

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

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

**Applicant:** Carol Gittins

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

**Proposal:** Residential development of 32 units and associated works

**Application Type:** Full Application

### Reason for Committee determination

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

### Consultee Responses

#### Consultee

#### Received

Community Council

6th Apr 2022

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

PCC-Building Control

17th Mar 2022

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

Hafren Dyfrdwy

29th Mar 2022

With Reference to the above planning application the company's observations regarding

sewerage are as follows.

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

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

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

PCC-(M) Highways

18<sup>th</sup> May 2022

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

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

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

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

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

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

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

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

1. Notwithstanding the submitted details on drawing numbers 01 Rev C, 02 Rev A, C\_PL\_01 Rev P1, C\_PL\_02 Rev P1 & C\_PL\_03 Rev P1 the Highway Authority wish the following conditions to be applied to any consent given.
2. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
3. Before any other development is commenced the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material (MOT Type 1), 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
4. Prior to the occupation of any of the dwellings hereby approved, provision shall be made within the corresponding plot for the parking and turning of vehicles as detailed on the approved site plan C\_PL\_03 Rev P1. The parking areas and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
5. Prior to the first occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in.
6. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first

10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

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

### **Advisory Notes**

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

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

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

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

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

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

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

[street.works@powys.gov.uk](mailto:street.works@powys.gov.uk)

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

0845 6027035

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

Policy background:

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

DM2 - The Natural Environment

DM4 - Landscape

DM7 - Dark Skies and External Lighting

DM14 - Air Quality Management

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

Legislative background:

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

Statutory sites within 1km:

- o None

Non-statutory sites within 1km:

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

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

Comments:

The application is informed by the following information:

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

Survey. Jon Sloan Ecological Consultants

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

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

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

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

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

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

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

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

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

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

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

Biodiversity enhancement:

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

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

Conditions:

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

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

3. The development shall be undertaken in strict accordance with the Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference - ArbTS\_946.4\_Robert Owen House, by ArbTS Ltd, dated 11th February 2022. The measures identified shall be adhered to and implemented in full.

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

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

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

Informatives:

The following advice for the applicant is also considered appropriate

Birds - Wildlife and Countryside Act 1981 (as amended)

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

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

o intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young on such a bird.

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

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

PCC Ecologist

23<sup>rd</sup> May 2022

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

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

Environmental Health

23<sup>rd</sup> Mar 2022

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

## Condition A

### Condition 1. Site Characterisation

No development shall take place until:

Formulation of an initial conceptual model

A preliminary risk assessment

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

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

### Condition 2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 2 has been received from the local planning authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

Condition 3. Implementation of Approved Remediation Scheme The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

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

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority. The verification report contents must be agreed with the local planning authority before commencement of the remediation scheme. All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

Environmental Protection

23rd Mar 2022

Construction-phase noise control

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

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

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

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

- o At no time on Sundays and Bank Holidays

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

Natural Resources Wales (Mid Wales)  
DPAS

22nd Mar 2022

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

#### Protected Species

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

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

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

A licence may only be authorised if:

- i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- ii. There is no satisfactory alternative and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that

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

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

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

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

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

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/permits-and-permissions/species-licensing/when-you-needto-apply-for-a-protected-species-licence/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and

Species Regulations (2017) authorizing the specified activity/development to go ahead, or Natural Resources Wales has informed the applicant in writing that such a licence is not required.

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

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

## Foul Drainage

The application form confirms the proposal intends to be connected to the mains sewer network. A connection must be discussed with the local sewerage Authority.

## Other Matters

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

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

PCC-(N) Land Drainage

28th Apr 2022

Thanks for the opportunity to comment on this application. Having considered the information which has been submitted, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations.

Lead Local Flood Authority

Comment: The Authority holds no historical flooding information relating to this site.

However, from the surface water flood mapping in our possession, there is a risk of surface water flooding to the site. This flood risk information can be seen on NRW's flood risk mapping webpage, in particular, flooding from surface water, where it shows an area with a low chance of flooding from surface water. Development should not be permitted within an area at risk from flooding unless it can be demonstrated that the consequences of any flooding would be acceptable for the development proposed and that it would not give rise to any unacceptable flooding impacts elsewhere.

Sustainable Drainage Approval Body

Planning Department: Could the following be added as a recommendation for the application.

All: Having assessed the Planning Application Ref 22/0422/FUL, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m<sup>2</sup> and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email [sab@powys.gov.uk](mailto:sab@powys.gov.uk)

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website

<https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

PCC Land Drainage

26<sup>th</sup> May 2022

Thanks for the opportunity to comment on this application. Having considered the revised information which has been submitted, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations.

