

Planning, Taxi Licensing and Rights of Way Committee Report

Application No:	P/2017/0789	Grid Ref:	325440.59, 311109.3
Community Council:	Welshpool	Valid Date:	Officer: 29/08/2017 Bryn Pryce
Applicant:	Mr J.H & E.L. Jones J.H. & E.L. Jones Pool Quay, Dyers Farm, Welshpool Powys		
Location:	Land adjoining Swan Bank, Pool Quay, Welshpool Powys SY21 9JS		
Proposal:	Outline: Erection of up to 3 no. dwellings and garages, formation of vehicular access, access road and all associated works (with some matters reserved)		
Application Type:	Application for Outline Planning Permission		

The reason for Committee determination

The application is to be determined by planning committee as it represents a departure from the development plan.

Site Location and Description

This site is located off the A483 trunk road adjacent to the settlement and small village of Pool Quay. The existing site forms agricultural land used for the purpose of growing crops. The site is bound to the north by the settlement of Pool Quay, to the north west by the Montgomery canal, the south west by agricultural land and the south east by the A483 trunk road.

This applications seeks outline consent for 3 dwellings and garages, formation of vehicular access, access road and all associated works (with some matters reserved). The application considers the principle of residential development on the site and access to it with all other matters reserved for future consideration. An indicative layout for the site and indicative scale has been provided with the application. The site is located directly adjacent to the settlement boundary of Pool Quay.

Consultee Response

Welshpool Town Council

Correspondence received 27th September 2017

The Council **SUPPORTS** this application.

Correspondence received 2nd November 2017

My Council has no further observations on the application noted below.

Highways Dept North

Correspondence received 21st October 2017

Powys County Council as Highway Authority do not wish to comment on this application as the access is onto a trunk road which comes under the jurisdiction of the Welsh Government

Welsh Government Highways

Correspondence received 12th September 2017

I refer to your consultation of 8th September 2017 regarding the above application, and advise that the Welsh Government as highway authority for the (ROAD) trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

The applicant must provide the following information to support this application or resubmit the application with the following details;

1. The applicant must demonstrate that the 215m southbound visibility is unrestricted from a 4.5m set back. We have concern with regard to the speed limit gateway sign and telegraph pole.

The following points should be brought to the attention of the applicant:

- a. As the proposed development is over the 6 dwelling threshold which allows a 2.4m setback for visibility splays, a 4.5m setback is required. This also allows for any future growth at the development.
- b. The centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay.

If you have any further queries, please forward to the following Welsh Government Mailbox NorthandMidWalesDevelopmentControlMailbox@Gov.Wales

Correspondence received 31st October 2017

I refer to your consultation of 8th September 2017 regarding the above application, and advise that the Welsh Government as highway authority for the A483 trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

The applicant must provide the following information to support this application or resubmit the application with the following details;

- 1) The applicant must demonstrate that the 215m northbound visibility is unobstructed from a 2.4m set back. We have concern with regard to the speed limit sign and telegraph pole.

The following points should be brought to the attention of the applicant:

- a. Any further development at the site will require the access to be re-designed.
- b. The centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay.

If you have any further queries, please forward to the following Welsh Government Mailbox NorthandMidWalesDevelopmentControlMailbox@Gov.Wales

Correspondence received 16th January 2017

I refer to your consultation of 08 September 2017 regarding the above planning application and advise that the Welsh Government as highway authority for the A483 trunk road directs that any permission granted by your authority shall include the following conditions:

- 1) The access and visibility splays shall be laid out, constructed and maintained strictly in accordance with the submitted plans (drawing no. RPP01.1.3.01 Rev E).
- 2) The minimum visibility distances available for vehicles emerging from the proposed access / junction shall be 160 metres in the northbound direction and 215 metres in the southbound direction at a height of 1.05 metres, measured to a point 0.26 metres above the nearer running edge of the trunk road carriageway. These visibility distances shall be available at a point 4.5 metres from the nearer running edge of the trunk road, measured along the centreline of the access road. The visibility splay so formed shall be free of any growth or obstruction, which would interfere with the minimum visibility requirements.
- 3) Adequate provision shall be made within the development site to enable vehicles to turn around, so that they may enter and leave the site in a forward gear.
- 4) No drainage from the development site shall be connected to or allowed to discharge into the trunk road drainage system, and the proposed junction shall be constructed such that the access road does not drain onto the trunk road.
- 5) The access and visibility requirements shall be substantially complete and available for use prior to the commencement of any other works associated with the development.
- 6) The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented.

