

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

<b>Application No:</b>	P/2017/1087	<b>Grid Ref:</b>	323476.24 315738.1
<b>Community Council:</b>	Llandrinio	<b>Valid Date:</b>	<b>Officer:</b> 25/09/2017 Sara Robinson
<b>Applicant:</b>	DT Davies, New House Farm, Sarnau, Llanymynech, Powys, SY22 6QL		
<b>Location:</b>	Lland adj Dyfnant, Sarnau, Llanymynech, Powys, SY22 6QL		
<b>Proposal:</b>	Outline - 1residential dwelling, formation of vehicular access and associated works		
<b>Application Type:</b>	Application for Outline Planning Permission		

### The reason for Committee determination

The application site is located outside of the development boundary and in the open countryside as defined by the Powys Unitary Development Plan (2010).

### Site Location and Description

The application submitted was originally for 4 dwellings; however the proposal has now been reduced to 1 dwelling. A new site notice was been erected and following re-consultation no amendments to the concerns raised have been submitted.

The application site lies within the Community Council of Llandrinio. The site is located adjacent to the settlement boundary of Sarnau and in the open countryside as defined by the Powys Unitary Development Plan (2010). The site is accessed by the classified road C2034 to the north of the application site. The nearest neighbouring residential properties are Dyfnant located to the east of the site and Llwyn Derw, Ty Newydd, Ty Breiz and Holly Bush located to the north of the site beyond the county highway to the north. To the south and west of the site are agricultural fields. There is a right of way located to the east of the application site.

The application is for the residential development of one residential dwelling, formation of vehicular access and associated works. Outline permission has been sought for the proposed development with some matters reserved.

### Consultee Response

#### Llandrinio Community Council

The Community Council held a site meeting at the above property on Tuesday 17th October 2017.

They wish to OBJECT to the above development for the following reasons;-

1. Contrary to Policy GP1 Outside the development boundary

Councillors feel it is still important to adhere to the principles embodied in the Development Plan and that any development outside of the boundary should only be considered if it is 100% affordable.

2. Policy HP3 Housing Land Availability

It appears that the lack of a 5 year housing supply seems to override all other considerations and in the case of Sarnau there are properties for sale in villages less than 3 miles away. Arddleen has planning permission already granted for 22 dwellings with a further 46 being considered.

3. Policy GP 4 – Highway & parking requirements

The access to this development is on a busy narrow lane – the layout should be re-designed so that there is only one entrance.

4. Policy DC10 –Sewage Treatment

The proposal for a Bio-Disc does not contain enough information with regard to the effluent as it seems the plan is for it to go into the ditch at the back of the field. This is unacceptable and it should be noted that there is already problems with odour in connection with the Sarnau Brook. There is not enough flow in the Brook during the summer to dissipate the existing effluent coming from another housing development.

5. Policy SP1 – Social, Community and Cultural Sustainability

The proposals need to restrict the size of the properties to single storey properties without a dormer window to mirror those opposite. If these were designated affordable it would then give an opportunity for older residents to downsize or younger persons to afford their first property.

PCC Highways

*Consultation received 01/11/2017*

The County Council as Highway Authority for the County Class III Highway, C2034

Wish the following recommendations/Observations be applied  
Recommendations/Observations

This application should be deferred

The C2034 across the frontage of the site is narrow and prohibits the free flow of two way traffic. Therefore the frontage of the site should be widened to 5.5 metres with the appropriate tapering back into the existing width. We therefore request that amended plans are submitted reflecting the above comments.

The Highway Authority recommend that this application is deferred.

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

*Consultation received 17/11/2017*

The County Council as Highway Authority for the County Class III Highway, C2034

Wish the following recommendations/Observations be applied  
Recommendations/Observations

Prior to any other works commencing on the development site, detailed engineering drawings for a widening along the Class III C2034 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.

Prior to any works commencing on the development site, all Highway Improvements, referred to above, 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.

HC1 Prior to the occupation of any dwelling any entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

HC2 The gradient of the accesses 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.

HC3 The centre line of the first 5.5 metres of the access roads measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

HC4 Prior to the commencement of the development the accesses 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.

