

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 22/2038/FUL

Grid Ref: E: 321953
N: 311564

Community Council: Guilsfield Community

Valid Date: 20.12.2022

Applicant: Mr P Harding

Location: Hardings Shed & Garden Supplies, Groesllwyd, Guilsfield, Welshpool, SY21 9BZ

Proposal: Demolition of bungalow and change of use of land from residential to A1 retail use together with erection of an extension to shop and formation of additional parking area

Application Type: Full Application

The reason for Committee determination

The Local Member has exercised their right to call-in the application for Committee determination on the grounds of highways concerns in regard to the use of the existing access and excess speeds on the adjacent A490.

Consultee Responses

Consultee

Received

Community Council

18th Jan 2023

There is a petition against this planning application from the residents at Gros Llwyd, due to the speeding issues, no lighting in Gros Llwyd and traffic increase. Residents were not against the application, but would like the applicant to wait until the new speed limit comes into force. *

However, after deliberation, a vote was taken, and members support this application, with no conditions. One member was against this vote.

PCC-Building Control

22nd Dec 2022

Building Regulations application required.

Ward Councillor

The primary issue regards the location of the business relative to the A490 staggered junction in Groes Llwyd and the probable significant increase in traffic entering and exiting the premises (there would be no business justification otherwise).

Whilst it is good news that the business wishes to expand, there is no provision for a change in the entry/exit provision, even though greater car parking capacity is planned.

The issue of traffic speed through this junction was raised in September 2022 in the MyWelshpool news article;

<https://www.mywelshpool.co.uk/viewernews/ArticleId/22985/Council-calls-for-40mph-limit-at-blackspot>

following an original news video of the concern at

<https://www.dailymotion.com/video/x8dqjhd>

The video had over 20k views and generated a great deal of local public interest. Indeed, one of the interviewees shown on the video raising their traffic safety concern was the applicant for the business expansion.

Clearly, there is a public interest here which goes beyond the scope of the individual planning application. Whilst I applaud the planned expansion of the business, it would need to be considered within the context of a broader reconfiguration of the staggered junction and the local speed limit, which is currently 60mph.

This A490 junction was also subject to a local resident's petition regarding speeding, safety and road junction design., raised with the local MP and MS and supported by the Guilsfield Community Council.

The original petition submission was countered by Highways who said it was a WG issue. Raised through Russell George MS, WG confirmed that it was a Powys issue because the A490 at this point was 'local' as it traversed Grose Llwyd Community, though this staggered junction.

I need Highways to take action..... before someone is killed.

Just so that you are aware, I intend to explain to the Planning Committee that the basis for Highways' support is dangerously flawed and why (years in Operations Management helps).

Also, you may not be aware that there was an accident at the exit of Harding's Garage very recently. The driver leaving the garage failed to spot a vehicle coming down the hill from Garth, as he turned right to go up the hill. No one hurt this time and so not reported to the police. It was reported to me by our local media representative whom observed the immediate aftermath. Very lucky once again. No line of sight issue involved.

Thank you for consulting the Highway Authority (HA) on this planning application at Hardings, Shed & Garden Supplies, Guilsfield, Welshpool, SY21 9BZ. The proposal seeks the Demolition of a bungalow and change of use of land from residential to A1 retail use together with erection of an extension to shop and formation of additional parking area.

The application site sits within a larger, predominantly commercial site, which is under the same ownership, and which currently operates as a shed/garden centre, a petrol station, together with an attached convenience store. There is also a small residential bungalow, which is located approximately centrally within the site, on the western boundary. The entire site is accessed from the Class I, A490 county highway, via a simple T access, which is wide enough to accommodate the simultaneous ingress and egress of vehicles, including larger vehicles. Whilst the current facility does provide an element of off-street customer parking, that provision is limited, and as a result, the HA is aware that congestion does occasionally occur on the site entrance with A490, with customer vehicles often parked close to the site entrance.

This proposal seeks to demolish the existing residential bungalow, and to change the use of the land in which it sits, from residential, to A1 retail use. The proposal includes plans for a modestly sized A1 retail extension, together with the formation of additional areas of customer parking.

In order to fully assess the likely highway impacts of the proposed development, the HA would first seek clarity on the floorspace detail contained within the supporting application form. Whilst it is noted that the applicant has provided existing and proposed floor space calculations, the HA is seeks further detail to support those calculations. Therefore, we respectfully recommend that the applicant forward additional information in respect of the following.

- o Provide exact floor space calculation for the whole of the site which falls under A1 Use Class, and detail on the existing site plan.
- o Clarify which 46 m² of the internal floor space will be removed/demolished as indicated in the application form.
- o Clarify the exact floor space of the proposed extension and indicate in percentage terms, the increase in A1 floorspace above to the existing.

I trust these matters will be addressed before this application is determined

Thank you for reconsulting the Highway Authority (HA) on this planning application at

Hardings Shed & Garden Supplies Groesllwyd Guilsfield Welshpool SY21 9BZ.

The additional information submitted by the agent on 01/02/2023, provides clarity around the extents of the existing commercial uses at the site; that information is duly noted and welcomed by the HA. Furthermore, it is also noted that the Local Planning Authority has confirmed that in their opinion, the site enjoys a mixture of A1 (Shop and Garden Centre) use, together with Sui Generis uses associated with the fuel forecourt. It is therefore evident, that the total retail/commercial space currently in operation at the site, extends to some 2,303sqm.

This proposal seeks to demolish an existing residential bungalow, which is located adjacent to the commercial operation, and change the use of the land in which it sits, from residential, partly to provide a modestly sized A1 retail unit, and partly, to provide additional customer parking. The proposal also seeks to remove 46sqm of what is considered to provide current retail use, in the form of two greenhouses which lie at the entrance to the garden centre and, to turn that area into additional operational/manoeuvring space.

In consideration of the above, the additional retail area sought, extends to some 171sqm, which represents just a 7.5% increase in the current retail offering at the site. Given that current guidance covering extensions to existing A1 facilities, advises that increases in transactions, are not proportional to increases in floor area, and that extensions of 33% of GFA, only typically produce a 10% increase in transactions, it can be concluded that an extension of this scale, would only likely result in a 2.5% increase in transactions at the site.

As such, the Highway Authority concludes that the proposal will only likely have a marginal impact on existing level of vehicular/customer movements to and from the site, and that the small increase, would be adequately mitigated, by the removal of the existing dwelling, and by the provision of an additional 15 parking spaces, coupled with additional manoeuvring areas.

Accordingly, the HA has no objection to the scheme as submitted, subject to the inclusion of the following highway condition.

1. Prior to first beneficial use of the extension hereby approved, the additional parking bays shall be fully constructed in accordance with the approved plan (HDG02.1.3.03) and those parking spaces shall be retained for the duration of the development.

Hafren Dyfrdwy

3rd Jan 2023

Due to a change in processes, we will no longer be looking at any extensions under the planning application process. All extensions are dealt with by Building Regulations, and if an asset is affected by the works, then the applicant will need to contact HD:

PCC-Ecologist

No response received at the time of writing this report.

PCC-(N) Land Drainage

No response received at the time of writing this report.

Natural Resources Wales (Mid Wales)

29th Dec 2022

We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics, Development Planning Advisory Service: Consultation Topics (September 2018) published on our website.

We note that the bat report submitted in support of the above application (Bat Report, dated November 2022 by Turnstone Ecology) has identified that bats were not using the application site. Therefore, we do not have any comment to make on the proposed development.

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

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

We trust that the above comments are of assistance however, should you have any queries, please do not hesitate to contact me.

PCC - Environmental Protection

6th Jan 2023

Environmental Protection has no objection to the application.

PCC-Contaminated Land Officer – First
Response

31st Jan 2023

It is noted that the proposed development is situated on land indicated as being a petrol filling station and garage which are a potential high risk source of contamination.

Based on the potential high risk source of contamination, and an absence of appropriate supporting information, the application should be refused until such time as the applicant demonstrates that potentially significant liabilities have been assessed and understood.

Planning Policy Wales s.6.9.19 states:

'Where land contamination issues arise, the planning authority will require evidence of a detailed investigation and risk assessment prior to the determination of the application to enable beneficial use of land, unless it can already be established that remedial measures can be employed¹⁵⁵. Where it is known that acceptable remedial measures can overcome contamination, planning permission may be granted subject to conditions specifying the necessary measures and the need for their implementation, including provision for remediating any unexpected contamination which may arise during construction. If contamination cannot be overcome satisfactorily, the authority may refuse planning permission.'