The above conditions are included to maintain the safety and free flow of trunk road traffic.

The following points should be brought to the attention of the applicant:

1) The applicant should be advised that all temporary or permanent signage, road markings or traffic orders shall be at the expense of the developer and agreed with the Highway Authority before works commence.

2) Any adjustment, re-siting and / or protection of any statutory undertakers apparatus in the highway shall be undertaken with the prior written consent of the relevant Authority and shall be carried out at the Applicant's own expense.

3) The applicant should note that planning permission does not constitute permission under the Highways Act for various activities that may be associated with the development i.e. use of the highway/footway/verge to: for example; deposit material, deposit skips, erect scaffolding, excavate within the highway or erect traffic management apparatus. Such activities will require the separate consent of the Highway Authority;

4) Any temporary traffic management arrangements required in connection with this application shall be in accordance with Chapter 8 of the Traffic Signs Manual and in accordance with the Safety at Street Works and Road Works Code of Practice, and shall be approved by the highway authority.

5) Road traffic signs in Wales must be bilingual, Welsh above English, and adhere to Welsh Government specifications, see following link for standard details; http://www.traffic-wales.com/traffic_signs.aspx

If you have any further queries, please forward to the following Welsh Government Mailbox
NorthandMidWalesDevelopmentControlMailbox@Wales.GSI.Gov.UK

Building Control

Correspondence received 8th September 2017

Building Regulations application required.

Wales & West Utilities

Correspondence received 11th September 2017

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

Wales & West Utilities apparatus may be directly affected by these proposals and the Information you have provided has been forwarded to Asset Management for their comments. If Wales and West are affected an Engineer will then contact you direct.

Please note this is in regard only to those pipes owned by Wales & West Utilities in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned may be present in this area and information with regards to such pipes should be obtained from the owners.

You must not build over any of our plant or enclose our apparatus. Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

STW

Correspondence received 14th September 2017

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

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

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

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

To help us provide an efficient response please could you send all responses to welshplanning@severntrent.co.uk rather than to named individuals, including the STW ref within the email/subject.

Environmental Health

Correspondence received 25th September 2017

Re: Outline: Erection of up to 7 no. dwellings and garages, formation of vehicular access, access road and all associated works (with some matters reserved).

Foul drainage

Environmental Protection has no objection to the proposal to connect to the mains sewer.

Construction-phase noise control

For the protection of amenity for nearby residential properties, Environmental Protection recommends the following condition for the control of construction-phase noise:

“Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.”

Powys Ramblers

Correspondence received 27th September 2017

Thank you for the opportunity to comment on this application.

The nearby rights of way does not seem to be affected by the proposed development. In the event of planning permission being granted can the applicant please be informed of the importance of not obstructing the right of way during any works and making sure it is kept open throughout.

Affordable Housing Officer

Correspondence received 15th September 2017

Thank you for your invitation to comment on this application.

We would be seeking a provision of a minimum of 30% affordable housing provision, and the following guidelines to be adhered to:

- All Affordable units will have to be constructed to Welsh Government Design Quality Requirements which include all of the Lifetime Homes and Secured by Design Standards.
- All units will have to meet the floor areas specified in Powys County Council’s Affordable Housing Supplementary Planning Guidance.
- The Design Quality Requirements will be those current at the time of the detailed planning application.
- All completed Affordable units that are being sold must reflect local incomes to the local area and shall be bound by the Affordable Housing policies as detailed in the Affordable Housing for Local Needs Supplementary Guidance sections HP7, HP8 or HP9.

Correspondence received 10th November 2017

Thank you for your correspondence regarding this application.

We seek provision of affordable housing on residential development sites in accordance with the Affordable Housing Topic Paper September 2016, and the following guidelines to be adhered to:

- All Affordable units will have to be constructed to Welsh Government Design Quality Requirements which include all of the Lifetime Homes and Secured by Design Standards.

- All units will have to meet the floor areas specified in Powys County Council's Affordable Housing Supplementary Planning Guidance.
- The Design Quality Requirements will be those current at the time of the detailed planning application.
- All completed Affordable units that are being sold must reflect local incomes to the local area and shall be bound by the Affordable Housing policies as detailed in the Affordable Housing for Local Needs Supplementary Guidance sections HP7, HP8 or HP9.

PCC Ecologist

Correspondence received 20th February 2018

Thank you for consulting me with regards to planning application P/2017/0789 which concerns the outline application for erection of up to 3 no. dwellings and garages, formation of vehicular access, access road and all associated works (with some matters reserved) on Land adjoining Swan Bank, Pool Quay, Welshpool.

