicant.

This diversion is considered to be primarily in the interest of the applicant, as the diversion is needed to allow them to implement the planning permission that has been granted.

Given that and as the proposal meets the legal criteria for the making of a diversion Order, it is proposed that a diversion Order be made. If it is opposed, then unless significant new information comes to light, it is proposed that the Order should be submitted to PEDW for determination, but that the Council should remain neutral with respect to its confirmation.

#### **RECOMMENDATIONS:**

1. That an Order be made to divert part of public footpaths RB1387, RB1391 & RB1392 on land at Gore Quarry, Walton, Presteigne, as shown on the plan at appendix C.
2. That if the Order is made and opposed, unless significant new information comes to light, it is submitted to PEDW for determination.
3. That the Council takes a neutral stance with respect to confirmation of the Order, if it is submitted to PEDW for determination.


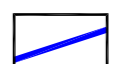

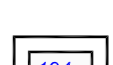
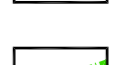
#### **Appendices:**

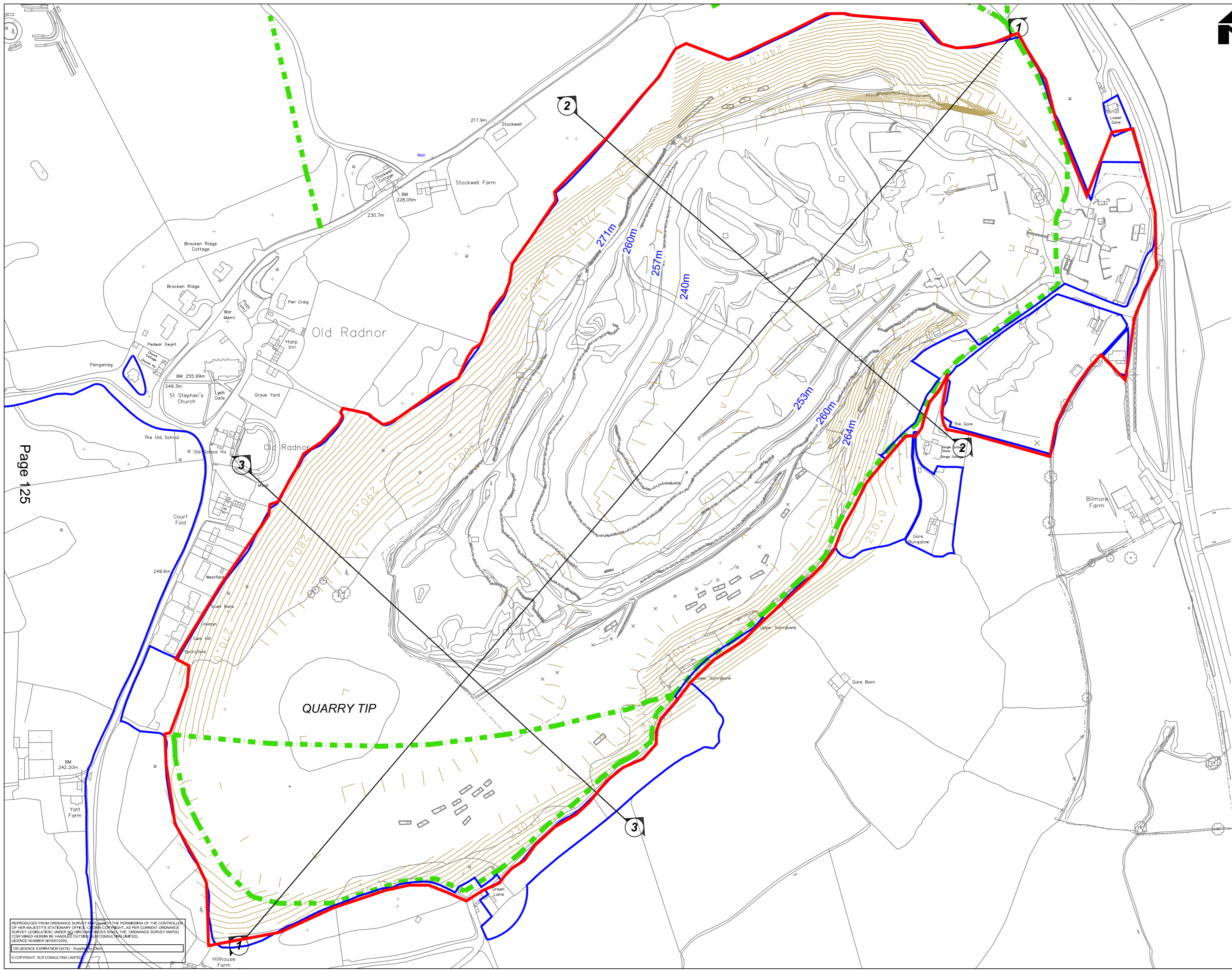
| Appendix: | Description:                                          |
|-----------|-------------------------------------------------------|
| A         | Existing Gore Quarry Site                             |
| B         | Final Quarry Excavation                               |
| C         | Plan of proposed rights of way diversion v.6          |
| D         | Correspondence from Mr P Newman, Open Spaces Society  |
| E         | Rights of way diversion proposal v.3 (now superseded) |