We have reviewed the updated information in (Robert Owen House Development Site Newtown Drainage Strategy, prepared by Powys County Council). We deem it acceptable to address the surface water flooding risk set out in the earlier consultation response.

We recommend the surface water drainage design follows the principles in the Robert Owen House Development Site Newtown Drainage Strategy.

For a development of this size we would also recommend a SAB Pre-App is completed.

PCC-Affordable Housing Officer

No response received.

Mid & West Wales Fire & Rescue  
Authority

21st Mar 2022

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development

o The Fire Authority has no comment to make on access for fire appliances or water supplies.

o the Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:  
<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

#### Disability Powys

No response received.

#### PCC-Schools Service

No response received.

#### PCC-Outdoor Leisure & Recreation (North)

17th Mar 2022

Powys County Councils Countryside & Outdoor Recreation Services (C&ODR) preferred situation would be for any developer to provide, manage and maintain their own fixed play facilities, either organised by themselves or through a resident's organisation, or potentially by working with the local town or community council.

Powys County Councils, Countryside & Outdoor Recreation Service will only ask for a Section 106 contribution, if the proposed developer should/will not provide suitable play

provision for their residents, under the LAP, NEAP & LEAP planning arrangements included in the Six Acre Standard as set out by the Fields in Trust.

To reiterate, if the developer decided not to provide adequate play space on their land, and if Powys County Council does have a play facility with fixed play equipment within a short distance (TBC), then the Countryside & Outdoor Recreation Service would seek a monetary package to upgrade the Services nearest existing playing field or playground.

I would suggest on this occasion because PCC has not got a play facilities in the area, if any 106 contributions for play is available, then the offer should go to Open Newtown & Newtown Town Council, who own and maintain the nearest public play facilities.

Cadw - Planning

No response received.

## Representations

Following the display of a site notice on 24<sup>th</sup> March 2022 and publicity in the local press on 1<sup>st</sup> April 2022, no public representations have been received.

## Planning History

App Ref	Description	Decision	Date
20/1201/DEM	Application for prior notification of proposed demolition	Permitted Development	28th Aug 2020
M/2001/0372	Erection of an extension	Conditional consent	5 <sup>th</sup> June 2001
M/2001/0554	Outline application for erection of an extension to provide a learning disabilities unit	Conditional consent	5 <sup>th</sup> Aug 2001
M/2001/1050	Change of use of part of building from residential home to office accommodation.	Conditional consent	5 <sup>th</sup> Mar 2002

## Principal Planning Constraints

LDP Development Boundaries

Newtown/ Y Drenewydd

### Principal Planning Policies

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
NATPLA	Future Wales - The National Plan 2040		National Policy
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
TAN2	Planning and Affordable Housing		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN15	Development and Flood Risk		National Policy
TAN16	Sport, Recreation and Open Space		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy
TAN24	The Historic Environment		National Policy
SP1	Housing Growth		Local Development Plan 2011-2026
SP3	Affordable Housing Target		Local Development Plan 2011-2026
SP5	Settlement Hierarchy		Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement		Local Development Plan 2011-2026

## Hierarchy

SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H3	Housing Delivery	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
H5	Affordable Housing Contributions	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM3	Public Open Space	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
DM15	Waste Within	Local Development

	Developments	Plan 2011-2026
SPGAH	Affordable Housing SPG (2018)	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
SPGHE	Historic Environment SPG (2021)	Local Development Plan 2011-2026
SPGNPP	The Newtown & Llanllwchaiarn Place Plan SPG (2021)	Local Development Plan 2011-2026
SPGRES	Residential Design Guide SPG (2020)	Local Development Plan 2011-2026
SPGARC	Archaeology SPG (2021)	Local Development Plan 2011-2026

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

### **Officer Appraisal**

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

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

#### Site location and description

The site is a rectangular parcel of land located approximately 675m to the south-west of Newtown town centre and is sited to the north-east of residential dwellings at Llyn Dulas and south of Trehafren Amenity Land (playing fields and public open space) and the River Severn. The site slopes quite steeply towards the playing fields and river with a level difference of 6m at the steepest point and a further 3m between the northern boundary and the level of the playing field. According to the submission, the building which previously occupied the site, Robert Owen House was demolished in April 2021 and as such the site currently consists of hardstanding and grassed areas enclosed by wooden fencing. It is understood that Robert Owen House was occupied by Supported Housing Accommodation (Powys County Council), and offices for the Council.