I have reviewed the proposed plans, aerial images as well as local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 53 record of protected and priority species within 500m of the proposed development, no records were for the site itself. Records identified within 500m of the site included floating water-plantain, otter, and bat species.

The following statutory designated sites are present within 500m of the proposed development:

- Montgomery Canal SAC/SSSI

These designated sites are located along the western boundary of the site of the proposed development, given the proximity (approximately 50m) of the proposed development to the Montgomery Canal SAC the potential for the construction and operation phases of the development to result in a Likely Significant Effect to the Montgomery Canal SAC and/or its associated features has been considered.

Having reviewed the information provided by the applicant it has been determined that the proposed development would not result in a likely significant effect to the Montgomery Canal SAC and/or its associated features – I have attached a copy of the Screening Assessment for your records.

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

From reviewing aerial images the site of the proposed development appears to be an area of arable land and improved grassland which is considered a habitat of low ecological value. However, the hedgerows and trees on the boundary of the development is considered to be of moderate ecological value.

Tree and Hedgerow Replacement Plan

It appears that sections of hedgerow will be required to be removed or translocated to provided vehicular access.

I also note from reviewing aerial images that a tree was located on the eastern boundary of the proposed development site in close proximity where the existing footway will be extended.

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

‘Proposals which are acceptable in principal should:

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

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

Where impacts to trees and hedgerow are identified an appropriate compensation strategy will be required. A Hedgerow Replacement Plan will need to be secured through an appropriately worded condition. This plan will need to identify appropriate compensation planting for the loss of tree– details of the location, length (hedgerow) and species as well as an appropriate aftercare scheme will need to be identified – species used will need to be native and reflect the trees present in the local area.

Tree Protection Plan

Given the proximity of development and works to the mature tree on the eastern boundary of the proposed development site, it is considered prudent to require information from the applicant as to how these features biodiversity importance for wildlife will be protected during the construction period of works. It is therefore recommended that a Tree Protection Plan is secured through an appropriately worded condition.

Great Crested Newts

It has been noted that there is a pond within 70m of the development site, a search for great crested newt records within the wider area was undertaken and the nearest record for this species was found to be within 3km of the proposed development. Given the proximity to the pond consideration has been given to the potential suitability of the site to be used as terrestrial habitat by Great Crested Newts – European protected species.

Having reviewed information available in form of aerial images the habitat present at the site of the proposed development offers unfavourable suitable opportunities for Great Crested Newt terrestrial habitat. Given the lack of suitable habitat, distance and lack of habitat connectivity from the pond (where great crested newts were recorded) and the proposed development site - it is considered that the proposed development site would be unlikely to support great crested newts.

Wildlife Sensitive Lighting Plan

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

Landscaping Plan

Reviewing the proposed plans native tree planting is proposed for the development - It is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes, planting and aftercare schedules. It is therefore recommended that a Landscaping Plan is secured through an appropriately worded condition.

Otter – Reasonable Avoidance Measures (RAMs)

I have also reviewed the consultation response from NRW dated 26th September 2017.

I agree that the recommended condition regarding the provision of a suitable Reasonable Avoidance Measures (RAMS) for otter and bats is required necessary to comply with Powys County Council's UDP Policies ENV3, ENV4, ENV5, ENV6 and ENV7.

Therefore, submission that the recommended RAMS should be secured through an appropriately worded condition.

Biodiversity enhancements

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

In accordance with Part 1 Section 6 of the Environment (Wales) Act 2016 Local Authorities are required to Maintain and Enhance biodiversity through all of its functions – this includes the planning process. It is therefore recommend that consideration is given to opportunities to incorporate biodiversity enhancements to ensure net biodiversity benefits through the proposed development. These measure could include:

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

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

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

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

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

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

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

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

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

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

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

NRW

Correspondence received 26th September 2017

Thank you for consulting Natural Resources Wales (letter dated 07/09/2017) regarding the above.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Summary of Conditions

Condition 1 - EPS: The submission of a RPA plan that will guarantee the safeguard and protection of the tree line between the Montgomery Canal SAC and the proposal, during and post construction.

Condition 2 – EPS: Construction works to be carried out during daylight hours only.

Condition 3 – EPS: No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect otters from being trapped in open excavations and / or pipe and culvers are submitted to and approved in writing by the local planning authority. The measures may include a) creation of sloping ramps to allow badgers to exit excavations; b) open pipework greater than 150mm outside diameter, being blocked off at the end of each working day.

Condition 4 – EPS: The submission and implementation of an exterior lighting scheme that will aim at retaining dark wildlife corridors.