HC7 Prior to the commencement of the development the area of the accesses to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 5.5 metres from the

edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

HC8 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 together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

HC11 Prior to the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This 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.

HC12 The width of the access carriageway located at Plot 1, constructed as Condition HC7 above, shall be not less than 3 metres for a minimum distance of 5.5 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

HC12a The width of the access carriageway located at Plots 2 & 3, constructed as Condition HC7 above, shall be not less than 6 metres for a minimum distance of 5.5 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

HC21 Prior to the occupation of any dwelling the area of the accesses to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,

HC29 All surface water run-off is to be collected and discharged via a piped system located within the site. This system shall be retained and maintained for as long as the development remains in existence.

HC30 Upon formation of the visibility splays as detailed in HC4 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.

HC32 No storm water drainage from the site shall be allowed to discharge onto the county highway.

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

#### PCC Building Control

No comments were received at the time of writing this report.

### Wales and West Utilities

Wales & West Utilities acknowledge receipt of your notice received on 27.09.2017, advising us of the proposals for:

Dyfnant, Sarnau, Llanymynech, Powys, SY22 6QN

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

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 Water

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

With Reference to the above planning application the company's observations regarding sewerage are as follows.

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.

Please note if you wish to respond to this email please send it to [Planning.apwest@severntrent.co.uk](mailto:Planning.apwest@severntrent.co.uk) where we will look to respond within 10 working days. Alternately you can call the office on 01902 793851.

### PCC Environmental Health

*Consultation received on 28/09/2017*

The plan for the foul drainage is to utilise a package sewage treatment plant with discharge to watercourse. Environmental Protection has no objection to this application, subject to NRW consent for the discharge to watercourse.

*Consultation received on 03/01/2018*

Thanks for forwarding the objection letter.

With reference to point 3, it is my understanding that the watercourse in question has not been incorrectly identified as Sarnau Brook. I have had reason to visit the brook during the summer months and I have not personally known it to dry out. I have no objection to the application.

However, regarding the question about the potential for the brook to handle more sewage effluent, this issue would fall within the remit of Natural Resources Wales, therefore I would suggest that their opinion is sought on the matter.

### PCC Rights of Way

Thank you for consulting Countryside Services on the above application.

A Public Right of Way (Footpath157) passes along the eastern edge of the proposed development, and this does appear to be acknowledged in the plans.

The right of way must remain open and available for safe unimpeded public use at all times, both during development and following completion. It must not be obstructed by any works or structure. A suitable width for the footpath must be accommodated and not impinged upon.

### Powys Ramblers

Thanks you for the opportunity to comment on this application. We support the comments made by Countryside Services.

### PCC Ecologist

Thank you for consulting me with regards to planning application P/2017/1087 which concerns the outline application for residential development of 3x dwellings, formation of vehicular access and associated works on Land adjacent to Dyfnant Sarnau, Llanymynech. 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 4 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 poor semi-improved grassland which is considered a habitat of low ecological value. However, the hedgerows on the northern boundary is considered to be of moderate ecological value.

### Tree and Hedgerow Replacement and Protection Plan

From the plans submitted it appear that sections of the hedgerow will be removed to accommodate the proposed development and proposed access. 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 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.

#### Wildlife Sensitive Lighting Plan

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

#### Landscape Planting Scheme

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

#### Pollution Prevention Plan

Consideration has been given to the proximity of the development to the watercourse present which is immediately adjacent of the proposed site.

In considering the nature of the development 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 therefore recommend that a Pollution Prevention Plan is secured through a planning condition

As the application is an outline application further details will be submitted at a later date as reserved matter consideration should be given to incorporate biodiversity enhancements.

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. It is therefore recommend that consideration is given to opportunities to incorporate biodiversity enhancements to ensure net biodiversity benefits through the proposed development. These measure could include:

- Provision of bird and bat boxes including the details of the number, type and location of these boxes;
- A wildlife buffer strip and a scheme of appropriate management of these areas, hedgerows should be retained within buffer strips and should be unlit or lighting to be directed away from the hedgerows to create dark movement corridors for nocturnal wildlife through the site;
- Provision of wildlife friendly landscape planting.

