



## PCC – Highways

We have noted that on drawing SK 20 the applicant has proposed to discharge the Foul Water into the Highway road gully. The Highway Authority does not accept any discharge from Treatment Plants into the existing highway drainage system. The applicant is therefore requested to submit amended drawings clearly identifying an alternative discharge location.

Please find below the recommendation of the Highway authority for the Class II B4518. Our conditions are based on the amended drawing SK20

Rev. B.

Prior to the occupation of any dwelling any entrance gates shall be set back at least 10.0 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.

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

Within 5 days from the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10.0 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

Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom excluding any garage space provided. The parking areas shall be retained for their designated use in perpetuity.

The width of the access carriageway, constructed as Condition HC7 above, shall be not less than 5.0 metres for a minimum distance of 10.0 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 10.0 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.

Prior to any works being commenced on the site the applicant shall submit and have approved in writing by the local planning authority full details of a scheme to intercept and discharge of all surface water run-off from the access road.

Prior to the occupation of any dwelling, the approved scheme for surface water drainage shall be fully completed to the written satisfaction of the local planning authority.

## Wales and West Utilities

Wales & West Utilities acknowledge receipt of your notice received on 14.07.2017, advising us of the planning application and proposals at:

Dyfnant, van Road, Llanidloes, Powys, SY18 6HR

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

## Severn Trent

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

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 - Environmental Health

1<sup>ST</sup> August 2017 –

Thank you for your consultation in respect of this application. There appears to be some confusion in respect of foul drainage, the design and access says that it will connect to mains, which would be the most appropriate given the proximity to the town. However the planning permission and plans show private treatment plants. The applicant will need to clarify this point and if not relying on mains will need to make a case for not doing so.

25<sup>th</sup> September 2017 –

Thank you for the update, given that the applicant is now proposing to connect to the mains I have no objection to this application

PCC – Ecologist

Thank you for consulting me with regards to planning application P/2017/0765 which concerns the full planning application for the erection of 3 dwellings, formation of new vehicular access and all associated works at Dyfnant, Llanidloes, Powys.

I have reviewed the proposed plans as well as local records of protected and priority species and designated sites within 500m of the proposed development. The data search identified 137 records of protected and priority species within 500m of the proposed development - no records were for the site itself

There are no statutory or non-Statutory designated sites within 500m of the proposed development.

The site of the proposed development appears to be an area of semi-improved grassland which is considered to be a habitat of lower ecological value. However, the site has a tree/woodland boundary which is considered to be of ecological value.

Given the proximity of development and works to surrounding trees and hedgerows, it is considered prudent to require information from the applicant as to how these features biodiversity importance for wildlife will be protected during the construction period of works. It would seem likely that the creation of the new access point would require the removal of sections of hedgerow. I suggest that any removed hedgerow is translocated to areas within the development site instead of buying and planting new stock.

The UDP policies ENV2 and ENV6 identify the need to protect or provide compensation for impacts to hedgerows and trees. UDP Policy ENV2 states that:

‘Proposals which are acceptable in principal should:

3. Seek to conserve native woodlands, trees and hedgerows’

UDP Policy ENV6: Sites of Regional and Local Importance, makes reference to Powys LBAP habitats and species which include hedgerows under the Linear Habitats Action Plan – ‘Linear habitats are important to a wide variety of species as refuges, breeding and feeding sites and as links between habitats of high biodiversity value’. Hedgerows are also listed as a "habitat of principal importance for the purposes of conserving biodiversity" as identified in on Section 7 of the Environment (Wales) Act 2016, and are beneficial to a wide range of biodiversity including bats, nesting birds, small mammals, lichens and fungi.

Where impacts to trees and hedgerows are identified an appropriate compensation strategy will be required, where possible translocation of the existing hedgerow should be considered, if this is not considered possible at this location replacement hedgerow planting would need to be identified.

Where it is necessary to remove any trees or hedgerows a Tree and Hedgerow Replacement and Protection Plan will need to be secured through an appropriately worded condition. This

plan will need to identify appropriate compensation planting for the loss of any trees or hedgerow – details of the location, length and species as well as an appropriate aftercare scheme will need to be identified – species used will need to be native and reflect the hedgerows present in the local area.

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

It appears from the proposed plans that landscaping is proposed as part of the potential development. Consideration should be given to the development of a native landscape planting scheme. It is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes, planting and aftercare schedules.

Consideration has been given to the proximity of the development to the watercourse present approximately 100m south of the proposed site. In considering the location and nature of the development and the roadway between the development site and watercourse - it would appear that the submission of a pollution prevention plan would not be necessary, however it is recommended that the applicant undertakes works in accordance with available Pollution Prevention Guidelines, particularly GPP5: Works and maintenance in or near water and PPG6: Working at construction and demolition sites, details of these guidelines can be found at:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

I note from the proposed plans that a number of bird nesting boxes and bat boxes will be placed on existing trees on the development site. I consider these enhancements that are proposed to be incorporated are biodiversity enhancements and ensures net biodiversity benefits through the proposed development.

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

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

Reason: To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and Part 1 Section 6 of the Environment (Wales) Act.

Prior to the commencement of development a detailed lighting design scheme to take into account any impacts on nocturnal wildlife into consideration shall be submitted for written LPA approval and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP Policies SP3, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act.

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

Reason: To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

#### PCC - Contaminated Lland

In relation to Planning Application P/2017/0765, there would be no requirements in respect of land contamination.

#### **Public Response**

Following display of a site notice on the 20/07/2017, there have been no public representations received

#### **Planning History**

PPAE/2017/0062 – Pre application Advice

#### **Principal Planning Constraints**

Historic Landscapes Register

#### **Principal Planning Policies**

##### National Policies

Planning Policy Wales (Edition 9, 2016)

Technical Advice Note 1 - Joint Housing Land Availability Studies (2015)

Technical Advice Note 2 - Planning and Affordable Housing (2006)

Technical Advice Note 5 - Nature Conservation and Planning (2009)

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010)

Technical Advice Note 12 - Design (2014)

Technical Advice Note 15 – Development and Flood Risk (2014)

Technical Advice Note 18 - Transport (2007)

Technical Advice Note 23 – Economic Development (2014)

## Local Policies

### Powys Unitary Development Plan (2010)

SP2– Strategic Settlement Hierarchy  
SP5 – Housing Developments  
GP1 – Development Control  
GP3 – Design and Energy Conservation  
GP4 – Highway and Parking Requirements  
GP5 – Welsh Language and Culture  
ENV2 – Safeguarding the Landscape  
ENV3 – Safeguarding Biodiversity and Natural Habitats  
ENV6 – Site of Regional and Local Importance  
ENV7 – Protected Species  
HP3- Housing Land Availability  
HP4 – Settlement Development Boundaries and Capacities  
HP5 – Residential Developments  
HP6- Dwellings in the Open Countryside  
HP14 – Sustainable Housing  
DC1 – Accessibility  
DC3 – External Lighting  
DC8 – Public Water Supply  
DC9 – Protection of Water Resources  
DC10 – Mains Sewage Treatment  
DC13 – Surface Water Drainage

Residential Design Guide (October 2004)  
Affordable Housing for Local Needs – SPG – 2011

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

## **Officer Appraisal**

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

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

### Principle of Development

For the purposes of the Powys Unitary Development Plan, the site subject to this application lies outside of the settlement development limits of Llanidloes. On this basis, the proposal constitutes a departure from the adopted Powys Unitary Development Plan.

Members are advised that a decision to approve a departure can only be made where other material considerations outweigh the provisions of the development plan. Such material

considerations include Planning Policy Wales (2016) and UDP policy HP3, which require the Local Planning Authority to ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing.

The Powys JHLAS (2016) provides information on land availability and indicates a land supply of 2.2 years (as of 01/04/2016). Whilst it is anticipated that the new local development plan will allocate land for residential development to address the shortfall in supply, the current figure is below the supply required by Planning Policy Wales and the adopted Unitary Development Plan. Officers acknowledge that a number of departures have recently been justified and permitted on the grounds of housing land supply. Whilst it is accepted that these permissions will contribute to the supply of housing, based upon current evidence, the housing land supply within Powys remains below the 5 year supply as required by planning policy. As such, Members are advised that considerable weight needs to be given to this undersupply in considering proposals for new residential development as exceptions to normal housing policies.

### Sustainability

In considering the proposed development, Members are asked to consider whether this location is regarded as a sustainable location for new residential development. .

The proposed development is located outside of Llanidloes which is defined as an area centre within the Unitary Development Plan. The proposed site is located outside of the settlement boundary by approximately 36 metres. The site is considered to be within a sustainable location due to the services provided locally and therefore, it is considered that additional residential development in this location would accord with the provisions of Planning Policy Wales in so far as it is a sustainable location.

The site benefits from good public transport links and services within Llanidloes town centre which can be accessed via a footpath. Llanidloes town centre has a wide range of sustainable facilities available such as shops, doctors, and dentist and primary and secondary schools which can be easily accessed from the proposed site.

Therefore, given the noted proximity, future occupiers would have good access to existing facilities and amenities and also connections to further services and the wider area.

### Siting, Design and Scale

Policy GP1 and HP5 of the Powys UDP provides general development guidance and includes overarching principles which seek to safeguard the character and appearance of existing buildings and surrounding area whilst further ensuring that development proposals do not adversely affect the environment, highway safety or the amenities enjoyed by occupants of neighbouring residential properties. These requirements must be satisfied if a proposal is to be considered appropriate in general terms.

The layout of the proposed site includes the erection of 3 no. 4 bedroom residential dwellings. The proposed dwellings for plots 1 and 3 will be two storey and will measure approximately 13.4 metres in width and 10.5 metres in depth, the proposed dwellings will reach a height of approximately 4.1 metres to eaves and 8 metres to ridge. Plots 1 and 3 have been designed as two storey dwellings to help reduce the proposed dwellings visual



impact on the surrounding area. Plot 1 and 3 will be the most visual dwellings as members of the public enter and leave Llanidloes along the county highway. The proposed dwellings for plots 1 and 3 also include a detached garage.

The proposed dwelling for plot 2 will be a three storey dwelling which will include an integral garage and will measure approximately 13.4 metres in width and 10.5 metres in depth, the proposed dwelling will reach a height of approximately 4.9 metres to eaves and 9 metres to ridge. The proposed dwelling for plot 2 will include a lower ground floor which will include a garage and further living accommodation. The scale and proportion of the proposed development is considered appropriate and also matches the neighbouring residential property, Maeshafren. Due to the topography of the site, the lower ground floor will not be visible from the front elevation of the property. The proposed dwelling for plot 2 is slightly higher than the other dwellings proposed, however this will be well screened by plot 1 and plot 3.

The design of the dwellings in terms of appearance will be traditional in style which reflects the existing properties in the surrounding area. The dwellings will be constructed with a mixture of materials for the walls including brick work, render and timber boarding and slate tiles for the roof. Dwellings in the locality are mixed in design, type and materials and as such the proposed design and materials are considered to reflect those of the surrounding area whilst also introducing a modern design.

It is proposed to retain the existing hedgerows and mature trees, although some hedgerow will be required to be removed, particularly to enable vehicular access. Overall it is considered that the proposed design and appearance of the proposed dwellings will reflect the surrounding area in accordance with section 2 of UDP Policy HP5.

The proposed dwelling has been designed to overcome the site constraints of the land sloping heavily down towards the county highway. The dwellings have been designed to reduce the overall visual impact of the dwellings and to reflect the design of the existing dwelling that adjoins the site (Dyfnant).

Overall it is considered that the proposed design and appearance of the proposed dwellings will reflect the surrounding area in accordance with section 2 of UDP Policy HP5. In light of the above it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### Landscape and Visual Impact

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

The proposed dwellings have been designed to reduce the overall visual impact of the dwellings. In terms of landscaping the submission includes the planting of additional trees along the southern boundary to minimise the proposed dwellings visual impact on the nearest neighbouring property Dyfnant. The proposed site is already well screened by existing trees along the northern boundary and eastern boundary which are to remain. The proposed site is also already well screened by trees on the western boundary, although a section of trees will

be lost to create the new access. It is therefore considered that the proposed dwellings will not cause a detrimental visual impact upon the surrounding area.

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

#### Amenities enjoyed by occupiers of neighbouring properties

In considering the amenities enjoyed by the occupiers of neighbouring properties consideration has been given to the Powys Residential Design Guide (October 2004).

Plot 3 is the closest proposed dwelling to the closest neighbouring dwelling (Dyfnant) which is approximately 22.6 metres away. Dyfnant is located to the south of the proposed dwellings and therefore the side elevations of the proposed dwellings will face the side elevation of the existing dwellings, rather than the front or rear elevations. The application does include the planting of additional trees along the southern boundary to minimise the proposed dwellings visual impact on the nearest neighbouring property Dyfnant. It is therefore considered that the proposed development will not have a detrimental impact on the neighbouring dwellings in terms of overlooking and privacy.

Therefore, taking into account the distance from neighbouring properties, it is considered that the proposal would not unacceptably adversely affect the amenities enjoyed by occupants of existing and proposed dwellings in accordance with UDP Policy GP1.

#### Highways

Policy GP4 requires adequate highway provision in terms of a safe access, visibility, turning and parking.

The application includes the creation of a new access which will join the B4518 highway via a joint junction. The proposed development will provide 120 metre visibility splays in both directions and parking provision to improve highway safety.

The Local Highway Authority has been consulted regarding the application as Highway authority for the Class II B4518. The Powys Highway Authority have confirmed in light of the amended plans that they have no objections subject to the inclusion of a number of conditions.

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

#### Biodiversity

With respect to Biodiversity, specific reference is made to UDP policy ENV3; as such the PCC Ecologist was consulted with regard to this application.

The Ecologist reviewed the proposed plans as well as local records of protected and priority species and designated sites within 500m of the proposed development. The data search identified 137 records of protected and priority species within 500m of the proposed development, although no records were for the site itself.

There are no statutory or non-Statutory designated sites within 500m of the proposed development. The site of the proposed development appears to be an area of semi-improved grassland which is considered to be a habitat of lower ecological value. However, the site has a tree/woodland boundary which is considered to be of ecological value.