**NOTES**  
 1. DRAWING BASE SUPPLIED BY TARMAC, ENTITLED 'GOREQU505A.DXF' RECEIVED MARCH 2008.  
 2. FOR CROSS SECTIONS REFER TO DRAWING GQ3/1.


**LEGEND**

-  APPLICATION SITE
-  LAND OWNERSHIP BOUNDARY
-  FINAL EXCAVATION CONTOURS
-  EXCAVATION BENCH LEVELS (mAOD)
-  FOOTPATH



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 OS LICENCE EXPIRATION DATE: - Supplied by client.  
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Site: GORE QUARRY  
 Project: ENVIRONMENTAL STATEMENT  
 Drawing: **Existing Site**

|                     |                           |
|---------------------|---------------------------|
| Date: AUGUST 2008   | Drawing No. <b>GQ 2/2</b> |
| Scale: 1:2,500 @ A2 |                           |

0088.00137.08.GQ2-2.0.Existing Site 405.SJP



4 WOODSIDE PLACE  
 CHARING CROSS  
 GLASGOW  
 G3 7QF  
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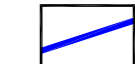

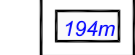
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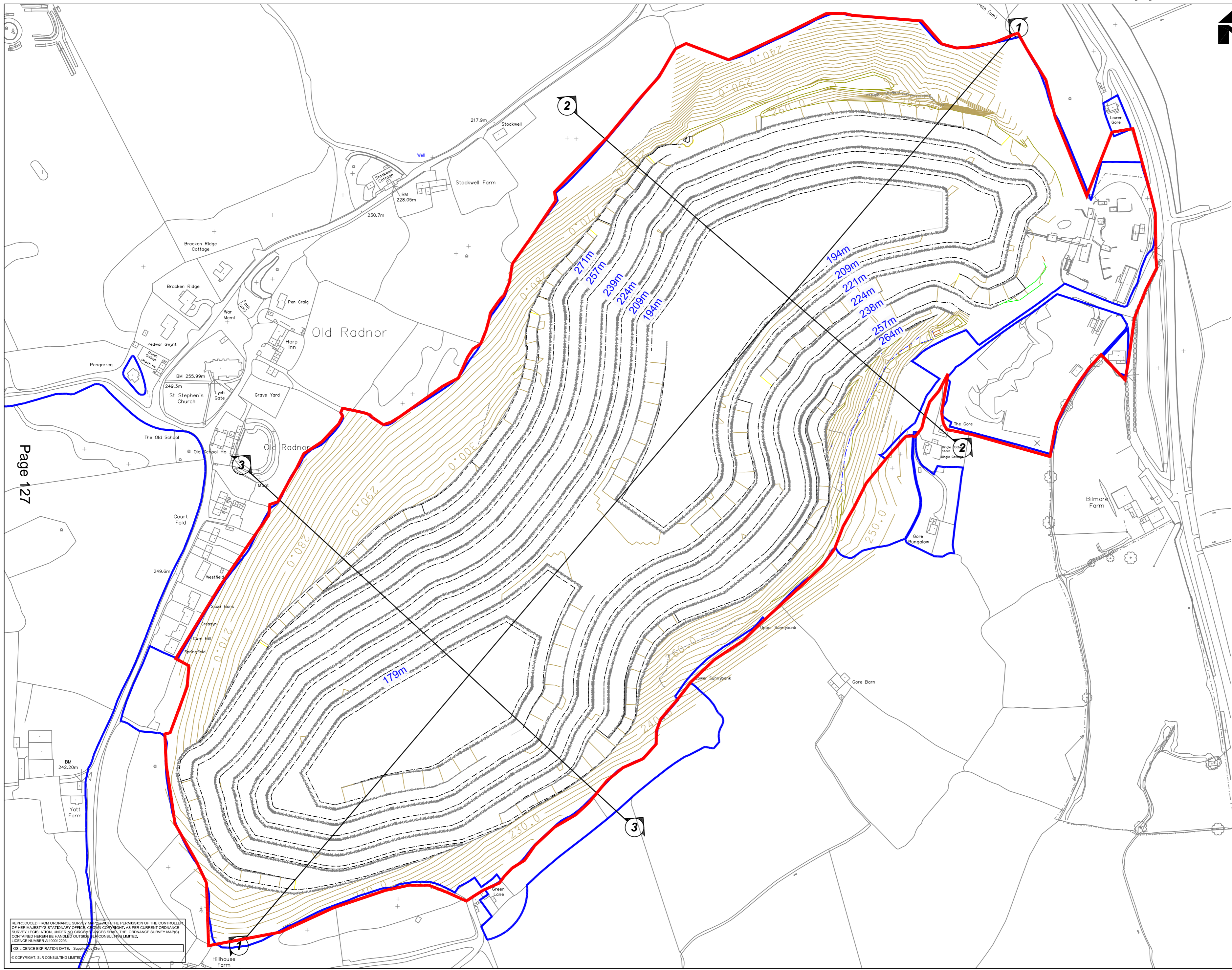