Should biodiversity enhancement measures be proposed as part of the development details of these features identified will need to be specific and detailed on submitted plans (i.e. details regarding locations, dimensions and numbers will need to be provided) and achievable.

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.

Prior to commencement of development a Pollution Prevention Plan 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 ENV3 and ENV6 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.

In addition I recommend inclusion of the following informative:

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 of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

NRW

*Consultation received 17/01/2018*

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 03/01/2018.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. We would object if the scheme does not meet these requirements.

Summary of Requirements:

Requirement 1 – The applicants revise the proposed foul drainage system

Foul Drainage

The Design and Access submitted with the application shows that the Private Treatment Plant will discharge to the “nearby stream”. The Sarnau Brook is a small watercourse and it can dry up in the Summer months. Discharging from a treatment plant to a dry ditch would not be appropriate as there would be insufficient dilution for the discharge from the treatment plant. This lack of dilution and lack of transport of the effluent would also potentially cause amenity (odour) issues to the future residents of the development.

Requirement 1 – The applicants revise the proposed foul drainage system NRW would therefore require that the applicant investigate the suitability of a septic tank / soak-away system at this location, which would be over 10 metres from any watercourse and over 50 metres away from a well. A percolation test will need to be carried out in accordance with Appendix A of Guidance for Pollution Prevention 4 “Treatment and disposal of sewage where no foul sewer is available”, copy enclosed. The percolation test results should be made available to the Local Planning Authority, and as a result, a review of the foul drainage system should be carried out in line with the Guidance for Pollution Prevention.

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non-mains sewerage.

The written consent of NRW or registration for exemption by the developer will be required for any discharge e.g. foul drainage to a watercourse/ditch etc., from the site and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site. The permitting process is a separate process to planning, and the applicants are advised the granting of planning permission does not guarantee that a permit will be granted.

The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step bilingual guide to registering, is available on our website at the following link <https://naturalresources.wales/apply-for-a-permit/water-discharges/register-your-septic-tank-package-sewage-treatment-plant/?lang=en>.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are included on our checklist “Natural Resources Wales and Planning Consultations” (March 2015) which is published on our website: <https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>. We have not considered potential effects on other matters and do 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.

*Consultation received 01/02/2018*

We have reviewed the amended information sent in by Tudor Watkins. NRW note no details have been provided regarding the pipe and the potential for it to become exposed. If it is exposed what protection would be given to that section to reduce the risk of damage, that is more likely to occur when not underground?

We advise that the applicant should clarify details/plans of the pipe discharge point.

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage.

The written consent of NRW or registration for exemption by the developer will be required for any discharge e.g. foul drainage to a watercourse/ditch etc, from the site and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site. The permitting process is a separate process to planning, and the applicants are advised the granting of planning permission does not guarantee that a permit will be granted.

The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step bilingual guide to registering, is available on our website at the following link <https://naturalresources.wales/apply-for-a-permit/water-discharges/register-your-septic-tank-package-sewage-treatment-plant/?lang=en>.

## **Representations**

Following display of a site notice on 12/10/2017 for a period of 21 days one public representation has been received by Development Management at the time of writing this report.

The public representation raised objections to the proposal and is listed as follows;

1. The proposed dwellings would overlook the neighbouring properties and would be an invasion of privacy and impact the view
2. Two story houses on this site would not be appropriate as:
  - a) They would overlook the existing bungalows. &
  - b) They would not fit in with the existing dwellings – there are 4 bungalows opposite the site and one bungalow adjacent