It is proposed to construct 32no. one-bed residential apartments, consisting of two storey, ground and first floor apartments in two linear blocks along the north-eastern and south-western boundaries with the internal access road dividing the buildings. Covered external steps providing access to the first-floor apartments would be located between semi-detached buildings. Refuse collection/drying areas are proposed within the site together with retaining walls in the southern part of the site, three bike stores in the centre of the site and landscaped areas around the site including a bench. Access would be gained via the existing means of access which is proposed to be altered/improved off the U4231 highway at Trehafren roundabout.

### Principle

LDP Policy H1 states “*to ensure that housing development is appropriately located and suitable in scale and type to meet Strategic Policies SP1, SP3, SP5 and SP6, housing development proposals will only be permitted:*

1. *In Towns and Large Villages:*
  - i. *On sites allocated for housing or on other suitable sites within the development boundary; or*
  - ii. *On sites forming logical extensions outside development boundaries for affordable housing in accordance with Policy H6”.*

The site is not allocated for housing development; however it is a brownfield site (previously developed land) in a sustainable location within the settlement boundary of Newtown. As such it is a suitable site within the development boundary which complies with Criterion i of Part 1 of LDP Policy H1 and the principle of residential development is acceptable, subject to consideration of the other material planning issues.

### Housing density

LDP Policy H4 requires that all housing development proposals seek to make the most sustainable and efficient use of land. The density for any proposed housing development in towns should be 27+ units per hectare. The application site measures approximately 0.46ha with a density of approximately 70 units per hectare. Therefore,

the development accords with the housing density guide range for towns contained within LDP Policy H4.

### Housing types

LDP Policy H3 seeks to achieve an appropriate range and mix of housing types to meet local needs, as identified in evidence such as the Local Housing Market Assessment, in particular the needs of the county's ageing population and decreasing household size, affordable housing and specialist housing needs.

It is proposed to construct 32 no. 1 bedroom residential apartments. The submission states that as of 21st July 2021, there were 317 applicants on Powys Common Housing Register requiring a 1-bed property in Newtown. This was significantly the greatest requirement within the area and as such it is considered that this evidence demonstrates, along with the general needs of the County and the contents of the Newtown Place Plan, that the development would provide for the delivery of one-bed affordable apartments in compliance with LDP Policy H3.

### Affordable housing contribution

Whilst the submission indicates that the development would be a 100% affordable housing scheme, LDP Policy H5 requires that housing development proposals are required to make contributions towards affordable housing and within the Severn Valley sub-market area, the required contribution is 20%. Therefore, it is recommended that a condition is attached to require the submission of a scheme for the provision of affordable housing to include details of the numbers, type, tenure and location of the affordable units as well as timing of the construction of the affordable units in relation to the other units, the occupancy criteria and details of measures to ensure the units are affordable in perpetuity etc. Permitted development rights for the affordable units and a restriction on floor space are not required to be conditions because apartments (flats) do not benefit from permitted development rights.

### Design

Criterion 1 of LDP Policy DM13 requires that all developments to be designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing. The Residential Design SPG provides further guidance on design considerations.

The site is located at the edge of an established residential area, Trehafren but has open views towards the playing fields/public open space and River Severn to the north. Therefore, the site is visible from public vantage points including National Cycle Network 81 and public right of way 253/N26(A)/1 (Riverside Path) as well as residential properties and the U4231 and U244 highways. The nearby properties are generally two-storey in height with brick being the predominant material with some render and timber cladding evident.

The development would have a high density, partly owing to the 1-bedroom accommodation to be provided, however the density is not considered to be out of character with that of the surrounding area and appropriate areas of amenity to provide passive, informal recreation for the future residents has been incorporated.

The two-storey height of the proposed buildings is considered acceptable with reference to the surrounding residential properties and the proposed use of mixed brick types for the walls under slated roofs with powder coated aluminium fascia and black powder aluminium windows is also considered acceptable in the context of the surrounding properties.

Bike stores (modular type shelter) and bin stores (fenced 'compound' areas) are also proposed, and the development seeks to retain or mitigate as much of the high-quality trees along its perimeter which will also assist with integration into the area. The Arboricultural Assessment which accompanies the application identifies several trees to be removed to accommodate the development or for poor health. No high-quality trees are identified on site; most trees affected by the proposal are categorised as being of low or poor quality. The loss of one individual tree (an ornamental species) and a group of low-quality trees is identified as having some impact to the amenity value of the site. The report recommends that compensatory planting is undertaken to mitigate the amenity impact. A Method Statement and Tree Protection Plan have been provided to demonstrate that the development can be undertaken without adverse impact to retained trees and hedgerows. A Landscaping Masterplan also accompanies the submission and identifies that compensatory trees and shrubs will be planted across the site. Taking into account the contents of these reports, it is considered that appropriate mitigation for loss of the identified trees is proposed, and additional landscaping measures would provide benefits in terms of integration into the area. As such, it is recommended that adherence to the relevant reports is secured through conditions.