Condition 5– biosecurity: the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA

Protected Species

No ecological report was submitted in support of this application. NRW has multiple records of bats and otters in the proximity of this location.

Bats, otters and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to bats and otters under the Regulations would require a derogation licence from Natural Resources Wales.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

The proposal has the potential to cause disturbance to otters and bats.

Provided suitable Reasonable Avoidance Measures (RAM) are secured via appropriate planning conditions and implemented during the construction phase, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

It is our opinion that the tree line between the Montgomery Canal and the North-western corner of the proposal requires protection during construction as this is likely to provide shelter and connectivity for both otters and bats. A Root Protection Area (RPA) will need to be identified and fenced off. No machinery or works to be carried out within the buffer zone.

Condition 1 - EPS: The submission of a RPA plan that will guarantee the safeguard and protection of the tree line between the Montgomery Canal SAC and the proposal, during and post construction.

To further minimise disturbance to bats and otters we recommend that construction works are limited to day light hours, to avoid the times when bats and otters are likely to move across or near the site. Holes and trenches must be covered at night or ramps installed to provide a means of escape for any mammal, including otters that may be otherwise become trapped in excavations.

Condition 2 – EPS: Construction works to be carried out during daylight hours only.

Condition 3 – EPS: No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers/otters from being trapped in open excavations and / or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include a) creation of sloping ramps to allow badgers to exit excavations; b) open pipework

greater than 150mm outside diameter, being blocked off at the end of each working day.

Impact on EPS must also be considered post development. We suggest an exterior lighting plan is submitted to your authority to demonstrate that all areas likely to be used as wildlife corridors (tree lines and hedgerows) are kept dark.

Security lighting must be installed in a way that minimise/avoid light spill in areas that could potentially be used by foraging and commuting bats and otters (all tree lines and hedgerows surrounding the site, river corridor). Low level and low wattage, as well as low pressure sodium or high pressure sodium lamps, should be preferred to mercury or metal halide lamps.

Condition 4 – EPS: The submission and implementation of an exterior lighting scheme that will aim at retaining dark wildlife corridors.

Protected Sites

The development site is adjacent to the Montgomery Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

We advise that the proposal may have implications for the Montgomery Canal SAC and, as part of any planning application submitted the LPA will need to carry out a test of likely significant effects under regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

We remind you that the competent authority, for the purposes of the 2010 Regulations must not normally agree to any plan or project unless they are sure beyond reasonable scientific doubt that it would not adversely affect the integrity of the SAC.

Without prejudice to the assessment of the LPA, provided that:

- all construction activity is confined within the site boundary
- pollution prevention measures are followed during construction
- a buffer zone or Root Protection Area (RPA) is set up to guarantee there will be no deterioration to the vegetation along the banks of the canal.

the proposal is not likely to have a significant effect on the SAC.

Flood Risk

The site lies close to a **zone C2**, as defined by the development advice map referred to under TAN15 Development and Flood Risk (July 2004). We are therefore satisfied that a flood consequences assessment is not required in this instance. As a precautionary measure, the applicant may wish to install some flood proofing measures as part of the development, for example resilient walls, floors, doors, electric wiring etc. For further information on flood proofing, please see ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties'. This may be viewed on the Planning Portal website at www.planningportal.gov.uk.

Foul Drainage

We understand foul water will be pumped to the mains sewer in accordance with government policy. Should this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage.

The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site. The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step guide to registering, is available on our website <https://naturalresources.wales/permits-and-permissions/water-discharges/?lang=en>

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases. We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS being introduced to /allowed to disperse from the site for the duration of construction and operational phases of the scheme.

Condition 5– biosecurity: the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA

Pollution Prevention

All works at the site must be carried out in accordance with GPP5 and PPG6 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which is available at:

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

Scope of NRW Comments

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales->

[and-planning-consultations-final-eng.pdf](#)). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Correspondence received 7th November 2017

Thank you for consulting us on the amended plans for the above. We have no additional comments to make, please refer to our response letter of 26/9/2017 (CAS-40069-D6C3).

Canal & Rivers Trust

Correspondence received 27th September 2017

Thank you for your consultation.

Glandŵr Cymru, the Canal & River Trust in Wales, cares for Wales' historic canals, made up of the Swansea, Llangollen, Montgomery and Monmouthshire & Brecon Canals. Our canals perform many different functions and are a haven for people and wildlife and a national treasure. We are a statutory consultee in the development management process.

Glandŵr Cymru has reviewed the consultation. This is our substantive response under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, as amended. Based on the information available we have **concerns** relating to the risk to the structural integrity of the canal.