3. The discharge of water from the proposed treatment plant would go into a ditch – (wrongly named as Sarnau Brook on the application – this is in fact a ditch which runs into Sarnau Brook). During the summer months the said ditch and brook are often bone dry. Also, the brook runs into properties in Sarnau, and is an ornamental feature in more than one property, so there is potential for environmental hazards.  
For your information, the previous development in Sarnau (Sarnau Villas 4 dwellings M/2007/0494) has continuing environmental problems with its reed bed treatment plan and is deemed an environmental Hazard by Natural Resources Wales who are currently testing Sarnau Brook for discharge of raw sewerage. We therefore object to the building of yet another such system with potentially the same problems. We did warn of these environmental hazards when objecting to M/2007/0494, but this was ignored. Please do not ignore it again this time.
4. Sarnau is not suitable for further development. It has no amenities, no mains sewerage and no gas. There are no shops and no public transport. The nearest village store is in Llandrinio – a distance of some 4 miles, and the nearest bus is from Ardleen – a distance of some 2 miles. There will therefore be an increase in traffic on our narrow country lanes which would have a detrimental effect on safety.
5. We feel that the addition of these 3 dwellings would detrimentally alter the character of this quiet hamlet.
6. Considered that the site is located within a flooding area
7. Poor access as the site is close to a junction which is bad for visibility. There is also a collection point for school busses and cars are parked everywhere as there is no safe area for the children to wait. The road is very busy and is mostly a narrow single track with few passing places.
8. The land has the potential to impact biodiversity/ecology and is not intensively grazed as stated by the applicant.

Following the display of an amended site notice on the 26/01/2018 for the period of 21 days no additional public representations were received.

### **Principal Planning Constraints**

Public Right of Way 249/19/1,1

### **Principal Planning Policies**

#### National planning policy

Planning Policy Wales (Edition 9, November 2016)

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

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

Technical Advice Note 12 – Design (2016)

Technical Advice Note 18 – Transport (2007)

Technical Advice Note 20- Welsh Language 2017

Technical Advice Note 23 – Economic Development (2014)

Welsh Government Circular 016/2014: The Use of Conditions

Welsh Officer Circular 10/99: Drainage

## Local planning policies

### Unitary Development Plan (March 2010)

SP3 – Natural, Historic and Built Heritage  
SP5 – Housing Developments  
GP1 – Development Control  
GP3 – Design and Energy Conservation  
GP4 – Highway and Parking Requirements  
GP5- Welsh Language  
ENV 2 - Safeguarding the Landscape  
ENV 3 - Safeguarding Biodiversity and Natural Habitats  
HP3 - Housing Land Availability  
HP4 - Settlement Development Boundaries and Capacities  
HP5 - Residential Developments  
HP6 - Dwellings in the Open Countryside  
HP9 - Affordable Housing in Rural Settlements  
HP10 - Affordability Criteria  
T1 - Highway Improvement Schemes  
T2 - Traffic Management  
DC1 - Access by Disabled Persons  
DC11 - Non-mains Sewage Treatment  
DC13 - Surface Water Drainage  
RL4 - Outdoor Activity and Pony Trekking Centres  
RL6 - Rights of Way and Access to the Countryside

### Powys Residential Design Guide (2004)

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

## **Officer Appraisal**

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

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

### Principle of Development

National policy guidance contained within Planning Policy Wales (PPW) restricts new building outside settlement limits unless it is justified as an exception to the policy of restraint. PPW states that new house building away from established settlements should be strictly controlled. It goes on to advise that isolated new houses in the open countryside require special justification. The Council's current planning policy, Powys Unitary Development Plan 2010 (UDP), states that outside settlement development boundaries, proposals for new

residential development are only approved in exceptional circumstances, where they comply with UDP Policies HP6 (Dwellings in the Open Countryside), HP8 (Affordable Housing adjoining Settlements with Development Boundaries) or HP9 (Affordable Housing in Rural Settlements).

Given the site's location, adjacent to the settlement development boundary of Sarnau, UDP Policy HP8 would normally require 100% affordable dwellings on such a site, as an exception to normal housing policies and where there is an identified, proven need. The proposed development would result in open market residential development outside of the defined settlement boundary and would therefore be contrary to the Unitary Development Plan.

### Housing Land Supply

Planning policy (TAN1 and UDP HP3) states that the Council needs to have a five year supply of land available for housing. The Powys Joint Housing Land Availability Study (2016) concludes that there is 2.2 years of housing supply.

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

The latest Powys Joint Housing Land Availability Study (JHLAS) 2016 states that there was 2.2 years supply of housing land in the Powys Local Planning Authority (LPA) area. The Powys Joint Housing Land Availability Study (JHLAS) 2017 states that there was 0 years supply of housing land in the Powys Local Planning Authority (LPA) area. Failure to have a 5-year housing land supply is an important material consideration that should be taken into account when determining this scheme. Technical Advice Note 1: Joint Housing Land Availability Studies (2015) states as follows:

*"The housing land supply should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement or where the local planning authority has been unable to undertake a study, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies"*.

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

### Sustainability

In considering a departure from the Powys Unitary Development plan policies consideration must be given to the location of the proposed development in terms of the sustainability of the development. Account should be given to the range of services and facilities available within close proximity to the site.

PPW requires that development be sustainable and that adverse impacts do not outweigh the benefits. Furthermore PPW, it states that, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and new isolated homes in the countryside should be avoided, unless special circumstances apply in compliance with provisions of TAN6.

Sarnau is classified as a small village within the Powys Unitary Development Plan. Within the Local Development plan Sarnau is no longer identified as a Small Village and is considered to be a rural settlement. Sarnau is served by a limited number of community services such as a chapel. However, Sarnau is located approximately 1.9 kilometres from the large village known as Arddleen which has a number of services as a primary school, public house, and a bus service. The key settlement of Four Crosses is approximately 3.9 Kilometres from Sarnau which has a wider variety of services such as a garage, public house, primary school, veterinary surgery, doctor surgery, sports facilities and church.

Therefore, on balance Officers consider that additional residential development in this location would accord with the provisions of Planning Policy Wales as it is considered to be a sustainable location.

#### Scale, Design and Appearance

Policy GP3 of the Powys Unitary Development Plan seeks to ensure that development proposals are of an appropriate design, scale, layout and of materials that shall complement or where possible enhance the character of the surrounding area.

This application is submitted in outline with some matters reserved to be considered during the submission of the reserved matters other than access.

Whilst scale, appearance, layout and landscaping are reserved matters not to be considered as part of this application process, the applicant has provided an indicative layout for the site and stated that the dwellings proposed are to be detached dwellings with three or four bedrooms.

Public representations of objection have been submitted in relation to the proposed design of the dwelling. It is stated that two storey properties would not be in keeping with the existing dwellings and would overlook the bungalows adjacent to the site.

It is advised that the design of the proposed dwelling to be a bungalow to ensure that the building is in keeping with character of the area.

Although Officers acknowledge that matters relating to appearance, layout and scale have been reserved for future consideration, on the basis of the plans provided, it is considered that the application site is capable of accommodating a single dwelling without unacceptably adversely affecting the character and appearance of the area or amenities enjoyed by occupants of neighbouring properties compliant with UDP policies SP5, GP1, GP3, ENV2 and HP5.

#### Amenity

Policy GP1 of the Powys Unitary Development Plan states that the amenities enjoyed by the occupants of nearby neighbouring properties should not be unacceptably affected by development proposals and the proposal should complement and where possible enhance the character of the surrounding area.

Public representations of objection have been submitted in relation to the impact the development of four dwellings would have on the adjacent dwellings known as Llwyn Derw, Ty Newydd, Ty Breiz and Holly Bush. The development has now been reduced to a single dwelling located opposite the dwelling known as Llwyn Derw and adjacent to Dyfnant.

The site layout is a reserved matter and not to be determined at this stage; however, the indicative site layout plan indicates that the dwelling will be located adjacent to the dwelling known as Dyfnant and opposite the dwelling known as Llwyn Derw. Consideration should be given to the light and privacy afforded to the dwelling known as Dyfnant at reserved matters. It is considered that there can be sufficient distance between the dwellings and the proposed dwelling as to not have a significant adverse impact upon the amenities enjoyed by the occupants of this neighbouring property. It is considered that due to the distance between Llwyn Derw and the proposed dwelling that the proposal should not impact the light and privacy afforded to Llwyn Derw. It is considered that the dwelling can be located offset from the Dwelling known as Llwyn Derw. Consideration will need to be given for the location of the dwelling in relation to those of the neighbouring development site.

This layout is for indicative purposes only and the layout of the site could be altered at any reserved matters application stage. The indicative layout is considered to be appropriate and would comply with policy GP1 and GP3 of the Powys Unitary Development Plan 2010.