**NOTES**

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2. FOR CROSS SECTIONS REFER TO DRAWING GQ3/1.


**LEGEND**


-  APPLICATION SITE
-  LAND OWNERSHIP BOUNDARY
-  FINAL EXCAVATION CONTOURS
-  FINAL BENCH LEVELS (mAOD)



Page 127

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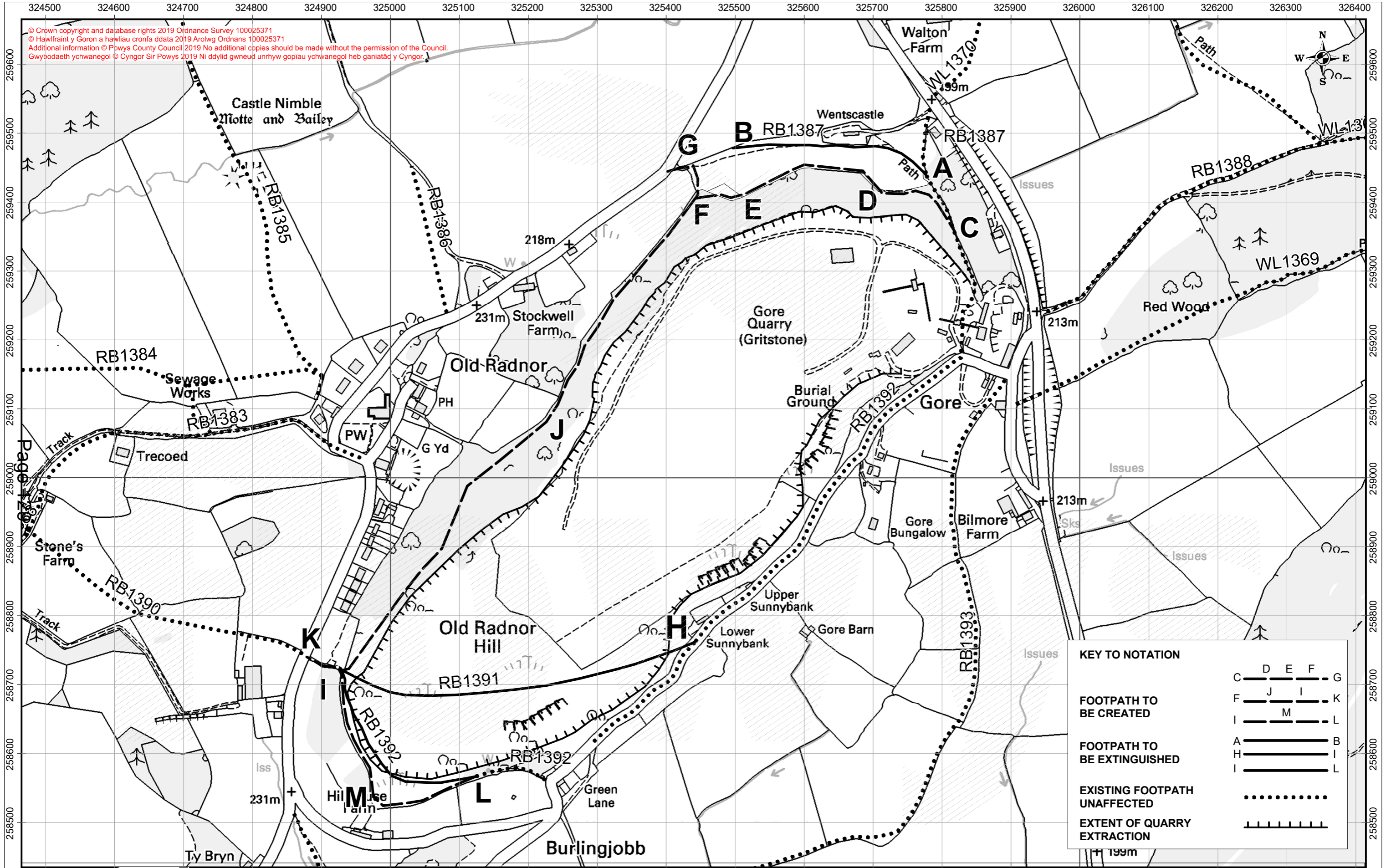