Overall subject to the use of the recommended conditions, it is considered that the design is appropriate within the context of the qualities and amenity of the surrounding area, local infrastructure and resources and has been designed to complement the character of the surrounding area in accordance with LDP Policy DM13 and the Residential Design SPG.

### Public open space

In terms of public open space, LDP Policy DM3 states:

*Development proposals either partially or wholly located on existing Open Space will only be permitted where it can be demonstrated that:*

- 1. There is an excess of such provision in the area; and*
- 2. There is no longer a requirement for that type of open space in the area; and*
- 3. The site would not be suitable to provide an alternative type of Open Space for*

*which there is a shortfall; or*

*4. It can be demonstrated that alternative provision can be made available that is of enhanced or equivalent community benefit in terms of its size, characteristics, location and accessibility.*

*Provision for new Open Space will, subject to viability, be sought from all housing developments of 10 or more dwellings. The type and nature of the provision will be determined by the deficiencies identified in the Open Space Assessment for the locality and, depending on the individual circumstances, may be provided on or off site.*

It is noted that part of the application site has been identified as being located on an area of Public Open Space; Trehafren Fields. However, upon inspection of the application site boundary and the identified public open space, it is clarified that the development does not encroach onto the identified public open space and therefore does not conflict with LDP Policy DM3.

Given that the development proposes more than ten dwellings, LDP Policy DM3 requires consideration of the provision of open space. The Council's Countryside and Outdoor Recreation Services department have advised that their preferred situation would be for developers to provide, manage and maintain their own fixed play facilities, either organised by themselves or through a resident's organisation, or potentially by working with the local town or community council. It has also been advised that if the developer decided not to provide adequate play space on their land, and if Powys County Council does have a play facility with fixed play equipment within a short distance, then the Countryside and Outdoor Recreation Service would seek a monetary package to upgrade the Services nearest existing playing field or playground. The Countryside and Outdoor Recreation have advised that the Council does not have play facilities around the site, and if any section 106 contribution for play is available, then the offer should go to Open Newtown & Newtown Town Council, who own and maintain the nearest public play facilities.

The recently upgraded equipped play area at Afon House and Newtown Skateboard Park are within the 600m accessibility buffer zone identified within the Council's Open Space Assessment (2018) In addition, there are nine outdoor sports pitches identified within the 1.2km accessibility buffer zone. In addition, as noted above the site is located adjacent to an area of amenity greenspace, known as Trehafren Amenity Land. The equipped play area at Afon House within the accessibility buffer has recently been upgraded and it is understood that funds for the upgrade etc have been sourced from grant/lottery funding. Therefore, it is considered that the requirement for monies to support that play area would not meet the tests set out in Welsh Office Circular 13/97. Furthermore, the Town Council has not raised any queries in respect of contributions towards recreational and/or play areas. Consideration has been given to enhancement of the more informal open spaces where the accessibility buffer is overlapping the application site i.e. through the provision of benches and signage as they are also likely to be used by the residents. It is noted that Newtown has an over-provision of informal

open space (74.84ha compared to a target of 21.88ha) with 96% of the population being within an accessibility buffer for informal open space, based on the 2018 Open Space Assessment and as such it is not considered that enhancement of the open spaces is a reasonable requirement. However, to provide some further amenity enhancement for the future residents, it has been agreed that a bench should be placed within the development.

Taking into account the requirements of LDP Policy DM3 and the Open Space Assessment together with the comments received from the Countryside and Outdoor Recreation Department and the Town Council, it is considered that it is not reasonable to require contributions to existing public open space where no deficiencies have been identified relating to the accessibility buffer zones set out within the Open Space Assessment. However, the provision of a bench as part of the development would provide some form of recreational enhancement for the future residents in accordance with LDP Policy DM13 and its siting should be conditioned accordingly.

### Amenity

Criterion 11 of LDP Policy DM13 requires that the amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter. The Residential Design Guide SPG provides further guidance on amenity.

The application site boundary is within 10m of the front elevations of the existing properties to the south and the rear elevations of the proposed dwellings would face the front/side elevations of the neighbouring dwellings. Whilst the development would not meet the advised 21m distance between directly facing windows on rear/front elevations set out within the Residential Design SPG the development is proposed on largely the same footprint as the previous building and will be constructed on a lower plateau to the existing properties, thereby mitigating the impact of any direct overlooking. A cross section has been submitted which demonstrates that the 25 degrees rule in terms of overshadowing will be complied with.