PCC-Contaminated Land Officer –
Second Response

13th Mar 2023

The subject site is identified as a petrol filling station which is a potential high risk source of contamination. I have reviewed the phase 1 report by Sladen Associates and make the following comments:

1. The subject site is the land in ownership rather than the red boundary referenced to. This is important in terms of the conceptual model which considers some risks to be 'off-site' whereas they may well be on site. Contamination is not constrained by boundaries drawn on plans. I expect the proposals to reflect risk on the whole site.
2. I am unclear what 'bio-gas' is? I would also question whether radon protection measures can be protective of (as yet not established) of vapours?
3. Clarification is required as to whether the 'smithy' building is within land in ownership?
4. Detailed, justified proposals will be required prior to undertaking investigation. The proposals should reflect the CSM but also the potential high risk source of contamination.

I consider the desk study is sufficient to recommend the following conditions.

Condition A

Condition 1. Preliminary Investigation

No development shall commence until a preliminary investigation and assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the local planning authority. This investigation and assessment must be carried out by or under the direction of a suitably qualified competent person, in accordance with current guidance and best practice, and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- A desk study
- A site reconnaissance
- 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. The contents of the scheme and scope of works are subject to the approval in writing of 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 guidance – ‘Land Contamination: Risk Management (LCRM; 2020)’ and the WLGA document ‘Development of Land Affected by Contamination: A Guide for Developers’ (2012).

Condition 2. Site Characterisation

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 3. 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 4. 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).

PCC Built Heritage

30th March 2023

With regards to the above proposal, the setting of the listed gates and gate piers at the former E entrance to Garth is not considered to be impacted by the proposed development. The proposal is, however, near to a RHPG and Cadw should be consulted.

Representations

The proposed development has been advertised by site display since the 3rd of January 2023. The Local Planning Authority has received 16 letters of objection to this application in regard to the following:

- Increase in traffic
- Inadequate access
- Excess speeds on the A490

Planning History

App Ref	Description	Decision	Date
P/2009/1221	Change of use of workshop (class B2) to retail use (class A1), alterations and erection of	Approved	22.04.2010

extension together with change of use of storage building to a manufacturing workshop (class B2) and erection of an extension

Principal Planning Constraints

Mineral Safeguarding Sandstone Cat 2
 Mineral Safeguarding Sand_Gravel Cat 2
 Listed Building - Gates and Gate Piers at the former E entrance to Garth
 Registered Historic Park and Garden – The Garth

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 11, February 2021)		National Policy
NATPLA	Future Wales - The National Plan 2040		National Development Plan 2021
TAN4	Retail and commercial development		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy
DM2	The Natural Environment		Local Development Plan 2011-2026
DM4	Landscape		Local Development Plan 2011-2026
DM7	External Lighting		Local Development Plan 2011-2026
DM8	Mineral Safeguarding		Local Development Plan 2011-2026

SP4	Retail Growth	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM8	Mineral Safeguarding	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
R4	New neighbourhood and village shops or services	Local Development Plan 2011-2026
E2	Employment Proposals on Non-Allocated Employment Sites	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998
 Equality Act 2010
 Planning (Wales) Act 2015 (Welsh language)
 Wellbeing of Future Generations (Wales) Act 2015
 Marine and Coastal Access Act 2009

Officer Appraisal

Site Location and Description

The application site is located within the Community Council area and ward of Guilsfield. The site is not located within the Guilsfield settlement development boundary and is therefore classed as within the open countryside within the adopted Powys Local Development Plan (2018). The site is bordered by residential dwellings to the west, the B4392 highway to the north, the A490 highway to the east and the sites garden supplies buildings to the south.

Consent is sought for the demolition of the existing bungalow, change of use of land from residential to A1 retail use, together with erection of an extension to the existing shop and formation of additional parking area.

The proposed extension will measure approximately 23.8 metres in length, 9.4 metres in width, 3.1 metres to the eaves and 5.3 metres to the tallest point. The extension will be finished with green cladded walls with a grey metal sheeting for the roof. The proposal also includes an oak framed porch to the front of the extension and glazing.

Principle of Development

In assessing the principle of the proposed development, Policy R4 relates to the establishment of new neighbourhood and village shops or services. They will be approved where they:

1. Are located within a Town, Large Village or Small Village; and
2. Serve the needs of the local area; and
3. Do not undermine the retail hierarchy or have an unacceptable adverse impact on the vitality and viability of the Retail Centre or other nearby centres and accord with Policy R1.

Individual shops provide an important function at the local neighbourhood level within towns, villages and the more isolated areas of Powys. This also includes pubs and filling stations, which can act as essential outlets for basic daily provisions and services. This policy supports such development with a gross floor space of less than 280sq. m2.

The application site is an existing petrol station, garden centre and convenience store located just outside of Guilsfield. This development would expand the shop and garden centre on site providing more retail space and parking. It is considered that the site already meets point 2 or R4 and this development forms a small expansion.

It is not considered the proposal will undermine the retail hierarchy or have an unacceptable adverse impact on the vitality and viability of the Retail Centre or other nearby centres and accord with Policy R1.

The principle of development is therefore considered acceptable and in accordance with LDP policy R4.

Scale and Design

With respect to design, specific reference is made to LDP policy DM13 (Part 1). The policy indicates that development proposals will only be permitted where it has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.

The proposed development involves the erection of a link extension which connects to shop to the garden centre and retail area.

The extension measures 23.8 metres in length, 9.4 metres in width, 3.1 metres to the eaves and 5.3 metres to the tallest point. The extension will be finished in green cladded walls with a grey metal sheeting roof. An oak framed porch to the front of the extension and glazing.

It is considered that the proposed materials are in keeping with the existing buildings on site. The extension forms a link between the shop and the garden supplies area and is considered to be acceptable in scale and will complement the existing site.

In light of the above, it is considered that the proposed development complies with relevant planning policy, mainly DM13 (Part1) of the Local Development Plan 2018.

Amenities enjoyed by occupier of neighbouring properties

In considering the amenities enjoyed by occupiers of neighbouring properties consideration has been given to the Powys Residential Design SPG & LDP: DM13 (Part 11).

The proposed development is not considered to offer any impact upon loss of daylight to any neighbouring dwellings, there are no properties that would be adversely affected when considering the 25 degree rule, which prohibits development that would exceed a line of 25 degrees taken from the nearest habitable room of adjoining existing properties. The proposal also complies with the 45 degree rule, where an angle of 45 degrees is measured in a horizontal plane and taken from the middle of the window of the nearest habitable room in any adjacent rooms. The proposed development is considered to be acceptable when considered against the above criteria.

The proposed extension does not include any windows on the western elevation and therefore is not considered to have any affect in regard to privacy.

Powys Environmental health team have been consulted on the proposal and confirm that they do not have any objections to the development. They have not requested any noise assessments or operating hours to be restricted. The proposed development is not considered will adversely affect neighbouring amenities.

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

Biodiversity

Policy DM2 states that proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests. Proposals which would impact on natural environment assets will only be permitted where they do not unacceptably adversely affect those assets. This is further emphasised within Technical Advice Note (TAN) 5.

The proposed development involves the demolition of the existing dwelling on site adjacent to the forecourt. As such, an ecological survey has been provided with the application which confirms that no protected species are residing in the building. Natural Resources Wales have been consulted and confirm no objection to the development.

No external lighting information has been provided with this application. It is considered that external lighting could be erected as part of this development and therefore, a restrictive condition will be included on any grant of consent to ensure nocturnal wildlife are not affected.

Biodiversity enhancement measures have been provided with this application. The applicant has proposed to erect 1 bat box and 2 bird boxes as part of the development which is considered to be acceptable. The measures are considered acceptable in terms of the Biodiversity Enhancement SPG and will earn a net gain and a condition will be included on any grant of consent.

The application site is not located within 0.5 kilometres of a designated SSSI or SAC site. It is however within 250 metres on an ancient woodland. Given the nature of the development and the distance, it is not considered that the proposal would affect a protected site.

Subject to the inclusion of two appropriately worded conditions, the proposal would be in accordance with DM2 of the LDP.

Mineral Safeguarding

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

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

Contaminated Land

The proposed development is situated near to land which is being used as a petrol filling station and garage which are a potential high risk source of contamination. As such, the Powys Contaminated Land Officer has been consulted on the development and following the submission of a Phase 1 Geo- Environmental Report, consider that the proposal is acceptable subject to several prior to commencement conditions.

In light of the above and subject to the inclusion of four conditions relating to the submission of further contaminated land reports, it is considered that the development complies with policy DM10.

Highways Safety

A safe access and parking are a fundamental requirement of any development. The application does not seek any alterations to the existing means of access however it proposes extra parking spaces for the shop.

The Local Highways Authority have been consulted on the development and has stated that they do not object subject to the inclusion of a condition relating to parking. The Highway Authority confirm that the entire site is accessed from the Class I, A490 county highway, via a simple T access, which is wide enough to accommodate the simultaneous ingress and egress of vehicles, including larger vehicles.

The Highway Authority concludes that the proposal will only likely have a marginal impact on existing level of vehicular/customer movements to and from the site, and that the small increase, would be adequately mitigated, by the removal of the existing dwelling, and by the provision of an additional 15 parking spaces, coupled with additional manoeuvring areas.

The Local Planning Authority have received 16 no. letters of objection to this application which relate to the existing access and excess speeds on the adjacent A490 highway. The Powys Highways Authority have confirmed that the existing access can accommodate the proposals and the site access does not need to be upgraded.

Therefore, subject to the inclusion of the recommended condition it is considered that the proposed development fundamentally complies with policies DM13 and T1 of the Powys Local Development Plan, Technical Advice Note 18 and Planning Policy Wales.

EV Charging

Future Wales National Plan 2040 states that Planning authorities must act to reduce levels of car parking in urban areas, including supporting car-free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time. 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.

This development provides additional parking for the convenience store and garden centre. It is considered that a condition is necessary to ensure that EV parking is provided as part of this development to meet Future Wales.

Built Heritage

The application site is located approximately within 270 metres of a listed building.

Namely 'Gates and Gate Piers at the former E entrance to Garth'. Given the distance between the two sites and topography, it is not considered that there would be any adverse effect. The Powys Built Heritage Officer has been consulted and confirms no objection.

RECOMMENDATION – Conditional Consent

In light of the above considerations, it is therefore considered that the proposed development does comply with relevant planning policy. The recommendation is one of conditional consent.

Conditions

1. The development to which this relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans approved on the date of this consent: HDG02.1.3.05, HDG02.1.3.00, HDG02.1.3.03, HDG02.1.3.04 Rev B & HDG02.1.3.04 Rev B.
3. No external lighting shall be installed unless a detailed external lighting plan is 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 Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series and shall be implemented as approved and maintained thereafter.
4. Prior to the first beneficial use of the building hereby approved, the biodiversity enhancement measures shown on plans 'HDG02.1.3.04 Rev B & HDG02.1.3.04 Rev B' shall be erected and maintained thereafter as long as the development remains in existence.
5. No development shall commence until a preliminary investigation and assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the local planning authority. This investigation and assessment must be carried out by or under the direction of a suitably qualified competent person, in accordance with current guidance and best practice, and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- A desk study
- A site reconnaissance
- 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. The contents of the scheme and scope of works are subject to the approval in writing of the local planning authority.

6. 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.
7. 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 6 has been received from the local planning authority.
8. 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.

9. Prior to first beneficial use of the extension hereby approved, the additional parking bays shall be fully constructed in accordance with the approved plan (HDG02.1.3.03) and those parking spaces shall be retained for the duration of the development.
10. Prior to commencement of development a minimum of 10% of the approved car parking spaces shall have electric vehicle charging points details (scale and appearance) of the proposed electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. This provision shall be and shall be implemented as approved and retained and maintained thereafter for as long as the approved development remains in existence.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans as approved in the interests of clarity and a satisfactory development.
3. To comply with Policy DM2 of the Powys Local Development Plan (2018) in relation to the natural Environment 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.
4. To comply with Policy DM2 of the Powys Local Development Plan (2018) in relation to the natural Environment 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.
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 adopted Local Plan (2018)].
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 adopted Local Plan (2018)].

7. 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 adopted Local Plan (2018)].
8. 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 adopted Local Plan (2018)].
9. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 (Part 10).
10. To comply with Policy 12 (Regional Connectivity) of Future Wales: The National Plan 2040.