Site: GORE QUARRY  
 Project: ENVIRONMENTAL STATEMENT  
 Drawing: **Anticipated Final Quarry Excavation**  
 Date: AUGUST 2008  
 Scale: 1:2,500 @ A2  
 Drawing No.: **GQ 3/1**  
 0088.00137.08.GQ3-1.0.Final Quarry Excavation 403DPB  
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This correspondence is from:  
Peter Newman  
The Old Vicarage  
Dolau  
Powys  
LD15TH



TEL 01491 573535  
EMAIL [hq@oss.org.uk](mailto:hq@oss.org.uk)  
WEB [www.oss.org.uk](http://www.oss.org.uk)

[REDACTED]

Stefie Uphill, Senior Planner  
SLR Consulting Ltd  
Fulmar House  
Beignon Close  
Ocean Way  
Cardiff CF24 5PB

December 10, 2019

*your Ref: 407.05731.00073*

Dear Sir,

PROPOSED DIVERSION OF FOOTPATHS at GORE QUARRY, OLD RADNOR

Thank you for your letter of 5th December.

I have been waiting for the Quarry to sort a blocked footpath and they have sent me the following reply, copy attached.

Under the circumstances I shall be unable to respond to you by the date you have given.

If the works are carried out as promised I should be able to respond in February

Yours Sincerely,

[REDACTED]

Peter Newman

Open Spaces Society Local Correspondent

[REDACTED]

CAMPAIGNING  
SINCE 1965

The Open Spaces Society 25a Bell Street Henley-on-Thames RG9 2BA

Charity no 1144840 Registered in England and Wales limited company no 7846518

From: Peter Newman <[REDACTED]>

Sent: 11 October 2021 16:05

To: Lawer, Malcolm <[REDACTED]>

Subject: Re: Rights of Way - Dolyhir and Gore Quarries

Thank you for your email of 8/10/21

We would be unable to accept the Extinguishment of RB1387 E-F-H on your plan, as the alternative proposed path H-D-E and onto the A44 involves a steep climb at both ends of the route and walking back on oneself at the east end.

The path currently in use appears to be H-F-X-Y as shown on the attached plan - this would require the retention of RB1387 and a new link X-Y.

Should you be able to incorporate this into your plans, we are unlikely to have any reason to object to the proposal as a whole.

Peter Newman

CC PLAN

On 08/10/2021 07:31, Lawer, Malcolm wrote:

> Dear Mr Newman,

>

> By way of an update, the diversion route for footpath RB1392, to the rear of Green Lane Cottages at Gore Quarry, has been completed and the Order to extinguish/create a section of the footpath is with Powys CC to be sealed.

>

> On that basis, please can you confirm that you have no objection to the footpath proposals at Dolyhir; your emails of 10th December 2019 and 23rd January 2020 to Stefie Uphill refer and are enclosed for your reference.