The Council's Environmental Protection team have not objected to the development but have requested that a condition is attached to control construction-phase noise.

Overall, in consideration of the topography of the land and the submitted cross section, it is concluded that subject to the use of the condition recommended by Environmental Protection, the amenities enjoyed by the occupants or users of nearby or proposed properties will not be unacceptably affected by the development in accordance with Criterion 11 of LDP Policy DM13.

### Historic environment

LDP Policy SP7 – Safeguarding of Strategic Resources and Assets, seeks to safeguard

historic assets from unacceptable development so as to protect them for the future well-being of the county. This policy echoes the objectives of Planning Policy Wales and Technical Advice Note 24.

### Setting of Scheduled Monument

There is a policy presumption in favour of safeguarding Scheduled Ancient Monuments and their settings. Scheduled Monument MG160 Newtown Hall Castle Mound is located approximately 435m to the north-east of the application site across Ysgol Calon y Dderwen grounds.

Cadw have not offered comments on the application. However it is noted that the monument comprises the remains of a motte and ditch, dating to the medieval period (c. 1066 -1540 AD). A motte is a large conical or pyramidal mound of soil and/or stone, usually surrounded by either a wet or dry ditch, and surmounted by a tower constructed of timber or stone. The monument is of national importance for its potential to enhance our knowledge of medieval defensive practices. The monument is well-preserved and an important relic of the medieval landscape. It retains significant archaeological potential, with a strong probability of the presence of both structural evidence and intact associated deposits.

Given the intervening built form and the distance between the development and the ancient monument, it is considered that the development would not unacceptably adversely affect the setting of the identified scheduled monument in accordance with LDP Policy SP7.

### Natural Environment

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

The submission includes ecological and arboricultural assessments. The bat survey conducted to inform the demolition of the previous building on site recommends the installation of 6no. bat boxes on trees and the European Protected Species (EPS) licence method statement included additional roost features for crevice-dwelling bats within the proposed new dwellings to ensure long-term compensation for loss of the roosts and to provide additional enhancement. The Council's Ecologist has advised that the building was demolished in 2021 under a European Protected Species licence and during the officer's site visit it was noted that the building has indeed been demolished. As such the comments received from Natural Resources Wales are not relevant now. The Council's Ecologist has advised that the submitted plans specify acceptable permanent compensation and enhancement measures to be installed on each building,

which accords with the EPS licence method statement. Therefore, in accordance with the Ecologist's advice, it is recommended that adherence to the plans is secured by condition.

An ecological assessment of the remainder of the site identified immature woodland, hedgerows, amenity grassland and shrubs. Precautionary measures are recommended to avoid impact to nesting birds and small mammals during construction. A wildlife sensitive external lighting scheme is recommended to avoid impact to roosting, commuting or foraging bats. Montbretia (a Schedule 9 non-native invasive species) was confirmed from two locations. An Invasive Species Method Statement is provided to enable eradication of the plant from the site and avoid the risk of further spread during construction. Based on the Ecologist's advice, it is recommended that adherence to the identified mitigation measures for birds, mammals and invasive species is secured through an appropriately worded planning condition.

The Arboricultural Assessment identifies trees to be removed to accommodate the development or for poor health. It is recommended that compensatory planting is undertaken to mitigate the amenity impact. A Method Statement and Tree Protection Plan have been provided to demonstrate that the development can be undertaken without adverse impact to retained trees and hedgerows. Based on the advice from the Ecologist, it is recommended that adherence to the Arboricultural Method Statement and Tree Protection Plan is secured through an appropriately worded planning condition.

A Landscaping Masterplan and Planting Plan identify compensatory trees and shrubs will be planted across the site. Based on the Ecologist's advice, it is recommended that adherence to the details of the planting plan is secured through condition.

In terms of biodiversity enhancement, in addition to enhancement measures for bats, the Landscape Masterplan identifies that 10no. boxes for nesting birds will be installed on suitable locations on the buildings. The planting of native trees, shrubs and flowers across the site will also provide enhancement. All of the measures are welcome and considered appropriate to the development and as such it is recommended that they are conditioned accordingly.

Overall, based on the comments received from the Council's Ecologist and Natural Resources Wales, subject to the use of conditions, it is considered that the submission has adequately demonstrated how the development will protect, positively manage and enhance biodiversity interests in accordance with LDP Policy DM2.