The application site includes a section of the embankment that retains and supports the adjacent Montgomery Canal, which is a Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). In the worst case scenario the collapse of a section of the embankment could result in the canal being breached, which would cause substantial flood damage to the proposed properties and have a devastating impact on the ecological value of the designated sites.

It is therefore essential that any risk to the structural integrity of the embankment as a result of the proposed development is fully assessed and mitigated. It is also essential that no works are carried out by future occupiers of the dwelling closest to the embankment, that may risk de-stabilising the embankment or damaging the towpath and canal. This would include any work to excavate or re-profile the embankment to create level garden areas.

Land stability and the consideration of the suitability of development with regard to ground conditions are material planning considerations as set in Planning Policy Wales Chapter 13 which states at paragraph 13.5.1 that the *“responsibility for determining the extent and effects of instability or other risk remains that of the developer,”* and at 13.8 that land instability must be considered by LPA to ensure that *“new development is not undertaken without an understanding of the risks including those associated with subsidence, landslip or rock falls”*.

Due to the risks to the embankment Glandŵr Cymru would advise that this land should be excluded from the red edge of the application site, with an appropriate boundary treatment such as a native hedgerow introduced at the bottom of the embankment to define the curtilage of the closest proposed property. This would also reduce the likelihood of visually intrusive boundary fencing being erected to replace or supplement the hedgerow on the towpath boundary, and would be beneficial to Glandŵr Cymru to continue to be able to gain access to inspect the embankment.

Should the Council be minded to grant planning permission for the development as currently propose, we would also request the imposition of the following condition:

No excavation or other engineering work to, or within 5 metres of, the embankment that retains the adjacent Montgomery Canal shall be carried out, unless detail have first been submitted to and approved in writing by the local planning authority. The details shall include foundations details, construction methodology and cross sections to demonstrate how the embankment would be protected.

Reason: To prevent any risk of damage to the Montgomery Canal embankment in accordance with Planning Policy Wales Chapter 13 and protect the ecological value of the Montgomery Canal Special Area of Conservation and Site of Special Scientific Interest, in accordance with policies ENV4 and ENV5 of the Powys UDP.

We would also want to ensure that any current boundary trees/hedgerow habitats between the canal and the site are retained and protected during the course of the development. We would request that the Council consider whether a condition would be required to secure details to protect the existing boundary vegetation. No details of boundary treatment have been submitted at this stage, we would not support closed board fencing adjacent to the canal.

Finally, there is an existing path along the northern boundary of the application site which runs perpendicular from the canal towpath. It is unclear if this currently provides an informal access to the canal towpath. An access in this location could be formalised as part of the development to this site to enable future an existing residents of the site to access the canal. If the applicant is amenable to this then we would suggest the following condition:

Prior to the development hereby permitted being built above slab level full details of the proposed access to the towpath to be constructed shall be submitted to and agreed in writing by the Local Planning Authority and carried out in accordance with the agreed details. The details shall include cross sections; the materials to be used; set out any stability works required to the embankment and set out the future maintenance provisions for the access.

Reason: In order to ensure that the integrity of the waterway infrastructure is not compromised, future maintenance provision of the access has been identified and agreed and the proposed access does not have a detrimental impact on the appearance of the canal corridor and to accord with policies TR11 and T6 of the Powys Local Plan

If the Council is minded to grant planning permission, it is also requested that the following informative is attached to the decision notice:

“It is essential that the applicant/developer contacts the Canal & River Trust’s Third Party Works Team (01782 779909) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.

For Glandŵr Cymru to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice.

If you have any queries please contact me, my details are below.

Cllr Francesca Jump

Correspondence received 21st September 2017

I would like to call in the above application as the application site is outside the development area.

Representations

A public site notice was erected at the site for a period of 21 days. No third party representations have been received by Development Management at the time of writing this report.

Principal Planning Constraints

Flood Zone
SSSI
Special Area of Conservation
Public Right of Way
Nat FloodZone 2

Principal Planning Policies

National planning policy

Planning Policy Wales (9th edition, 2016)
Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies (2015)
Technical Advice Note (TAN) 5: Nature, Conservation and Planning (2009)
Technical Advice Note (TAN) 12: Design (2016)
Technical Advice Note (TAN) 18: Transport (2007)
Technical Advice Note (TAN) 23: Economic Development (2014)

Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Local planning policies

Powys Unitary Development Plan 2010

SP2 – Strategic Settlement Hierarchy

SP3 – Natural, Historic and Built Heritage
SP4 – Economic and Employment Developments
SP5 – Housing Developments
SP6 – Development and Transport
SP12 – Energy Conservation and Generation
SP14 – Development in Flood Risk Areas
GP1 – Development Control
GP3 – Design and Energy Conservation
GP4 – Highways and Parking Requirements
ENV2 – Safeguarding the Landscape
ENV3 - Safeguarding Biodiversity & Natural Habitats
ENV4 - Internationally Important Sites
ENV5 - Nationally Important Sites
ENV7 – Protected Species
HP3 - Housing Land Availability
HP4 - Settlement Development Boundaries and Capacities
HP5 - Residential Development
HP6 - Dwellings in the Open Countryside
HP14 – Sustainable Housing
TR2 - Tourist Attractions and Development Areas
RL6 - Rights of Way and Access to the Countryside
DC1 – Access by Disabled Persons
DC3 – External Lighting
DC10 – Mains Sewage Treatment
DC13 – Surface Water Drainage

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

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Officer Appraisal

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

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

Principle of Development

This application site lies adjacent to the settlement of Pool Quay which is classified in the Powys Unitary Development Plan 2010 as small village. The site is accessed via a new access proposed off the A483 Trunk Road. The proposal is for up to three dwellings of which all are to be open market and therefore the proposed development represents a departure from the adopted Unitary Development Plan.

Housing Land Supply

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

Housing supply is a material consideration that should be given considerable weight in the determination of this application. TAN 1 states:

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

Sustainability

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

PPW requires that development be sustainable and that adverse impacts do not outweigh the benefits. Furthermore, PPW states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and new isolated homes in the countryside should be avoided. In line with PPW, residential development outside of settlement boundaries are considered in terms of the site's proximity to services and facilities likely to be required for residential use, and whether the site is suitably connected to these services and facilities.

Pool Quay is defined in the UDP as a small village with no allocated sites. The settlement itself has a public house, post box and public transport bus stop with pedestrian footways linking from the site to the bus stop. Pool Quay is located approximately 3.2 miles north east of Welshpool which is an area centre as defined in the UDP. Welshpool has a full range of facilities and services and is readily accessible from Pool Quay via public transport links. The proposed location is considered to be sustainable for the scale of development proposed.

Officers consider that in this case the proposed site on balance given the scale of the proposed development is considered to be a sustainable location for three dwellings with access to a range of services and facilities that is well associated with the existing built up

settlement form. In light of the above, officers consider that the key settlement is considered to be a sustainable location for a development of the proposed scale.

Scale, Design and Appearance

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

Whilst scale, appearance, layout and landscaping are reserved matters not to be considered as part of this application process, the applicant has provided an indicative layout for the site. The indicative layout for the site shows three open market dwellings. The design and access statement indicates that the dwellings will be between 10-20 metres in length and 9-12 metres in width. The height to the ridge will vary but will range from between 5- 9 metres in height.

No indicative details of design of the dwelling are given at this stage but it is a matter to be considered at any future reserved matters application stage. The design and access statement or planning application form doesn't give any information in terms of proposed materials at this stage.

Although Officers acknowledge that matters relating to appearance, layout and scale have been reserved for future consideration, on the basis of the plans provided, it is considered that the application site is capable of accommodating five dwellings without unacceptably adversely affecting the character and appearance of the area or amenities enjoyed by occupants of neighbouring properties compliant with UDP policies SP5, GP1, GP3, ENV2 and HP5 of the Powys Unitary Development Plan 2010.

Landscape and Visual Impact

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

The proposed site is located adjacent to the settlement boundary of Pool Quay. It is considered that the siting of the proposed dwellings is acceptable in the proposed location. Although landscaping is not considered as part of this application process substantial landscaping is shown on the indicative layout as a landscape buffer strip of 10 metres in width. This landscape buffer will be secured by grampian condition upon any grant of consent to further screen the proposed development. It is considered that the proposed site is well integrated within the existing small village, will benefit from the proposed landscaping works and would not have an unacceptable adverse visual impact upon the character and appearance of the surrounding area.

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

Agricultural land Classification

Planning Policy Wales (PPW) paragraph 4.10 outlines national policy towards conserving Wales' Best and Most Versatile (BMV) agricultural land. Further guidance is provided in Technical Advice Note (TAN) 6, including the consultation arrangements with the Welsh Government included at Annex B. UDP policy ENV1 states that when considering proposals for development, the best and most versatile agricultural land will be safeguarded wherever possible.