> Regards Malcolm Lawer

> Head of Strategic Planning & Geology Central

> \*www.tarmac.com\* <<http://www.tarmac.com/>>

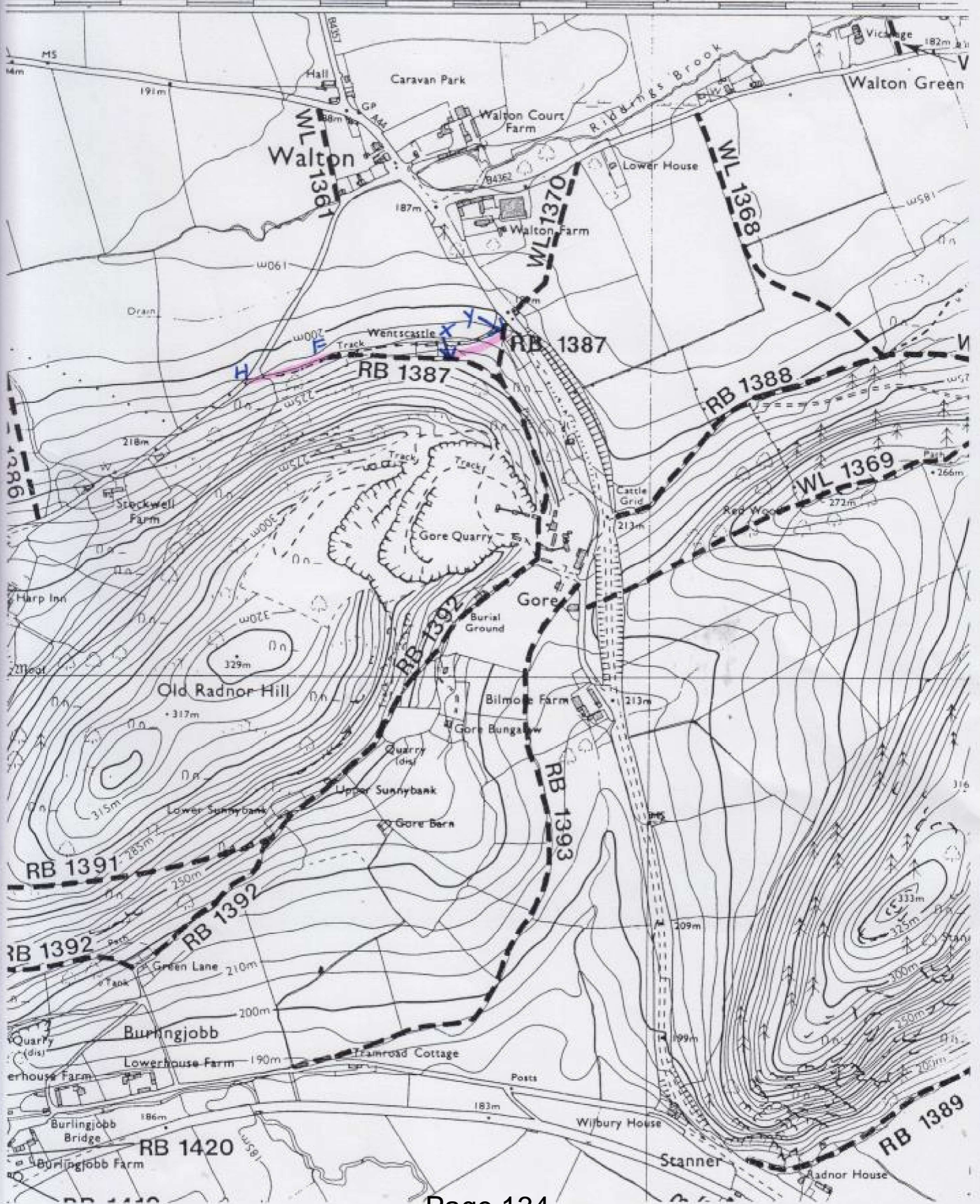
> \*From:\* Peter Newman <[REDACTED]>  
> \*Sent:\* 29 February 2020 11:05  
> \*To:\* Lawer, Malcolm <[REDACTED]>  
> \*Subject:\* Re: Rights of Way - Dolyhir and Gore Quarries  
> Dear Malcolm.  
>  
> Thank you for your email.  
> I am afraid that we are unable to take this any further until such time  
> as all public rights of way under the control of the Quarry at this site  
> are clear and walkable.  
> If you could kindly advise when this is the situation it will enable me  
> to walk them and compare your proposals with the present situation  
>  
> Peter Newman  
> Open Spaces Society Local Correspondent  
>>  
> On 26/02/2020 16:33, Lawer, Malcolm wrote:  
>> Peter,  
>> We have had some dialogue in the past and I'm aware of your recent  
>> responses on behalf of Open Spaces Society to consultations on rights of  
>> way proposals at Gore and Dolyhir Quarries.  
>>  
>> Would it be possible to meet so I can get a clear understanding of your  
>> concerns, to hopefully address those but also talk you through our plans  
>> at both quarries?  
>>  
>> Please can you suggest some dates/times over the next couple of weeks  
>> when hopefully we can meet at Dolyhir or Gore.  
>>  
>> Regards Malcolm Lawer  
>> Head of Strategic Planning & Geology Central

ITS IN METRES

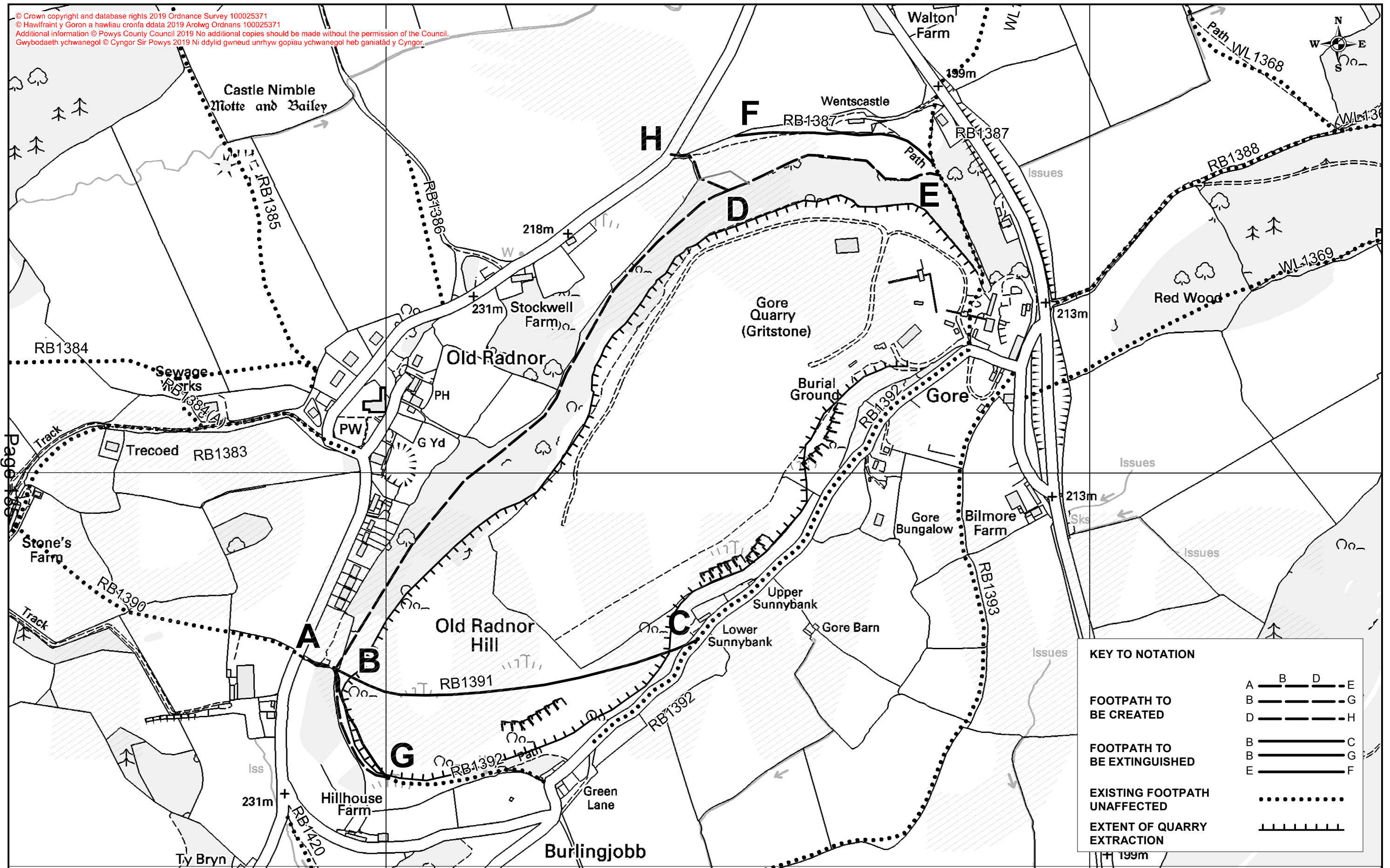
30(T 202) PLAN CORE QUARRY  
FOOTPATH LINK H-F-X-Y.