### Highways

LDP Policy DM13 confirms that applications must demonstrate that the development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon. In accordance with LDP policies

DM13 and T1, development proposals are expected to meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

Access to the site is currently gained off the U4231 highway and it is proposed to alter/improve the existing means of access. The Highway Authority have advised that the submission demonstrates that sufficient on-site parking is available (32 no. parking spaces) and compared with the previous use, the development would provide betterment in terms of highway safety. The Highway Authority has supported the development, subject to the use of conditions.

Therefore, based on the Highway Authority's comments, subject to the use of the recommended conditions, it is considered that the development complies with LDP Policies DM13 and T1 in respect of highway access and safety.

#### Contaminated land

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

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

The Council's Contaminated Land Officer has advised that the site is identified as containing asbestos materials in the submitted Geotechnical desk study. Whilst the building has already been demolished, it is understood that there is still the possibility that asbestos materials may also be found on or underground. As such, the Contaminated Land Officer has recommended conditions to assess and remediate the site. Based on the Contaminated Land Officer advice, it is considered necessary to attach the recommended conditions in accordance with LDP Policy DM10.

#### Surface water drainage

LDP Policy DM6 states that development proposals must avoid unnecessary flood risk by assessing the implications of development within areas susceptible to all types of flooding; any development that unacceptably increases risk will be refused. The policy also states that satisfactory provision shall be made for land drainage in all developments and this should include consideration of the use of Sustainable Drainage Systems (SuDS).

The Council's Lead Local Flood Authority have advised that the Authority holds no

historical flooding information relating to this site. However, from the surface water flood mapping in their possession, they have advised that there is a risk of surface water flooding to the site. This flood risk information can be seen on NRW's flood risk mapping webpage, in particular, flooding from surface water, where it shows an area within the centre of the site with a low chance of flooding from surface water. Hafren Dyfrdwy have recommended that details of surface water drainage are submitted to and approved by condition.

A drainage strategy has been submitted which has been reviewed by the Land Drainage department who have advised that the strategy is acceptable to address the surface water flooding risk set out in the initial consultation response. As such, it is considered that the development complies with LDP Policy DM6. In addition, given that the construction area will be greater than 100m<sup>2</sup>, approval from the SuDS Approval Body (SAB) will be required which is a separate process to the planning system. Therefore, sustainable drainage solutions will be considered under that process in more detail and the informative recommended by the SAB approval body is recommended to be attached.

#### Foul drainage

Criterion 12 of LDP Policy DM13 requires that adequate utility services exist or will be provided readily and timely without unacceptable adverse effect on the surrounding environment and communities. Welsh Government Circular 008/2018 provides further guidance on planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.

It is proposed to connect to the mains sewage system which is the preferred method of foul drainage set out within Circular 008/2018. Hafren Dyfrdwy have not objected to the development but have recommended a condition to require the submission, approval and implementation of drainage plans. Given that Hafren Dyfrdwy have referred to the requirement for all sites to enter into a Section 104 sewer adoption agreement before any sewer connection can be approved and no concerns have been raised in respect of the capacity of the existing public sewage system in Newtown or in connecting from the site, it is unclear why additional information in terms of connection to the public sewage system is required or necessary. Therefore, it is not considered reasonable or necessary to require further details of the proposed connection, however it is recommended that a condition is attached to require connection prior to the occupation of the dwellings. Subject to the use of the recommended condition, it is considered that the development complies with Criterion 12 of LDP Policy DM13.

#### Waste

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

collection, composting and recycling of waste materials.

As noted above the building which previously occupied the site has been demolished and the materials removed from site. As such, a significant level of waste from the development is not expected. In terms of the provisions for recycling and waste storage, the submission indicates bin storage areas. The information accompanying the application is considered sufficient to meet the requirements of LDP Policy DM15.

### Placemaking and Wellbeing Goals

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

PPW also promotes placemaking and states the following;

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

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

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

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

- i. Growing our economy in a sustainable manner – the planning system should enable development which contributed to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services.
- ii. Making the best use of resources - The planning system has a vital role to play in making development resilient to climate change, decarbonising society and

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

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

- The development will provide a suitable type of residential accommodation for an identified need within a sustainable location within a development boundary of a town where there is access to a range of facilities and services.
- The development will provide and identified required type of residential accommodation which will assist in sustaining the community.
- The development is located close to existing transport networks.
- Impact on the environment and historic and cultural assets will be acceptable.
- The impact upon communities and local residents is considered acceptable.

### Climate Change

PPW states that the planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals. The Environment (Wales) Act 2016 sets a legal target of reducing greenhouse gas emissions in Wales by at least 80% in 2050 with interim targets set for 2020, 2030 and 2040. Welsh Government also have a legal commitment to net zero by 2050 and an ambition to achieve this sooner if possible. There are two parts to the issue of climate change within planning, these being the extent a development contributes towards the generation greenhouse gasses and the extent a development has considered and adopted means to make the operation resilient to the effects of climate change.

Whilst it is accepted that that the proposal is likely to make some contribution to

greenhouse gas emissions during construction and use, as do many operations and developments, however, this does not in itself mean that it is unacceptable and does not provide a full picture of the issue. As it currently stands there are no specific planning policy requirements that dictate a certain amount of greenhouse gas generation from a development would be unacceptable and neither does it state that residential development should not be supported for this reason. Rather, by making determinations in line with the development plan, it can be reconciled that the development is acceptable in planning terms.

### Conclusion

The development is considered to make an efficient use of land in terms of density and is located on previously developed land within a sustainable location within the development boundary of Newtown. The development will provide a housing type which is identified by evidence as needed in the locality and affordable housing can be secured as part of the development. The design is considered appropriate to its context and all other material planning issues have been addressed or can be addressed via the use of conditions. In addition, the development is considered to meet key principles of the Newtown Place Plan for residential development. Therefore, based on the above discussion, the development is considered to comply with local and national planning policy and guidance and the recommendation is one of approval as set out below.

### **RECOMMENDATION**

Conditional consent

#### **Conditions**

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the following approved plans and documents: V047.3a.3.001 Rev. A, 01 Rev C, 02 Rev A, C\_PL\_01 Rev P1, C\_PL\_02 Rev P1, C\_PL\_03 Rev P1, V047.3a.3.200 Rev. S, V047.3a.3.200 Rev.C, V047.3a.3.201 Rev. A, V047.3a.3.202, Ecology Plan, Drawing no. V047.3a.3.203, V047.3a.3.205, V047.3a.3.210 Rev. B, V047.3a.3.211 Rev. A, V047.3a.3.212 Rev. B, V047.3a.3.213 Rev. A, V047.3a.3.214 Rev. A, V047.3a.3.215 Rev. A, V047.3a.3C\_PL\_03 Rev P1, Landscape Masterplan Drawing no. 01 Rev. C, Planting Plan Drawing no. 02 Rev. A, 000\_D\_03 Rev. P5, Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN, by Churton Ecology, dated 23/08/ 2020, Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference – ArbTS\_946.4\_Robert Owen House, by ArbTS Ltd, dated 11th February 2022
3. Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has

been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

4. No development shall take place until:
  - Formulation of an initial conceptual model
  - A preliminary risk assessment

If the preliminary risk assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a suitably qualified competent person. No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins. The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

5. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 5 has been received from the local planning authority. All work and submissions carried out for the

purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

6. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority. The verification report contents must be agreed with the local planning authority before commencement of the remediation scheme.
7. Prior to commencement of development, an External Lighting Design Scheme to avoid and reduce potential impacts on nocturnal wildlife shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consider all external lighting fitted to dwellings and associated infrastructure and demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The approved scheme shall be adhered to and be implemented in full.
8. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
9. Before any other development is commenced the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material (MOT Type 1), 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway.

10. Notwithstanding the submitted details on drawing numbers 01 Rev C, 02 Rev A, C\_PL\_01 Rev P1, C\_PL\_02 Rev P1 & C\_PL\_03 Rev P1, within 10 days from the commencement of the development detailed highway engineering drawings covering the provision of a 20mph Zone, and appropriate signing, shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of construction.
11. Prior to the occupation of any of the dwellings hereby approved, provision shall be made within the corresponding plot for the parking and turning of vehicles as detailed on the approved site plan C\_PL\_03 Rev P1. The parking areas and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
12. Prior to the first occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in.
13. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
14. No dwelling hereby approved shall be occupied before the estate road carriageway and footways are constructed to binder course level to an adoptable standard including the provision of any salt bins, surface water drainage and street lighting in front of that dwelling and to the junction with the existing county highway.
15. The estate road carriageway and all footways shall be fully completed, in accordance with the details to be agreed in writing by the Local Planning Authority, upon the issuing of the Building Regulations Completion Certificate for the last house or within two years from the commencement of the development, whichever is the sooner. The agreed standard of completion shall be maintained for as long as the development remains in existence.
16. The gradient from the back of the footway/verge to the vehicle parking areas shall be constructed so as not to exceed 1 in 20 and shall be retained at this gradient for as long as the dwellings remain in existence.
17. Prior to first occupation of any dwelling on the site, a 20mph Zone shall be implemented that covers the internal estate road. (see advisory note)