The Predictive Agricultural Land Classification (ALC) Map indicates that the application site is classified as 'Moderate quality agricultural land' (3b). Planning Policy Wales (PPW) seeks to protect agricultural and grade 1-3a. Given the classification of the application site, it is not considered that development on the proposed site would result in the loss of high grade agricultural land, compliant with UDP policy ENV1.

Highways Safety and Movement

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

This application is submitted in outline with access being the only matter being considered at this stage. All other matters are reserved for future consideration. As part of this application process the trunk road highways authority have been consulted and no objections have been raised following amendments to the submitted plans, subject to the inclusion of the recommended conditions upon any grant of consent. Officers are satisfied that subject to the conditions as suggested that the proposed development is considered to have an acceptable access.

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

Drainage

Policy DC13 of the Powys Unitary Development plan seeks to ensure that development proposals should provide adequate provisions for land drainage and surface water disposal. Development should not give rise to unacceptable on or off site flooding. Policy DC10 seeks to ensure that the adequate provision for foul sewerage can be provided on site via the public foul sewerage system.

As part of this application process the council's Environmental Health Officers have been consulted who have raised no objection to the scheme as it is to be served by the public sewerage system. Severn Trent have also been consulted and have raised no objection to the proposal subject to the inclusion of a condition to include details of the foul and surface water disposal for the scheme.

Officers consider that subject to the suggested condition that the proposed development fundamentally complies with policy DC10 and DC13 of the Powys Unitary Development Plan 2010 in respect of foul and surface water drainage.

Flood Risk

This application site is located in close proximity to the C2 flood zone however is wholly outside of the zone as shown on the Development Advice Maps. As part of this application process NRW have been consulted on the application and have raised no objections in respect of flood risk and have not requested any further information. Officers consider that the site is located outside of the C2 flood zone and therefore is acceptable in this respect.

In light of the above, officers consider that the proposed development fundamentally complies with policy SP14 of the Powys Unitary Development Plan.

Ecology and Biodiversity

This application site is located in close proximity to the Montgomery SSSI and SAC. As part of this application process the county ecologist and NRW have been consulted. NRW's comments have no objections to the scheme subject to a number of conditions to secure a lighting scheme, biosecurity risk assessment, reasonable avoidance measures for bats and otters. Officers have considered the suggested conditions and have recommended that they be included upon any grant of consent. Other conditions were suggested in respect of root protection areas for the existing tree line alongside the canal, however amended plans remove the development from that area and this outline application only gives an indicative layout of the site with layout being fully considered at any reserved matters stage. It is considered that the root protection areas will be considered at any reserved matters stage in terms of designing the final layout of the site and a condition is not necessary at this outline stage.

In addition to the suggested conditions as a means of integrating the site into the settlement an additional landscaping buffer strip has been requested to the south west of the proposed site to further screen and integrate the site into the settlement. Officers consider whilst the buffer strip will provide additional protection to the wider landscape it will also provide additional habitats and benefits to the biodiversity of the surrounding local area. A condition will be placed upon any grant of consent to secure this landscape buffer.

In addition to NRW's comments on protected species they have comments upon the likely impact upon the Montgomery Canal SSSI and SAC. They have stated in their response that the proposed development is not likely to have a significant effect on the SAC.

The county ecologist has provided comments raising no objections to the scheme subject to recommended conditions. Some of the suggested conditions relate to aspects of the proposed site which will be finalised at any reserved matters stage and are not considered to be appropriate at this outline application stage.

In light of the above, officers consider that the proposed development subject to the suggested conditions complies with policies ENV2, ENV3, ENV4, ENV5 and ENV7 of the Powys Unitary Development Plan 2010.

Habitats Regulations Assessment

The proposed site is located within close proximity to the Montgomery Canal SSSI and SAC. As a result the county ecologist has carried out a habitats regulations assessment for the

site. The outcome of the assessment indicates that the proposed development would result in no likely significant effects upon the SAC.

Recommendation

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

Conditions:

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out strictly in accordance with the plans stamped as received on 20/02/18 (drawing no's: RPP01.1.3.01 Rev E).
5. The access and visibility splays shall be laid out, constructed and maintained strictly in accordance with the submitted plans (drawing no. RPP01.1.3.01 Rev E)
6. The minimum visibility distances available for vehicles emerging from the proposed access / junction shall be 160 metres in the northbound direction and 215 metres in the southbound direction at a height of 1.05 metres, measured to a point 0.26 metres above the nearer running edge of the trunk road carriageway. These visibility distances shall be available at a point 4.5 metres from the nearer running edge of the trunk road, measured along the centreline of the access road. The visibility splay so formed shall be free of any growth or obstruction, which would interfere with the minimum visibility requirements.
7. Adequate provision shall be made within the development site to enable vehicles to turn around, so that they may enter and leave the site in a forward gear.
8. No drainage from the development site shall be connected to or allowed to discharge into the trunk road drainage system, and the proposed junction shall be constructed such that the access road does not drain onto the trunk road.
9. The access and visibility requirements shall be substantially complete and available for use prior to the commencement of any other works associated with the development.

