



Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 22/1342/FUL

Grid Ref: E: 311619
N: 310318

Community Council: Llangyniew Community

Valid Date: 19.08.2022

Case Officer: Gwyn Humphreys

Applicant: Sheehan

Location: Fir View Tan y Fridd Caravan Park, Llangyniew, Welshpool, SY21 0LT

Proposal: Change of use of land to static caravan park, including the installation of 20 static caravans, creation of internal road layout and landscaping

Application Type: Full Application

The reason for Committee determination

The application has been called-in by the Local Member, Councillor Jonathan Wilkinson, due to concerns regarding adherence to conditions attached to a previously approved application on the site, namely 'highways visibility, landscape, visual amenity, sewage and the lack of provision for emergency evacuation' matters.

Consultee Responses

Consultee

Received

PCC-Emergency Planning Officer

21st Oct 2022

I visited the site at Tan Y Fridd Caravan Park, Llangyniew, Welshpool on Thursday 20th October 2022. Tan Y Fridd caravan Park is an established site adjacent to the A495 Llanfair Caereinion to Meifod road. The Yr Hafesb Brook runs alongside the A495, in the valley below the site and is well contained by raised banks and speaking to the manager of Tan Y Fridd has never been known to break its banks at this location in living memory. There is

no record of the Yr Hafesb Brook overflowing during the record river levels of Storm Dennis in February 2020. The existing caravan park and the proposed site, to north of the main drive, are on raised ground above the A495 with no likelihood of flooding.

In the event of flooding the most appropriate emergency plan would be to remain in the dwelling(s) to wait for the flood water to subside, as it has historically been shown to. If there is a need to evacuate during a flood, for a medical emergency, then I would recommend that this is done by 4x4 vehicle travelling west on the A495 towards to Machynlleth, then Aberystwyth.

PCC-(N) Highways

12th Sep 2022

Thank you for consulting the Highway Authority on this planning application at Fir View, Tan Y Fridd Caravan Park, Llangyniew, Welshpool SY21 0LT. The proposal seeks the Change of use of land to static caravan park, including the installation of 20 static caravans, creation of internal road layout and landscaping.

The site is accessed via an existing access road directly off A495 which serves the caravan site. The Highway Authority is content that suitable visibility splays can be constructed at this location and therefore, it is recommended that the following highway conditions be attached.

1. 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.
2. No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 215 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
3. Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

4. Before any other development is commenced the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 12 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
5. Prior to the occupation of any static caravan, provision shall be made within the curtilage of the site for the parking of not less than parking bay per bedroom together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
6. Prior to the first beneficial use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material or (a suitably bound material which is to be approved in writing by the LPA) for a distance of 12 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
7. The gradient of the access shall be constructed so as not to exceed 1 in 30 for the first 12 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
8. No surface water drainage from the site shall be allowed to discharge onto the county highway.
9. Any vehicular entrance gates installed within the application site shall be set back at least 12 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
10. Within five days from the commencement of the development the existing means of access shall be stopped up, in materials to be agreed in writing by the Local Planning Authority and this shall be retained for as long as the development is in existence.
11. Within five days from the commencement of the development any raised beds and signage within the visibility splays shall be removed in perpetuity from the area of the access visibility splays.

Advisory Notes

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

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.
 - a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.
 - b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.
2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

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

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

street.works@powys.gov.uk

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

0845 6027035

Hafren Dyfrdwy

9th Sep 2022

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

As the proposal has minimal impact on the public sewerage system I can advise we have

no objections to the proposals and do not require a drainage condition to be applied.

PCC-Ecologist

12th Sep 2022

Recommendation:

No objection – subject to planning conditions and/or planning obligations.

Policy background:

- Planning Policy Wales, Edition 11, 2021
- Technical Advice Note (TAN) 5
- Powys Local Development Plan 2011 – 2026:
 - DM2 – The Natural Environment
 - DM4 – Landscape
 - DM7 – Dark Skies and External Lighting
- Powys Supplementary Planning Guidance: Biodiversity and Geodiversity (2018)

Legislative background:

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

Statutory sites within 500m:

- Fridd Mathrafal Track Section Site of Special Scientific Interest (SSSI) – approximately 400m from development

Non-statutory sites within 500m:

- One or more Ancient Woodland (AW) sites are located within 500m of the development

Records of protected and/or priority species identified within 500m? Yes

Comments:

No ecological information has been submitted with the application; the following comments are based on review of the proposed plans and aerial images, as well as records of protected and priority species and designated sites within 500m of the proposed development.

The development appears to be located on an agriculturally improved grassland, typically of relatively low ecological value. Roadside trees and hedgerows will be retained and no further improvements to the highway access are proposed.

Careful consideration will need to be given to any external lighting of the proposed development. Measures will need to be identified to minimise impacts to nocturnal wildlife commuting or foraging in the local area. Any external lighting proposed will need to demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018).

It is, therefore, recommended that adherence to wildlife sensitive lighting measures is secured through an appropriately worded planning condition.

Biodiversity enhancement:

A Landscaping Statement, by McCartneys, dated August 2022, has been submitted with the application. The Statement confirms that 69 trees of 7 different native species will be planted across the site to provide biodiversity enhancement and amenity value. Sections of native hedgerow will also be provided between and around caravans. The biodiversity enhancement measures are very welcome and will connect ultimately with the adjacent ancient woodland area. Sufficient detail has been provided regarding planting and aftercare measures.