18. No surface water drainage from the site shall be allowed to discharge onto the county highway.
19. The development shall be undertaken in strict accordance with the Ecology Plan, Drawing no. V047.3a.3.203 (Bat Habitat Mitigation Measures). The measures identified shall be adhered to and implemented in full.
20. The development shall be undertaken in strict accordance with the Tree Protection Plan and Arboricultural Method Statement in the Arboricultural Report, Project Reference – ArbTS\_946.4\_Robert Owen House, by ArbTS Ltd, dated 11<sup>th</sup> February 2022. The measures identified shall be adhered to and implemented in full.
21. Prior to first occupation of any dwelling the development shall be connected to the public sewerage system and the connection shall be retained in perpetuity.
22. Prior to first occupation of any dwelling, a seating bench as identified on drawing no. V047.3a.3.200 Rev. S shall be installed. The bench shall be retained and maintained in perpetuity.
23. All planting, seeding or turfing comprised in the approved details of landscaping (Landscape Masterplan Drawing no. 01 Rev. C and Planting Plan Drawing no. 02 Rev. A) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
24. The development shall be undertaken in strict accordance with Section 5 (Proposed Avoidance Measures, Mitigation and Enhancements) and Appendix 1 (Invasive Species Method Statement) of the Ecological Impact Assessment of land at Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN, by Churton Ecology, dated 23/08/ 2020. The measures identified shall be adhered to and implemented in full.
25. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:
  - o 0800-1800 hrs Monday to Friday
  - o 0800-1300 hrs Saturday
  - o At no time on Sundays and Bank Holidays

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

## **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. To make provision for affordable housing in accordance with Policies H1, H3 and H5 of the Powys Local Development Plan (Adopted 2018), Planning Policy Wales (Edition 11, 2021), Technical Advice Note (TAN) 2: Planning and Affordable Housing (2007) and Powys Local Development Plan (2011-2026) Supplementary Planning Guidance Affordable Housing Adopted October 2018.
4. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys Local Development Plan (2011-2026).
5. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys Local Development Plan (2011-2026).
6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys Local Development Plan (2011-2026).
7. To comply with Policies DM2 and DM7 of the Powys Local Development Plan (2011-2026) in relation to The Natural Environment and Dark Skies and External Lighting and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note TAN 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
8. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
9. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).

10. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
11. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
12. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
13. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
14. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
15. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
16. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
17. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
18. In the interests of highway safety in accordance with Policies T1 and DM13 of the Powys Local Development Plan (2011-2026).
19. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
20. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.
21. To ensure that the development is provided with a satisfactory means of foul drainage in accordance with Policy DM13 of the Powys Local Development Plan (2011-2026).
22. To ensure the provision of appropriate open space for residents in accordance with Policy DM3 of the Powys Local Development Plan (2011-2026).
23. To comply with Policies DM2 and DM13 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11,

February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.

24. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016.
25. To safeguard the amenities of the occupants of nearby properties in accordance with Policy DM13 of the Powys Local Development Plan (2011-2026).

## **Informatives**

### **Advisory Notes from the Highway Authority**

Where development results in (or retains the potential to) the creation of a private street (typically development in excess of 5 dwellings) Powys County Council has a statutory duty to issue and enforce an Advance Payment Code Notice (APC) under the provisions of Sections 219/220 of the Highways act 1980. The Notice requires the applicant to secure a sum or bond with the local highway authority that covers the estimated costs of the identified street works. Applicants/developers may choose to discharge their private street works obligations by entering into a formal road adoption agreement with the local highway authority under Section 38 of the Highways Act 1980. Further information relating to the APC procedure and Section 38 road adoption agreements can be found in Section E of the CSS Wales Common Standards Guide 2020.

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

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

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

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

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

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

[street.works@powys.gov.uk](mailto:street.works@powys.gov.uk)

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

0845 6027035

## **Ecology**

Birds – Wildlife and Countryside Act 1981 (as amended)

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

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young on such a bird.

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

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

## **Drainage**

Advice from Hafren Dyfrdwy

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

### **Contaminated land**

All work and submissions carried out for the purposes of the contaminated land conditions must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

### **Sustainable Drainage Approval Body**

Having assessed the Planning Application Ref 22/0422/FUL, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m<sup>2</sup> and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email [sab@powys.gov.uk](mailto:sab@powys.gov.uk)

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website <https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

It is also recommended for a development of this size that a SAB pre-app is completed.

### **Comments from Mid and West Wales Fire and Rescue Service**

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:  
<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of->

water-for-firefighting-3rd-edition-jan-2007/

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

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