10. The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented.
11. Prior to the commencement of development drainage plans for the disposal of foul and surface water flows shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
12. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.
13. Prior to the commencement of development a detailed lighting design scheme to take into account any impacts on nocturnal wildlife into consideration shall be submitted for written Local Planning Authority approval and implemented as approved and maintained thereafter.
14. Prior to the commencement of development a Biosecurity Risk Assessment shall be submitted to and approved by the Local Planning Authority. The risk assessment shall be implemented as per the details approved.
15. Prior to the commencement of development measures for the protection of otters from being trapped in open excavations and/or pipe and culverts are to be submitted and approved in writing by the Local Planning Authority. The measures approved will be implemented in full.
16. No development shall commence until full details of the proposed landscape buffer zone as detailed on plan no. RPP01.1.3.01 Rev E (received 20/02/18) is submitted alongside an implementation and maintenance scheme and approved in writing by the Local Planning Authority. The approved schemes shall be implemented in full.
17. Prior to the commencement of development a reasonable avoidance measures method statement regarding bats and otters shall be submitted to and approved in writing by the Local Planning Authority the approved measures shall be implemented and adhered to in full.
18. Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 1 dwelling;

ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];

iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

19. The affordable dwelling shall have a maximum gross floor area of 130 square metres (measured internally and including garages where designed as an integral part of the dwelling) and notwithstanding the provisions of schedule 2, part 1, classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and reenacting that order with or without modification), the affordable dwelling shall not be subject to extensions, roof alterations and buildings other than those expressly authorised by the reserved matters approval.
20. A Hedgerow Replacement Plan shall be submitted to the Local Planning Authority at the same time as the reserved matters as listed in condition 1 above and implemented as approved and maintained thereafter.

Reasons

1. To enable the Local Planning Authority to exercise proper control over the development in accordance with Section 92 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
4. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
5. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
6. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
7. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
8. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
9. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.

10. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
11. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution
12. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
13. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
14. To comply with Powys County Council's UDP Policies ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act.
15. To comply with Powys County Council's UDP Policies ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act.
16. To ensure that the application site is adequately landscaped in the interests of the amenity of the area, in accordance with policies GP1, ENV2 and ENV3 of the Powys Unitary Development Plan (2010), Technical Advice Note 5 - Nature Conservation and Planning (2009) and Planning Policy Wales (2016).
17. To comply with Powys County Council's UDP Policies SP3, ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
18. The dwellings are hereby permitted as an exception to normal housing policies. This condition is imposed to control the future affordability and management of the development in accordance with policies HP7 of the Powys Unitary Development Plan (2010).
19. In order to ensure the provision of affordable housing in accordance with policies HP5, HP7 and HP10 of the Powys Unitary Development Plan (2010), Technical Advice Note 2: Planning and Affordable Housing (2006) and Planning Policy Wales (2016).
20. To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and Part 1 Section 6 of the Environment (Wales) Act.

Informative Notes

Welsh Government Transport (Trunk Road Authority)

- 1) The applicant should be advised that all temporary or permanent signage, road markings or traffic orders shall be at the expense of the developer and agreed with the Highway Authority before works commence.
- 2) Any adjustment, re-siting and / or protection of any statutory undertakers apparatus in the highway shall be undertaken with the prior written consent of the relevant Authority and shall be carried out at the Applicant's own expense.
- 3) The applicant should note that planning permission does not constitute permission under the Highways Act for various activities that may be associated with the development i.e. use of the highway/footway/verge to: for example; deposit material, deposit skips, erect scaffolding, excavate within the highway or erect traffic management apparatus. Such activities will require the separate consent of the Highway Authority;
- 4) Any temporary traffic management arrangements required in connection with this application shall be in accordance with Chapter 8 of the Traffic Signs Manual and in accordance with the Safety at Street Works and Road Works Code of Practice, and shall be approved by the highway authority.
- 5) Road traffic signs in Wales must be bilingual, Welsh above English, and adhere to Welsh Government specifications, see following link for standard details; http://www.traffic-wales.com/traffic_signs.aspx

Canal and Rivers Trust

It is essential that the applicant/developer contacts the Canal & River Trust's Third Party Works Team (01782 779909) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust"