



*The site is low lying and while certain recent developments by Welsh Water have demised the flood risk I do not think that this can be wholly discounted and if consent is granted for a limited development then the houses should be raised to prevent flood waters. My recollection is that this was debated in connection with another development in recent years in Beulah.*

*While there are vacant places in both Ysgol Dolafon C P School and Irfon Valley C P School both schools are in need of enhanced facilities and I feel that there should be a planning decision on the effect that both these schools should be affected by receiving a contribution.*

*I am copying this e-mail to Mr. Mike Thomas, clerk to Treflys Community Council and have asked that a member of the community council attends to give their further objections.*

*Please accept this e-mail as an indication that a speaker may attend.*

*County Councillor Tim Van-Rees (Colonel Retired) Elected Member for Llanwrtyd Wells & District"*

## **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.

### Flooding

The proposed development is not located within a C2 flood zone and therefore complies with local policies and Technical Advice Note 15.

### Affordable Housing

The original application B/05/0184 was granted consent subject to the signing of a S106 agreement that secured a level of affordable housing, since then a Section 73 application (P/2015/0039) was applied for and approved without the signing of a S106 application. Further to this permission was granted for the removal of the S106 agreement from the original application under the reference number VAR/2017/0007. As this application is for reserved matters and given that the original Section 106 agreement has been removed, no affordable housing can be secured at this stage of the planning process.

### Education

As this application is for reserved matters, an education contribution cannot be agreed at this stage and would have been considered during the outline planning application.

## RECOMMENDATION

Whilst this report forms an update to the original report, it is considered that the recommendation remains the same as set out in the original report.

### Conditions

1. The development hereby granted approval of reserved matters shall be begun before the expiration of two years from the date of this approval, or before the expiration of five years from the date of the outline planning permission whichever is the longer.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XX/XX/XX (drawing no's: 17/020/TCP04 B, JO1751/A1/001, 17/020/TCP14, 17/020/TCP15, 17/020/TCP13, 17/020/TCP12, 17/020/TCP11, 17/020/TCP10, 17/020/TCP08, 17/020/TCP02, 17/020/TCP07, 17/020/TCP06, 17/020/TCP05, 17/020/TCP01, 17/020TCP09A & 17/020/TCP03).
3. Prior to the construction of the dwellings hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. Prior to commencement of development, a Landscaping and Management Plan shall be submitted to and agreed with the Local Planning Authority and shall be implemented in the first planting season of the following occupation of the development. The Plan shall include the use of native species, details of the planting specification – the species, sizes and planting densities – and a timetable for implementation and future management to ensure good establishment and long term retention.
5. Prior to commencement of development a Tree and Hedgerow 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 Local Planning Authority.
6. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than 3 cars per dwelling as detailed on the approved drawing J01751/A1/001. The parking areas shall be retained for their designated use in perpetuity.
7. The gradient from the back of the footway/verge to the vehicle parking areas shall be constructed so as not to exceed 1 in 15 and shall be retained at this gradient for as long as the dwellings remain in existence.
8. No building shall be occupied before the estate road carriageway and one footway shall be constructed to binder course level to an adoptable standard including the provision of any salt bins, surface water drainage and street lighting in front of that building.
9. The estate road carriageway and all footways shall be fully completed, in accordance with the details to be agreed in writing by the Local Planning Authority, upon the issuing of the Building Regulations Completion Certificate for the last house or within two years from the commencement of the development, whichever is the sooner. The agreed standard of completion shall be maintained for as long as the development remains in existence.
10. The area of each private drive/parking space shall be a minimum of 6m long and shall be metalled and surfaced in bituminous macadam, concrete, or block pavements, prior to the occupation of that dwelling and retained for as long as the development remains in existence.

11. The access road shall be at right angles to the trunk road carriageway for a distance of at least 25 metres from the trunk road boundary, over which it shall not exceed a gradient of 2.5% (1 in 40).

12. The minimum visibility distances available for vehicles emerging from the proposed access/junction shall be 120 metres in each direction at a height of 1.05 metres, measured to a point 0.26 metres above the nearer running edge of the carriageway of the trunk road. These visibility distances shall be available at a point 4.5 metres from the nearer running edge of the trunk road, measured along the centre line of the access road, and at all intervening points up to the running edge of the trunk road carriageway. The visibility splays so formed shall be free of any growth or obstruction which would interfere with the minimum visibility requirement.

13. The access road shall have a width of between 6.0 and 7.3 metres for the first 25 metres, with an entry and exit radii of 10.0 metres. The access shall be constructed to the requisite standards with either concrete or bituminous surfacing for at least the first 25 metres from the running edge of the trunk road carriageway.

## **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the buildings in accordance with policies DM13 of the Powys Local Development Plan and the Councils Residential Design Guide.
4. In the interest of the protection and preservation of biodiversity in accordance with policy DM2 of the Powys Local Development Plan.
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6. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13.
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8. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy DM13.
9. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13.
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## **Informative Notes**