WALTON AND WOMASTON C

26 LONG  
3 05' W



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## CYNGOR SIR POWYS COUNTY COUNCIL

Date: 12<sup>th</sup> JANUARY 2023

## PLANNING, RIGHTS OF WAY AND TAXI LICENSING COMMITTEE

REPORT AUTHOR: Licensing Team Manager – SUE JONES

REPORT TITLE: Taxi Licensing Fees 2023/24

---

**REPORT FOR: Decision**


---

**1. Purpose**

1.1 To consider Taxi Licensing fees for the period April 2023-24

**2. Background**

2.1 The setting of fees is governed by The Local Government (Miscellaneous Provisions) Act 1976, it allows for the recovery of costs in connection with administering, controlling, and supervising the Hackney Carriage and Private Hire Licensing regime.

2.2 Fees are calculated using a toolkit devised by the All-Wales Licensing Expert Panel with assistance from our finance team. The committee usually approves fees for consultation at this time of year ready for implementation the following April 1st.

2.3 Proposed fees for 2023/24 are set out below :

|                                                       | 2020/21<br>&<br>21/22 | 2022/23 | Proposed<br>23/24 |                                              |
|-------------------------------------------------------|-----------------------|---------|-------------------|----------------------------------------------|
| Vehicles (1 year)<br>Hackney Carriage<br>Private Hire | £148                  | £130    | £146              |                                              |
| Driver Licence (3<br>year)                            | £260                  | £248    | £270.50           | excludes<br>DBS fee<br>(currently<br>£40.50) |
| Driver Licence (1<br>year – on request)               | £150                  | £140    | £146              | excludes<br>DBS fee                          |
| Private Hire<br>Operators (5 years)                   | £405                  | £387    | £358              | excludes<br>DBS fee                          |

- 2.5 In the report to committee last year members were advised that fees came out less for 22/23 due to licensing officers being involved in the covid response and enforcement of covid regulations (during 20/21), in addition to streamlining of processes. Fees for 23/24 reflect business starting to return to usual whilst retaining some of the efficiencies gained by shifting to online application submissions. The level of compliance checks for vehicles has not yet returned to pre-covid levels, however.
- 2.6 Members will note that whilst, as expected most fees will have increased, the operator fees have gone down. The explanation for this is that the data used for the toolkit has been refined so that general costs associated with administration of the taxi regime (rather than the individual costs of processing an individual application) were previously shared 3 ways equally across the 3 licence types - operators, vehicle, and drivers. They are now shared pro-rata depending on the number of licences of that type – there are less operators than there are vehicle and drivers hence less of these costs are attributed to operators, previously operator fees would have been disproportionately affected by fluctuations in these costs.

Licence figures December 2022:

|                                          |     |
|------------------------------------------|-----|
| Joint Driver Licences                    | 454 |
| Private Hire Operators                   | 62  |
| Private Hire & Hackney Carriage Vehicles | 390 |

- 2.7 For 23/24 the difference in income on the proposed vs current fees is approx. £8500 equating to a 10% increase overall.
- 2.8 Should members approve the revised table of fees then The Local Government (Miscellaneous Provisions) Act 1976, Section 70 requires them to be advertised in the local press giving at least 28 days for objections.
- 2.9 Any objections to the proposed fees will need to be considered and reported back to this committee along with any revisions considered appropriate. If no objections are made, then these fees will come into effect on 1<sup>st</sup> April 2023
- 3. Advice**
- 3.1 Fees need to be reviewed periodically to ensure that full cost recovery is achieved. Staffing costs, on-costs and the cost of materials have all increased, if fees are not reviewed then the fees may not achieve full cost recovery. The All-Wales tool kit was devised to enable us to establish a fee. The fees proposed have been set using this toolkit in

consultation with our finance team and are therefore recommended for approval.

#### **4. Resource Implications**

- 4.1 The costs for advertising the fees and the officer work in relation to determination of costs and calculating the fees, production of this report and presenting to committee will be recovered in the next fee review (to determine 2024/25 fees) in the same way that costs and officer work to determine fees for 22/23 are recovered in this review.

#### **5. Legal implications**

- 5.1 The setting of fees is governed by The Local Government (Miscellaneous Provisions) Act 1976. It only permits cost recovery for administering, controlling, and supervising the Hackney Carriage and Private Hire Licensing regime. Fees cannot be routinely uplifted; they must be transparent and can be subject to legal challenge. Compliant fees are based on actual costs.

#### **6. Data Protection**

- 6.1 There are no implications for processing of personal data in the consideration or approval of this report.

#### **7. Comment from local member(s)**

- 7.1 N/A fees are Powys wide.

#### **8. Integrated Impact Assessment**

- 8.1 N/A - Statutory requirement to charge a compliant fee.

#### **9. Recommendation**

- 9.1 That taxi fees for 2023/24 are approved to go out for consultation in the local press in line with statutory requirements and if not objected to will be in place for 1<sup>st</sup> April 2023. Any objections to the fees will come back to this committee for consideration.

|                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contact Officer: Sue Jones<br>Tel: 01597 827389<br>Email: susan.jones@powys.gov.uk<br>Head of Service: Gwilym Davies<br>Corporate Director: Nigel Brinn |
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**MINUTES OF A MEETING OF THE TAXI LICENSING SUB-COMMITTEE HELD AT  
BY TEAMS ON WEDNESDAY, 7 DECEMBER 2022**

PRESENT

County Councillor H Hulme [Chair]

County Councillors D Edwards and A Jones

|           |                                                       |
|-----------|-------------------------------------------------------|
| <b>1.</b> | <b>RESOLUTION TO EXCLUDE THE PUBLIC AND THE PRESS</b> |
|-----------|-------------------------------------------------------|

**RESOLVED** that in accordance with Section 100(a)(4) of the Local Government Act 1972 the public and press were excluded from the meeting on the grounds that there would be disclosure to them of exempt information under Paragraphs 12 and 18 of Schedule 12a Part 7 of the above Act in respect of the following item[s].

|           |                                                     |
|-----------|-----------------------------------------------------|
| <b>2.</b> | <b>APPLICATION FOR PRIVATE HIRE VEHICLE LICENCE</b> |
|-----------|-----------------------------------------------------|

2.1. Sub-Committee procedures

The Chair introduced the Sub-Committee and its Clerk.

2.2. Application for Private Hire Vehicle Licence PHV117

**Applicant** – PHV117

The Licensing Officer presented the licensing authority's position as outlined in the report [copy filed with the signed minutes]. The Sub-Committee noted that the Council policy stated that a maximum age of 12 years had been agreed for vehicles the subject of an existing licence. Applications for licences for vehicles over this age would be considered by a sub-committee. The Officer advised that the vehicle had been inspected by the Council's mechanic. Remedial work had been identified and after this had been undertaken, the vehicle had been re-inspected. The inspections by the Council's mechanic had been at the applicant's expense.

The Sub-Committee noted that the local councillor supported the application. The applicant explained how the vehicle was used and that he was happy to have the vehicle inspected three times a year. He advised that the vehicle had passed an MOT on 2 December 2022. The Sub-Committee noted the good condition and low mileage of the vehicle.

The Sub-Committee withdrew to consider, in private, the application and the evidence they had heard, with the support of the Clerk.

On their return the Chair announced their decision. In reaching the decision members took into account the relevant written and verbal representations.

**Resolved**

**That the application for a private hire vehicle licence for PHV117 be approved subject to the Council's mechanic inspecting the vehicle, at the applicant's expense, between:**

- 1 March 2023 and 10 March 2023 and

- **1 July 2023 and by 10 July 2023 and that the licence be approved to the expiry date in September 2023 and that a MOT is undertaken in six months time from the current MOT date.**

The Clerk to the Sub-Committee advised that he would confirm the decision in writing.

The Chair thanked all for attending.

**County Councillor H Hulme [Chair]**