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

It is noted the development will utilise the existing private foul drainage system. It is not clear if this involves use of a drainage field and if so where the drainage field is located. The applicant should be advised that trees or hedgerows should not be planted where mature root spread will extend into the drainage field. If this is the case, the landscaping plan should be amended accordingly.

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 the site plan, Drawing no. KI5595 20 and the Landscaping Statement, Fir View Tan y Fridd Caravan Park, Llangyniew, Welshpool, SY21 0LT, by McCartneys, dated August 2022 . The measures identified shall be adhered to and implemented in full in the first planting season following first beneficial use of the caravans or completion of the development, whichever is sooner, and maintained thereafter.
2. No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The

external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife, including bats and otter, in accordance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's LDP Policies DM2, DM4, DM7 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 Protection

31st Aug 2022

I note in the application that it is proposing to use the existing foul drainage however i cannot find any details within the application documentation.

Due to the lack of information I cannot comment on the application at the current time and will require the specifications and plans for the foul drainage for the proposed site and the existing system that is proposed to be used.

Additional comments received 07/10/2022:

Following receipt of the additional information I have no objection to the application.

PCC-(N) Land Drainage

6th Sep 2022

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

However, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m² and therefore this proposed development will require SAB approval.

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>.

Alternatively, please contact the SAB Team on 01597 826000 or via email sab@powys.gov.uk.

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 unnecessary redesign costs.

Llangyniew Community Council

22nd Sep 2022

Llangyniew Community Council strongly object to this application.

Following the last application which was approved, there are many flaws which the Council have discussed with Powys and have still not been rectified.

This application again will have a detrimental impact on the landscape. This can be seen with the original application and the state of the site presently. Pictures attached.

The visibility splay is not suitable, even though this should have been addressed in the original application. Pictures attached.

The current provision for emergency evacuation and services to use Mathrafal wood to the rear of the site needs addressing. The area in question is not owned by the site.

The Council feel until the current application conditions are met, there should be no further development on any more of the site.

The Council support the Ward Councillor in calling this application in.

PCC-Building Control

No comments received at the time of writing this report.

Ward Councillor – Cllr Wilkinson

5th Sep 2022

I'm writing to formally request that Planning Application 22/1342/FUL be called in. I have serious concerns about this Planning Application based on the existing development taking place at Tan Y Ffridd caravan site and which I have discussed with Planning Officer Kate Bowen on a number of occasions. My concerns relate to the inability of the developers to adhere to conditions attached to that development which have yet to be satisfied. These relate to Highways visibility, landscape, visual amenity, sewage and the lack of provision for emergency evacuation.

In relation to the above, there is limited to no intervisibility between the proposal and the nearby listed assets (namely Tanhouse Bridge Cadw ID 26961 and Tan-Y-Ffridd Farm Cadw ID 26966). I therefore have no comment to make.

Thank you for your letter of 22 August inviting our comments on the information submitted for the above planning application.

Advice:

Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

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

Assessment:

- MG044 Mathrafal Castle
- MG124 Pentre Camp
- MG203 Site 300m SW of Tan-Ilan (revealed by aerial photography)
- MG231 Bryn y Saethau Hillfort
- MG232 Ffridd Mathrafal Hillfort

A Heritage Impact Statement prepared by M.G. Harris was produced for an application (20/1580/FUL) for a similar, but larger, development immediately adjacent to the current application area. Whilst it did not specifically consider development on the current application area, the information in it assists greatly in considering the impact of the proposed development on the above scheduled monuments located inside 2km of it. It demonstrates that only scheduled monument MG124 Pentre Camp will have views of the current application. In regard to the previous development proposal, it concluded that whilst elements of the development would be visible from the hillfort this would not have a significant impact on its setting. The proposed development will create an additional visual impact but, in our opinion, the cumulative visual impact of the two developments will not lead to a significant impact on the setting of scheduled monument MG124.

DPAS

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 21/08/2022.

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

Flood Risk:

The planning application proposes highly vulnerable development, a caravan park. Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the FMfP identifies the application site to be at risk of flooding and falls into Flood Zone 2 Rivers. We have no records of flooding on this site.

The proposal is for the installation of a static caravan park with associated infrastructure and is therefore classified as a new highly vulnerable land use in accordance with figure 2 of TAN 15. This is an intensification of land use vulnerability as the existing agricultural use is deemed to be less vulnerable. We note however that most of the development lies outside of the C2 designation except for the access road and some vegetation planting.

Given the nature of the proposals and their location within the flood zone designations, we have no concerns to raise on flood risk grounds. If the location of works changes, then we wish to be reconsulted.

We note that the proposals do not comply with A1.15 of TAN15 due to the flood depths associated with the existing access being in excess of the tolerable 0.6m. We do not generally comment on access and egress and we would therefore recommend that you consult with the Powys County Council, as the Lead Local Flood Authority (LLFA) on this matter. 3 The applicant may wish to develop a flood plan. Further guidance on this can be found on our website at Natural Resources Wales / Guidance for caravan and campsites owners and operators.

Foul Drainage:

The developer/applicant should ensure that the existing package treatment plant has sufficient capacity to accommodate any increase in flows from the proposed development.

The Applicant should note, it is a legal requirement to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold

preapplication discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. If the Applicant already holds an exemption / permit, they should check whether the proposed increase in flows would require a further application to be made for a new / varied permit. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs website, which provides further information.

Pollution Prevention:

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works and maintenance in or near water' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelinesppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>.

Protected Species:

We note that there is no information about protected species with the application and therefore, we are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present. NRW therefore has no comments to make on the application, as submitted with regards to protected species. Please consult us again if any survey undertaken finds that any protect species are present at the site and you require further advice from us.

Other Matters:

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

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 - Licensing

No comments received at the time of writing this report.

Representations

Following the display of a site notice on 04/10/2022, public representations have been received from four members of the public; all in objection to the proposed development. The comments received are summarised as follows:

- General dislike of proposal
- Increase in traffic
- Information missing from plans
- Out of keeping with character of area
- Over-development of the site
- Traffic/highways concerns
- Development too high
- Affects local ecology
- Conflict with local plan
- Inadequate public transport provisions
- Increase of pollution
- More open space needed on development
- Noise nuisance
- Not enough info given on application
- Concerns in relation to impact upon residential amenity
- Strain on existing community facilities
- Concerns relating to previous permission granted (20/1580/FUL)
- Development subject of application ref: 20/1580/FUL is not yet complete and looks unsightly
- Landscape and cumulative visual impact concerns
- Queries in relation to redaction of planning statement
- Concerns regarding lack of compliance with the Well Being of Future Generations (Wales) Act 2015
- There should be a limit as to the proportion of caravans to local people in the community
- The site contains no Welsh language signage
- There are no facilities for locals within the community
- No levels details submitted
- Concerns regarding impact on Welsh Language
- Development not compliant with the Welsh/local planning policy framework

- Proposal would see the loss of green space
- Several complaints have been made regarding non-compliance with conditions attached to planning permission reference: 20/1580/FUL.
- There would be no benefits for local people
- The development is unsuitable for the site given the sloping nature of the land
- The site is not served by public transport

Planning History

App Ref	Description	Decision	Date
P/2010/1369	Construction of a tennis court & crazy golf course (Retrospective)	Consent	13th Jan 2011
P/2011/1053	Section 73 application to vary condition no. 4 attached to planning permission M2547 (to vary the season opening times)	Consent S106	3rd Sep 2012
P/2011/1066	Section 73 application to vary condition no.3 attached to planning permission M2548 (to vary the season opening times)	Consent S106	3rd Jan 2012
20/1580/FUL	Change of use of land to static caravan park, including installation of 54 static caravans, improvements to existing site access, creation of internal road layout, landscaping parcels and installation of a package treatment plant. (Extension of existing caravan park)	Consent	18th Mar 2021
21/0555/DIS	Application to discharge conditions 16 and 19 from planning permission 20/1580/FUL in relation to closing up existing access and phasing scheme	Approve	10th May 2021

Principal Planning Constraints

- Open Countryside
- Two Grade II Listed Buildings – within 260 metres
- Pentre Camp Scheduled Monument – within approx. 540 metres

- Bryn y Saethau Hillfort Scheduled Monument – within approx. 650 metres
- Partially within C2 Flood Zone
- Partially within Zone 2 Flood Map for Planning [Fluvial Flooding]
- Ffridd Mathrafal Track Section SSSI – within approx. 400 metres
- Cors Cefn Llwyd SSSI – within approx. 740 metres
- Coed Tŷ-Mawr SSSI – within approx. 980 metres
- Ancient Woodland – Adjacent
- LDP Welsh Language Stronghold: Llangyniew Community
- Category 2 Sand & Gravel Minerals Safeguarding Area

Principal Planning Policies

Policy	Policy Description	Plan
NATPLA	Future Wales - The National Plan 2040	National Development Plan 2021
PPW	Planning Policy Wales (Edition 11, February 2021)	National Policy
TAN5	Nature Conservation and Planning	National Policy
TAN6	Planning for Sustainable Rural Communities	National Policy
TAN11	Noise	National Policy
TAN12	Design	National Policy
TAN13	Tourism	National Policy
TAN15	Development and Flood Risk	National Policy
TAN18	Transport	National Policy
TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP5	Settlement Hierarchy	Local Development Plan 2011-2026

SP6	Distribution of Growth across the Settlement Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM8	Minerals Safeguarding	Local Development Plan 2011-2026
DM12	Development in Welsh Speaking Strongholds	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM15	Waste within Developments	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
TD1	Tourism Development	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026

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
- Environment (Wales) Act 2016
- Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Welsh Government Circular 016/2014 – *The Use of Planning Conditions for Development Management*
- Welsh Government Circular 008/2018 - *Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants*

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 & Description of Development

The application site is located within Llangyniew Community, and within the open countryside as defined by the adopted Powys Local Development Plan (2011-2026). The site relates to an area of agricultural pastureland at Fir View Tan y Ffridd Caravan Park, and is surrounded by existing caravan sites to the east and west, by further agricultural land to the north, and by a row of mature trees and the A495 public highway to the south;

from which the site gains access via an existing access point which serves the existing caravan park.

This application seeks full planning permission for the following development:

“Change of use of land to static caravan park, including the installation of 20 static caravans, creation of internal road layout and landscaping”.

The caravan park currently comprises 228 consented static caravan units, and the proposed development would thus increase this to a total of 248 units at the site, to be used for the purposes of holiday accommodation. Each of the proposed caravan units would be of standard design and dimensions, and would measure approximately 10.7 metres in length and 3.7 metres in width. They would have gabled roofs, with a maximum height above ground-level of approximately 3.8 metres.

The proposed development would be served by the existing vehicular access from the A495 public highway, whilst new internal access roads are proposed. The development would connect to an existing private package treatment plant, which was approved as part of planning application reference 20/1580/FUL by members of the Planning Committee in 2021.

Principle of Development

At a national level, Policy 26 (Growing the Mid Wales Economy) of *Future Wales* states that *“tourism is an important sector to the Mid Wales economy. Opportunities for active, green and cultural tourism should be explored”*. Planning Policy Wales (Edition 11) adds to this and states that:

“5.5.2 The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. The planning system can also assist in enhancing the sense of place of an area which has intrinsic value and interest for tourism. In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In some places however there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors.

5.5.3 In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. In addition to more traditional forms of rural tourism, planning authorities should plan positively for active, green and cultural tourism where they are appropriate. Development should be sympathetic in nature and scale to the local environment”.

In terms of local planning policy, Policy TD1 (Tourism Development) of the Powys Local Development Plan (2011-2026) is of primary relevance, and states that development proposals for tourist accommodation, facilities and attractions, including extensions to

existing development, will be permitted as follows:

1. *“Within settlements, where commensurate in scale and size to the settlement.*
2. *In the open countryside, where compatible in terms of location, siting, design and scale and well integrated into the landscape so that it would not detract from the overall character and appearance of the area and in particular where:*
 - i. *It is part of a farm diversification scheme; or*
 - ii. *It re-uses a suitable rural building in accordance with TAN6; or*
 - iii. *It complements an existing tourist development or asset, without causing unacceptable adverse harm to the enjoyment of that development or asset;*
or
 - iv. *It is not permanent in its nature.*
3. *Accommodation shall not be used for permanent residential accommodation”.*

The application site is located within the open countryside, and therefore must comply with Criterion 2 of Policy TD1, above. The proposed development relates to an expansion of the existing holiday accommodation facilities at Fir View Tan y Ffridd, which currently comprises 228 static caravan units. It is noted the proposed siting of an additional 20 static caravan units at the site would complement the existing tourism facilities, and it is therefore deemed the proposal would comply with the requirements of Criterion 2 (iii) of the above policy, although further consideration as to the landscape visual impact will be given below.

The principle of development is therefore deemed to be acceptable, subject to a review of the scale, design and landscape visual impact of the proposed development, below. It should also be noted that in-line with the above criteria, any grant of planning permission should be subject to conditions restricting the use of the accommodation, removing permitted development rights, and requiring the units and associated development to be removed from the site in the eventuality of their use as holiday accommodation ceasing.

Design, Scale & Landscape Visual Impact

With respect to design, specific reference is made to Policy DM13 of the Powys Local Development Plan (2011-2026). This policy indicates that development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources. It states that, in terms of design, proposals will only be permitted where the following criteria are satisfied;

1. *“Development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.*
2. *The development contributes towards the preservation of local distinctiveness and sense of place.”*

Further design-specific guidance is set-out within TAN 12 (Design).

With regard to the potential impact upon the surrounding landscape, regard must be paid to LDP Policy DM4 (Landscape) which states that proposals for new development must not, individually or cumulatively, have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. LDP Policies SP7 and DM4 require a Landscape and Visual Impact Assessment to be undertaken where impacts are likely on the landscape and proposals should have regard to LANDMAP, Registered Historic Parks and Gardens, protected landscapes and the visual amenities enjoyed by users of the Powys landscape and adjoining areas. The Authority's adopted Landscape SPG reinforces LDP Policy DM4, and provides additional guidance on the assessment process.

The application site is located within the MNTGMVS714 Visual and Sensory aspect area of the LANDMAP system and is evaluated as being of moderate quality. The aspect area is described as follows:

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

The other aspect areas are evaluated as follows:

Historic landscape – High
Landscape habitat – High
Geological landscape – Moderate

The application site is located within a small valley, and is noted to be visible from the A495 public highway, which lies to its south, when travelling in an easterly direction. The application site is also noted to be visible from the B4389 and U2395 public highways (also to the south of the application site), which are located at a significantly higher level than the application site. The application site is also publicly visible from a number of public rights of way within the application site's vicinity, although these do not provide close-ranging and clear views of the site. Overall, whilst visible from locations to the west and south, very limited public views exist of the site from locations to the north and east; owing to a mixture of undulating topography of the land and existing extensive screening in the form of mature trees and woodland.

The application has been accompanied by a Landscape Visual Impact Assessment (LVIA), which concludes that subject to a range of mitigation measures (such as the retention of existing trees and vegetation on the site's eastern boundary, additional native species soft landscaping, and the setting-back of the proposed caravan units within the site to allow for greater soft landscaping), the proposed development would have an

overall moderate effect on the existing local landscape character in the area immediately surrounding the site; with this reducing over the long-term as the soft landscaping measures take hold and establish. Indeed, the submitted appraisal outlines that the moderate effects identified would be confined to immediate vicinity of the site and will reduce in time as the highway boundary increases in height and the proposed tree planting becomes established. Consequently, the submitted LVIA deems there to be no notable long-term effects on the local landscape character or the visual amenity of the surrounding landscape as a consequence of the proposed development. It is considered the assessment included within the submitted appraisal is accurate, and is in-line with the detailed guidance set-out within the Authority's adopted Landscape SPG.

Whilst acknowledging the proposed development would be visible within the landscape, overall, it is deemed to be of a limited scale compared to the scale of the existing wider holiday park. Furthermore, the proposed units would be of a low-lying scale and would be sited with rising land behind them; not being prominent on any skyline views. Furthermore, and as aforementioned, the application proposes a substantial native species soft landscaping scheme. Whilst it would not be appropriate to simply screen an inappropriate development from view with tree and hedgerow planting, on this occasion officers consider the proposal to be of an acceptable scale and nature, and acceptable in-principle in this location. It is therefore considered the proposed details of soft landscaping are acceptable and would help to limit the wider landscape visual impact of the proposed development. As such, subject to conditions being attached to any permission granted to ensure the implementation of the proposed soft landscaping details, officers consider the development would not cause any harmful or long-term landscape visual impact. The development is thus deemed to be compliant with the requirements of LDP Policies TD1 and DM4.