The Ecologist noted given the proximity of development and works to surrounding trees and hedgerows, it is considered prudent to require information from the applicant as to how these features biodiversity importance for wildlife will be protected during the construction period of works. It would seem likely that the creation of the new access point would require the removal of sections of hedgerow. The Ecologist therefore suggests that any removed hedgerow is translocated to areas within the development site instead of buying and planting new stock.

Where it is necessary to remove any trees or hedgerows a Tree and Hedgerow Replacement and Protection Plan will need to be secured through an appropriately worded condition. This plan will need to identify appropriate compensation planting for the loss of any trees or hedgerow, although details of the location, length and species as well as an appropriate aftercare scheme will need to be identified, species used will need to be native and reflect the hedgerows present in the local area.

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

The Ecologist noted it appears from the proposed plans that landscaping is proposed as part of the potential development. Consideration should be given to the development of a native landscape planting scheme. It is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes, planting and aftercare schedules.

Consideration has been given to the proximity of the development to the watercourse present approximately 100m south of the proposed site. In considering the location and nature of the development and the roadway between the development site and watercourse - it would appear that the submission of a pollution prevention plan would not be necessary, however it is recommended that the applicant undertakes works in accordance with available Pollution Prevention Guidelines.

The Ecologist recognised from the proposed plans that a number of bird nesting boxes and bat boxes will be placed on existing trees on the development site. Therefore the Ecologist considers these enhancements that are proposed to be incorporated are biodiversity enhancements and ensures net biodiversity benefits through the proposed development.

Therefore the Ecologist has recommended inclusion of a number of conditions.

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

#### Foul Drainage

The Environmental Health officer has been consulted regarding this application and noted there appears to be some confusion in respect of foul drainage, the design and access statement states that it will connect to mains, which would be the most appropriate given the proximity to the town. However the planning permission and plans show private treatment plants.

After a discussion with the agent he confirmed that the foul water drainage scheme will now be connecting to the mains and sent in amended plans to support this. The Environmental Health officer confirmed that given that the applicant is now proposing to connect to the mains, Environmental Health has no objection to this application.

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

#### Affordable Housing:

The applicant is currently in negotiation with Development Management regarding the provision of an affordable dwelling. This is because five dwelling will be proposed when considering the development with P/2017/0766. This will be addressed in the update report.

#### Welsh Language

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. Technical Advice Note 20: Planning and the Welsh Language provides further advice on how the planning system considers the implications of the Welsh Language. Within the Powys UDP policy GP5 identifies settlements where the Welsh Language is important to the social, cultural and community fabric of the area. Policy GP5 does not list Llanidloes as one of the key settlements.

In the 2011 census the Llanidloes Ward reported that 15.5% of the population spoke Welsh. This is a slight decrease from the 2001 census which stated that 17.5% of the population of Llanidloes spoke Welsh. The proposed development of three dwellings is not considered to have a detrimental impact on the cultural or linguistic vitality of the area.

### **Other Legislative Considerations**

#### Crime and Disorder Act 1998

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

#### Equality Act 2010

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

Having due regard to advancing equality involves

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

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

#### Planning (Wales) Act 2015 (Welsh language)

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

#### Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

### **RECOMMENDATION**

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

### **Conditions**

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XXXXXX (drawing no's: Amended Plans SK.01(A), SK.02(A), SK.04(B) SK.05 (A), SK.05(B), SK.06(A), SK.10 (A), SK.20 (B), SK.21).

3. Prior to the occupation of any dwelling any entrance gates shall be set back at least 10.0 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.
4. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 5.5 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
5. Prior to the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10.0 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed
6. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom excluding any garage space provided. The parking areas shall be retained for their designated use in perpetuity.
7. The width of the access carriageway, constructed as Condition 5 above, shall be not less than 5.0 metres for a minimum distance of 10.0 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.
8. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 10.0 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
9. Prior to any works being commenced on the site the applicant shall submit and have approved in writing by the local planning authority full details of a scheme to intercept and discharge of all surface water run-off from the access road.
10. Prior to the occupation of any dwelling, the approved scheme for surface water drainage shall be fully completed to the written satisfaction of the local planning authority
11. Prior to commencement of development a Tree and Hedgerow Protection and Replacement Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.
12. Prior to the commencement of development a detailed lighting design scheme to take into account any impacts on nocturnal wildlife into consideration shall be submitted for written Local Planning Authority approval and implemented as approved and maintained thereafter.
13. Prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly

describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and condition.

## **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 and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
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5. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
6. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
7. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
8. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
9. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
10. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
11. To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and Part 1 Section 6 of the Environment (Wales) Act.
12. To comply with Powys County Council's UDP Policies SP3, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act
13. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

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Case Officer: Luke Jones- Planning Officer  
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