#### Landscape and Visual Impact

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

Whilst the site would be visible from public vantage points including the public highway and right of way the proposal would result in a visual change in comparison to the current agricultural use. Taking into account the location adjacent to the proposed development, landscaping measures would reduce the visual impact and that the proposed scale of the dwelling, it is considered that a satisfactory detailed design could come forward to reflect the overall character and appearance of the settlement and surrounding area.

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

#### Highways Safety and Movement

UDP policy GP4 indicates that planning permission will be dependent upon adequate provision for access including visibility, turning and parking.

Public representations of objection were received in relation to poor visibility from the proposed site and that the road is busy which causes further issues..



The Highway Authority have been consulted on this application and have raised no objections to the development subject to the suggested conditions listed above regarding entrance gates, parking provision and access construction methods and materials. The highways department have raised no concerns in relation to the lack of a footpath on the lane.

In light of the highways officers comments it is considered that the proposed dwellings fundamentally comply with Policy GP4 of the Powys Unitary Development Plan 2010.

### Ecology and Biodiversity

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

Public representations of objection were received in relation to the potential to impact biodiversity/ecology.

The Ecologist has been consulted and notes that there has been 4 identified records of protected and priority species within 500 metres of the proposed development site, but there are no records for the site itself. They also note that the proposed development appears to be an area of poor semi-improved grassland which is considered a habitat of low ecological value. However, it is noted that the northern boundary hedgerow is considered to be of moderate ecological value.

The Ecologist had raised no concerns with regards to the proposal, but has requested that consideration be given to the translocation of the hedgerow rather than its complete removal. The Ecologist has therefore requested that a number of conditions are attached to any grant of planning permission.

It is considered that, in light of the Ecologist's comments and subject to the inclusion of the suggested conditions on lighting the proposed development fundamentally complies with policies ENV7 of the Powys Unitary Development Plan (2010) and Technical Advice Note (TAN) 5 Nature Conservation and Planning (2009).

### Public Right of Way

PCC Rights of Way states that the right of way must remain open and available for safe unimpeded public use at all times, both during development and following completion. It must not be obstructed by any works or structure. A suitable width for the footpath must be accommodated and not impinged upon.

Given that the applicant has acknowledged the existence of the public footpath and has incorporated it into the development on a diverted line, it is not considered that the proposal would have an unacceptable adverse effect upon the environmental setting of established tourist attractions in accordance with UDP Policy TR2.

## Land Drainage

UDP policy DC11 indicates that where it is not feasible for development proposals to connect to the public foul sewerage system, permission will be granted for the provision and use of private sewage treatment plants, septic tanks and bio-systems so long as they comply with the specified requirements. The proposal seeks foul drainage to be disposed of via a package treatment plant which will discharge into a water course.

Environmental Health has no objection in relation to the proposal. An objection was received which raised concerns regarding the drainage proposals, this was forwarded onto Environmental Health, however their comments of no objection remains but advised to seek comments from NRW.

Public representations of objection had been submitted raising concerns in relation to the suitability of brook in which the applicant wished to discharge into as that brook often dries up during the summer. Issues have occurred in Sarnau previously in relation to drainage and wish to ensure that this would not occur again.

NRW have reviewed the proposal and stated that the nearby stream would not be suitable and advised for an amended scheme to be submitted. Following the submission of additional information and revised scheme to discharge into a larger water course NRW did not object, however, stated that no details were provided regarding the pipe and the potential for it to become exposed. If it were to be exposed NRW requested information to identify what protection would be given to that section to reduce the risk of damage, that is more likely to occur when not underground.

Further details identifying the protection that would be given to the pipework to reduce the risk of damage were provided to rectify the matters raised by NRW. It is considered that these matters are to be considered by building regulations application and additionally the applicant will be required to apply for a licence from NRW to be able to discharge into the water course.

It is considered that, in light of the NRW comments the proposed development fundamentally complies with policy DC11 of the Powys Unitary Development Plan (2010).

## 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 indicates certain settlements where the Welsh Language has been identified as being important to the social, cultural and community fabric. Llandrinio is not identified as being one of those settlements under GP5. However, it is considered that Welsh Language is a material consideration across the County.

In the 2011 census the Llandrinio Ward reported that 12.2% of the population spoke Welsh. This is a slight decrease from the 2001 census which stated that 13.7% of the population of Llandrinio spoke Welsh. The development of a two dwelling in this settlement is not considered to have a detrimental impact on the cultural or linguistic vitality of the area.

### Loss of agricultural land

Following consideration of information supplied by Welsh Government through the Provision of Agricultural Land Classification due regard has been given to the classification afforded to the application site. The site in question has been split as category 3b agricultural land; this is defined as good/moderate quality agricultural land.

Planning Policy Wales (PPW) paragraph 4.10 outlines national policy towards conserving Wales' Best and Most Versatile (BMV) agricultural land. PPW states that;

“In the case of agricultural land, land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future. In development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.”

In light of the lands classification of category 3b and taking into consideration the current housing land supply it is considered in this instance and taking into consideration the plot of land proposed that the proposed development on this agricultural land is justified in respect of the current housing land supply shortage within the county.

### Public Representations

Public representations of objection have been raised in relation to the proposed development. Many of the concerns raised have been discussed above; however those not referred to above will be discussed below;

#### *1. Character of Sarnau*

Concerns have been raised in relation to the impact the proposal of 3 dwellings will have on the character of Sarnau.

As the proposal has been amended to a single dwelling it is considered that this would not impact the character of the area.

#### *2. Flooding*

Concerns were raised in relation to the site being located within a flooding area and the development would impact this further.

The site is not identified as being located within a flood zone area and having consulted NRW they have raised no concerns in relation to flooding.

## **Other Legislative Considerations**

### Crime and Disorder Act 1998

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

### Equality Act 2010

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

Having due regard to advancing equality involves:

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

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

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

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

## **RECOMMENDATION**

Whilst the proposal is a departure from the development plan, the Council's current lack of housing land supply carries significant weight in favour of this development and given that the proposal would otherwise comply with development plan and national planning policies, the recommendation is one of conditional consent.

## **Conditions**

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out in accordance with the plans stamped as approved on xxx in so far as the extent of the application site is drawn and the access point onto the C2034 highway (drawing no: RPP/TW-JOB25-03 Rev B).
5. Prior to any other works commencing on the development site, detailed engineering drawings for a widening along the Class III C2034 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.
6. Prior to any works commencing on the development site, all Highway Improvements, referred to above, 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.
7. Prior to the occupation of any dwelling any entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
8. The gradient of the accesses 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.
9. The centre line of the first 5.5 metres of the access roads measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.
10. Prior to the commencement of the development the accesses 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.

11. Prior to the commencement of the development the area of the accesses to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 5.5 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
12. Prior to the occupation of the 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 together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
13. Prior to the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This 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.
14. The width of the access carriageway located at Plot 1, constructed as Condition 11 above, shall be not less than 3 metres for a minimum distance of 5.5 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.
15. Prior to the occupation of any dwelling the area of the accesses to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence,
16. All surface water run-off is to be collected and discharged via a piped system located within the site. This system shall be retained and maintained for as long as the development remains in existence.
17. Upon formation of the visibility splays as detailed in condition 10 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.
18. No storm water drainage from the site shall be allowed to discharge onto the county highway.
19. Prior to the first installation of any external lighting 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.

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

### **Reasons**

1. To enable the Local Planning Authority to exercise proper control over the development in accordance with Section 92 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
4. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
5. 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.
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16. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
17. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
18. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4
19. 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 the Environment (Wales) Act 2016.
20. 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 the Environment (Wales) Act 2016.

## **Informative Notes**

### Building Control

Building Regulations application may be required.

### Wales and West Utilities

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

### Rights of Way

The right of way must remain open and available for safe unimpeded public use at all times, both during development and following completion. It must not be obstructed by any works or structure. A suitable width for the footpath must be accommodated and not impinged upon.

### Biodiversity

Birds - Wildlife and Countryside Act 1981 (as amended)

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

- 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 of such a bird.



The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

### NRW

The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site. The permitting process is a separate process to planning, and the applicants are advised the granting of planning permission does not guarantee that a permit will be granted.

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