Whilst issues in relation to the cumulative visual and landscape impact of the wider site have been given due consideration, given the relatively small scale of the proposals, and the fact it represents an 'infilling' of a parcel of agricultural land within the wider site, officers do not consider there to be any unacceptable cumulative visual impact on this occasion.

As aforementioned, the proposed units themselves would be of a standard design and scale, and would therefore be of a similar design to the existing static units on the wider caravan park. Officers consider this to be acceptable. It is, however, noted that no details with regard to the external colour of the proposed static caravans have been provided. To avoid any colours being used which could have an adverse impact upon the character of the surrounding area, it is recommended a suitably worded condition should be attached to any grant of consent to require the submission of this information.

It is further noted that the application site is not flat, and does indeed have a slope. It is acknowledged within the submission that an element of groundworks would be required to facilitate the proposed development, which would likely include the creation of level plateaus within the site, on which to site the proposed caravans. Whilst officers consider this to be appropriate in-principle, especially given that such works have previously been

consented at the adjoining site (subject of application reference 20/1580/FUL), it is recommended that a condition is attached to any consent granted requiring the submission of levels details and site cross sections to the Local Planning Authority for approval prior to the commencement of any works at the site.

The proposed site layout is noted to be organic in design and nature, and officers consider this would help to break-up the visual impact of the caravans. The proposed site layout is thus considered to be acceptable by officers, and would help to lessen the visual impact of the proposals on the wider landscape setting. It is, nevertheless, recommended that the submission of a hard landscaping scheme to the Local Planning Authority is secured by way of condition, to ensure the proposed materials to be used in the development are in-keeping with the rural context of the application site. Subject to such a condition, and in light of the above considerations, the proposed development is deemed to be acceptable in design-terms, and would not unacceptably detract from the rural character and nature of the application site, being compliant with the requirements of LDP Policies TD1, DM4 and DM13.

In light of the above, and subject to the inclusion of appropriately worded conditions as recommended, officers consider that the proposed development would not cause any unacceptable or adverse long-term landscape visual impact, and the development as submitted is therefore considered to be compliant with the requirements of Policies TD1, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026) and Planning Policy Wales.

Impact upon Neighbouring Amenity & Privacy

In considering the impact upon privacy levels and amenities enjoyed by occupiers of neighbouring residential properties, consideration has been given to the requirements of LDP Policy DM13 (Criterion 11).

The closest non-associated residential dwelling to the application site is at Tan y Ffridd Farm; approximately 240 metres to the north-east. In light of this significant distance to the closest non-associated residential property, officers consider there would be no unacceptable effects upon neighbouring residential occupiers with regard to overlooking, overbearing, or overshadowing impacts as a consequence of the development proposal.

Whilst it is noted several objections have been raised within the public representations regarding the potential impacts upon neighbouring residential amenity, as noted above, there is a significant distance between the application site and neighbouring residential dwellings. As such, there would be no potential for effects relating to overlooking, overshadowing or overbearing to arise. Furthermore, it should be noted that issues such as the loss of a view are not a material planning consideration, and thus cannot be considered as part of the application's assessment and determination.

Consideration has also been given to other potential issues, such as noise and odour pollution. Indeed, the Authority's Environmental Protection Team have been consulted on

the proposal, and have not raised any concerns with regard to these issues. It is therefore considered there would be no unacceptable impact upon neighbouring residential amenity as a consequence of the proposed development.

In light of the above, officers consider that the proposed development complies with relevant planning policy in this regard and would be acceptable.

Highway Safety & Parking Provision

Criterion 10 of LDP Policy DM13 states that development proposals should meet all highway access requirements (for transport users) and parking standards. This is reinforced by Policy T1 (Travel, Traffic and Transport Infrastructure) of the Powys LDP, which refers to the transport network implications of development, and the importance of highway safety in all development proposals.

The proposed development would utilise the existing vehicular access into the site, off the A495 public highway.

Upon consultation, the Local Highway Authority have raised no objections, and recommended that several appropriately worded conditions are attached to any grant of consent. The recommended conditions relate to the access, parking, surfacing and surface water drainage. Having reviewed the recommended conditions, officers deem them to be acceptable and necessary. Subject to their attaching to any permission granted, officers consider the development would not cause any adverse or detrimental impact upon highway safety within the site's vicinity.

It is noted several objections have been raised within the public representations regarding the width of the B4382 public highway, which is used when accessing the application site from the Welshpool direction. Indeed, it is noted that sections of this highway are constrained by its width (with room for only one vehicle at a time to pass). However, given that this is not the main road used to access the site, this instead being the A495 County Class I highway, it is considered this does not represent a significant constraint for the development, and it would not be reasonable to require the developer to fund improvements to the B4382 as part of the planning process.

Additionally, in-line with Policy 12 of Future Wales, no electric car charging points are required to be installed as part of the development. Indeed, it confirms that "*where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle charging points*". Given that the proposed units would have a residential use class (C6), in-line with the policy criteria, officers consider no such charging points are required in this instance.

In light of the above, the proposed development is deemed to be acceptable in this regard by officers and compliant with the requirements of planning policy.

Ecology & Biodiversity

With respect to biodiversity, specific reference is made to LDP Policy DM2 which seeks to protect, positively manage and enhance biodiversity and geodiversity interests, and safeguard protected important sites. This is supported by TAN 5 (Nature Conservation and Planning) and Planning Policy Wales (Edition 11).

The Ffridd Mathrafal Track Section Site of Special Scientific Interest (SSSI) lies approximately 400 metres west of the application site, the Cors Cefn Llwyd SSSI lies approximately 740 metres to the south-east of the application site, whilst the Coed Ty Mawr SSSI also lies approximately 980 metres to the east of the application site. It is further noted that an area of ancient woodland lies adjacent to the application site. Upon consultation, the Authority's Planning Ecologist and NRW have raised no objections to the proposed development, and it is therefore deemed the development would not have the potential to adversely impact any of the statutory and non-statutory ecological sites identified.

The Planning Ecologist notes that the application site comprises an area of improved agricultural grassland, which is of low ecological value. Furthermore, it is not proposed to fell or remove any trees as part of the development. As such, it was not necessary to require the submission of an ecology survey in this instance, and officers deem there is low potential for any priority or protected species to be impacted by the proposals.

The Planning Ecologist has recommended the inclusion of a condition in relation to the submission of a detailed external lighting design scheme. Noting the nature of the proposals and the context of the application site, such a condition is considered to be necessary. As aforementioned, suitably worded conditions are also recommended to secure the implementation of the soft landscaping works. As confirmed within the Planning Ecologist's response, the proposed soft landscaping is considered to also equate to sufficient levels of biodiversity net-benefit, and thus, no separate Biodiversity Net-Benefit Plan will need to be secured by way of a condition in this instance.

In light of the above, and subject to the inclusion of the recommended conditions, officers consider the proposed development complies with relevant planning policy and legislation in this regard, and is thus acceptable.

Impact upon Historic Environment

Impact upon Nearby Listed Buildings

Two Grade II Listed Buildings lie within 260 metres of the application site. Consideration has therefore been given to the requirements of LDP Policies SP7 and DM13 (Criterion 3), TAN 24, the adopted Historic Environment SPG and the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In considering whether to grant planning permission for development which affects

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

The Authority's Conservation Officer has been consulted on the application, and comments received confirm there is limited-to-no intervisibility between the application site and the nearby listed assets, and the officer therefore has no comments to make. In light of the consultation response received, it is considered the proposals would not cause any harmful impact upon the character, setting or appearance of the nearby listed buildings, and the development is therefore acceptable in this regard in compliance with the requirements of the above-mentioned policy, guidance and legislation.

Impact upon Scheduled Monuments

Several scheduled monuments lie within the application site's surroundings, and upon consultation, CADW note that only the Pentre Camp Scheduled Monument would have views of the application site and the proposed development. CADW notes that the proposed development would create an additional visual impact but, they deem the cumulative visual impact of the existing and proposed developments at the site would not lead to a significant impact upon the setting of the scheduled monument on this occasion.

In light of the above and the consultation responses received, officers consider the proposed development to be acceptable in this regard and compliant with planning policy.

Flood Risk

The area of the access onto the A495 public highway is located within a C2 Flood Zone as identified on NRW's DAM Map. The access lies within Zone 2 for fluvial flooding within the updated Flood Map for Planning.

It is noted that sections of the A495 public highway in both directions are covered by a C2 Flood Zone as identified on NRW's DAM Map and Flood zone 2 and 3 of the Flood Map for Planning. Consideration has therefore been given to the requirements of TAN 15 and Powys LDP Policies DM5 and DM6.

Upon consultation, NRW note that the application proposes highly vulnerable development, and that the access into the site from the public highway network lies within a C2 flood zone, and Zone 2 of the updated Flood Map for Planning (for fluvial flooding).

However, given that the development itself would be sited entirely out of any identified flood-risk areas, and that NRW hold no records of flooding on the site, NRW has confirmed it has no concerns to raise on flood-risk grounds in this instance.

The Authority's Emergency Planning Team have also been consulted on the application, and comments received raise no objection to the development proceeding.

It is acknowledged that an alternative access track which is not within the applicant's ownership will be utilised as an alternative access and egress in the event of a flood. The agent has submitted evidence in the form of a letter which clearly shows notice has been served on the owners of the access track outside of the applicant's ownership.

The agent has also submitted photos of the access track outside the applicant's ownership which clearly shows the access track is clearly passable and in good condition.

The flood evacuation route which formed part of the previously approved application (20/1580/FUL) at the site demonstrates that access and egress to the application site can be achieved in a flood event through a route unaffected by flooding. This is located directly to the north of the application site utilising forestry roads which directly join up onto classified county highways. The agent has also submitted evidence to demonstrate that Flooding Notices have been displayed at the Caravan Park in relation to the excavation route.

It is therefore considered that sufficient information has been provided to demonstrate that in a flooding event the development will be served by an escape/evacuation route to establish that the risk to the occupiers of the development can be acceptably managed having regard to TAN15

In light of the above, and based upon the consultation responses received, officers consider the development to be acceptable in this instance and compliant with planning policy and guidance.

Drainage

The application confirms the proposed units would connect to an existing private package treatment plant on the site, which was consented under planning application reference 20/1580/FUL. Upon consultation, the Authority's Environmental Protection Team have confirmed they have no objection to the application.

In terms of surface water drainage, given that the 'construction area' of the proposed development would exceed 100 sq. metres, the proposal will also require separate SAB approval prior to the commencement of development. A suitably worded informative note is recommended to be attached to any permission granted in this regard.

In light of the above, the development is considered to be acceptable in this regard and compliant with planning policy.

Welsh Speaking Stronghold

The application site is located within Llangyniew Community, which is identified as a Welsh Speaking Stronghold by Policy DM12 of the Powys LDP. However, given that the application relates to the development of holiday accommodation, it is not considered a Language Action Plan is required in-line with the policy criteria, and officers therefore consider the proposal is acceptable in this regard.

Minerals Safeguarding

The application site is located within a Category 2 Sand and Gravel Minerals Safeguarding Area. As such, consideration must be given to Policy DM8 of the Powys LDP (Minerals Safeguarding). This policy can be read as follows;

“Non-mineral development proposals within Mineral Safeguarding Areas will only be permitted where it can be demonstrated by the developer that:

- 1. The mineral resource is not of potential future value; or*
- 2. The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or*
- 3. The mineral can be extracted satisfactorily prior to the incompatible development taking place; or*
- 4. Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or*
- 5. There is an over-riding need in the public interest for the development; or*
- 6. The development is householder development and / or of a very minor nature such as extensions to existing dwellings, and associated development within the curtilage of the property.”*

Given that the application site is located adjacent to the existing caravan park, it is considered that any extraction of the mineral resources on-site would not meet the tests of environmental acceptability, and would unacceptably impact upon the amenity of the users of the site. Thus, the site is effectively already sterilised in relation to its mineral resources, and the proposed development would be compliant with Criterion 4, above.

Loss of Agricultural Land

Paragraph 3.58 of Planning Policy Wales (Edition 11, 2021) relates to the quality of agricultural land, and states that:

“Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future.”

Paragraph 3.59 of PPW (Ed. 11) further states that;

“Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.”

The proposed development would be sited on an area of agricultural land. The Welsh Government’s Predictive Agricultural Land Classification Map indicates that the area of the application site is graded as 3b, which relates to *“moderate quality agricultural land”*. In light of this, it is noted the development would not result in the loss of the best and most versatile agricultural land, and officers deem the proposal to therefore be compliant with planning policy in this regard.

Carbon Footprint / Climate Change

Planning Policy Wales 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 Welsh Government’s well-being goals.

This is coupled with ensuring the countryside is resilient to the impacts of climate change and plays a role in reducing the causes of climate change through the protection of carbon sinks and as a sustainable energy source in line with the Resilient Wales well-being goal.

The proposed development is located on land currently considered to be of low ecological value and agricultural land which is classified as Grade 3b (as outlined above). Every decision taken by the Local Planning Authority takes into account sustainability, and within the planning balance, it is vital that equal consideration is given to the social, environmental and economic needs of the County. On this occasion, it is noted the proposed development would bring economic benefits to a rural area, in line with the aims of Paragraph 5.5.3 of Planning Policy Wales. It would also provide a biodiversity net-benefit, as confirmed by the Authority’s Planning Ecologist, by way of additional substantial soft landscaping works. The additional tree planting would thus have environmental benefits, and the ancient woodland adjoining the site would be retained in-full.

At present, there are no specific planning policy requirements that dictate that a certain amount of greenhouse gas generation from a development would be unacceptable and neither does it state that tourism developments 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.

Other Matters

Whilst the majority of matters raised by members of the public, Llangyniew Community Council and the local Ward Member have been sufficiently addressed within the above

report, any outstanding matters are addressed as follows:

It is noted that several areas of concern have been raised by the local Ward Member and members of the public regarding planning approval 20/1580/FUL; primarily in relation to a lack of compliance with conditions attached to this consent, and also the fact the development remains unfinished. Firstly, it should be noted that each planning application is assessed and determined on its own merits, and thus, matters in relation to non-compliance with conditions attached to a previous grant of planning permission are not relevant to the determination of the current planning application. In any case, to the Local Planning Authority's knowledge, there are no outstanding enforcement matters on the wider site, given that the works to the vehicular access have now been completed. Furthermore, whilst the previous development on the adjoining site may not have been completed at the time of writing this report, there are no conditions attached to the planning permission requiring its completion by a certain point in time. At the time of site visits, officers have noted works continually progressing on the adjacent site, in line with the planning permission granted.

Additionally, whilst the local Ward Member has raised concerns in relation to flood evacuation routes, this is not a constraint of the current application, and indeed has not been requested by any of the specialist consultees. Therefore, this matter is not relevant to the determination of the planning application.

RECOMMENDATION – Conditional Consent

In light of the above assessment, officers consider the proposed development to be compliant with the relevant planning policy, guidance and legislation as outlined, and the recommendation is therefore one of consent subject to the conditions as outlined below.

Conditions

1. The development shall begin no later than five years from the date of this decision.
2. The development shall be carried out strictly in accordance with the following approved plans and documents:
 - Application Form [Dated: 06/08/2022]
 - Proposed Location Plan received 06/03/2023
 - Dwg No: Ki 5595 20 – Proposed Site Plan
 - Dwg No: Ki 5595 24 – Indicative Proposed 3D Site Views
 - Dwg No: Ki 5595 25 – Typical Caravan Proposed Floor Plans & Elevations
 - Planning, Design & Access Statement [By: McCartneys LLP; Dated: August 2022]
 - Landscape & Visual Appraisal Version 2 [By: Design with Nature Ltd; Dated: December 2022]
 - Landscaping Statement [By: McCartneys LLP; Dated: August 2022]
 - Email from Agent – Foul Drainage Information [Received: 12/09/2022]
 - Flood Evacuation Plan

- Fir View Holiday Park Flood Consequence Assessment

3. The development hereby approved shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence by any persons. An up-to-date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
4. No development shall commence until details of the external colour(s) of the static caravan units hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details, and any replacement caravan units in the future shall be of matching colours.
5. No development shall commence until at least four scaled cross sections of the application site (both existing and proposed), and details of existing ground levels and proposed finished ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
6. No development shall commence until a detailed hard landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first beneficial use of the holiday let units hereby approved and shall be retained thereafter.
7. All planting, seeding or turfing comprised in the approved details of soft landscaping, as per dwg no: Ki 5595 20 and the approved Landscaping Statement [By: McCartneys LLP; Dated: August 2022], shall be carried out in the first planting and seeding season following the first beneficial use of any caravan unit hereby permitted or the completion of the development (whichever is the sooner). The completed scheme shall thereafter be managed and maintained in accordance with the approved scheme 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. If any plants fail more than once, they shall continue to be replaced on an annual basis until the end of the 5-year defects period.
8. No external lighting shall be installed within the application site as outlined in red on dwg no: Ki 5595 22 unless a detailed external lighting design scheme has first been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife in accordance with the recommendations outlined within the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The development shall be carried out in accordance with the details once approved.

9. No other 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.
10. No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 215 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
11. Upon formation of the visibility splays as detailed within Condition 10, the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
12. Before any other development is commenced, the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 12 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
13. Prior to the first beneficial occupation of any static caravan hereby approved, provision shall be made within the curtilage of the site for the parking of not less than one parking bay per bedroom, together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
14. Prior to the first beneficial occupation of any static caravan hereby approved, the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material or (a suitably bound material which is to be approved in writing by the LPA) for a distance of 12 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
15. The gradient of the access shall be constructed so as not to exceed 1 in 30 for the first 12 metres measured from edge of the adjoining carriageway along the centre line

of the access and shall be retained at this gradient for as long as the development remains in existence.

16. No surface water drainage from the site shall be allowed to discharge onto the county highway.
17. Any vehicular entrance gates installed within the application site shall be set back at least 12 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
18. Within twenty days from the commencement of the development, any raised beds and signage within the visibility splays shall be removed in perpetuity from the area of the access visibility splays.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales), (or any Order revoking and re-enacting that Order with or without modification), no development under Schedule 2, Part 1, Classes A to E other than that hereby granted consent shall be carried out within the application site as outlined in red on dwg no: Ki 5595 22 without the prior written consent of the Local Planning Authority.
20. In the event of the holiday let units hereby approved ceasing their use as holiday accommodation, the caravans and their ancillary development shall be dismantled and removed from the site within 12 months of the deemed cessation date, and the site restored to its former (pre-development) condition in-full.
21. No more than 20 holiday let units shall be on the land outlined in red on dwg no: Ki 5595 22 at any one time.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt as to the proposed development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.
3. In order to ensure control of the use of the holiday units and to prevent the establishment of permanent residencies in accordance with the requirements of Policy TD1 of the adopted Powys Local Development Plan (2011-2026).
4. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the development, in accordance with the requirements of Policies TD1, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026), Planning

Policy Wales (Edition 11, 2021) and TAN 12 (Design).

5. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the development within the landscape, in accordance with the requirements of Policies TD1, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026), Planning Policy Wales (Edition 11, 2021) and TAN 12 (Design).
6. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the development, in accordance with the requirements of Policies TD1, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026), Planning Policy Wales (Edition 11, 2021) and TAN 12 (Design).
7. To limit the landscape visual impact of the development in accordance with the requirements of Policy DM4 of the adopted Powys Local Development Plan (2011-2026) and to comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
8. To comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
9. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
10. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
11. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
12. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
13. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
14. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
15. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.

16. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
17. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
18. In the interests of highway safety and in accordance with the provisions of Powys LDP Policies T1 and DM13 (Criterion 10), and TAN 18.
19. In order to control further development at the site which has the potential to cause an adverse effect upon the character of the area, and in to ensure the satisfactory appearance of the development in accordance with Policies TD1, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026).
20. To ensure that if the venture proves uneconomic in the future the land is restored to its former condition, and to protect the character and appearance of the landscape in accordance with Policies TD1, SP7, DM4 and DM13 of the adopted Powys Local Development Plan (2011-2026) and Planning Policy Wales (Edition 11).
21. To ensure adherence to the approved plans, in the interests of clarity and a satisfactory development.

Informative Notes

PCC Ecology

Protected Species

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

PCC Land Drainage

As the construction area is greater than 100m², this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email sab@powys.gov.uk.

For further information on the requirements of SAB and where relevant application

forms/guidance can be accessed, please visit the following website <https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>.

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

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

Foul Drainage

All septic tanks and small sewage treatment plant discharges in Wales need to be registered with Natural Resources Wales. More information, including a step-by-step guide to registering can be found at the following link:

<https://naturalresources.wales/permits-and-permissions/water-discharges-and-septic-tanks/register-your-septic-tank-or-small-sewage-treatment-plant/?lang=en>.

PCC Highways

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

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.
 - a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.
 - b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.
2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
3. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water,

Gas, BT), Land Drainage Authority, etc. to the works.

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

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

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

street.works@powys.gov.uk

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

0845 6027035

NRW

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works and maintenance in or near water' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelinesppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>.

Case Officer: Gwyn Humphreys, Senior Planning Officer
Tel: 01597827047 E-mail: gwyn.humphreys@powys.gov.uk