

Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

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.

Officer Appraisal

When considering land drainage consideration is given to LDP policy DM6 and DM13. Policy DM6 states that satisfactory provision shall be made for land drainage in all development and this should include consideration of the use of Sustainable Drainage Systems (SuDS). Policy DM13 states that adequate utility services exist or will be provided readily and timely without unacceptable adverse effect on the surrounding environment and communities.

Severn Trent has been consulted in relation to drainage and have raised no objection in relation to the proposal, however have requested two conditions to be attached to any grant of permission. The conditions request that works shall 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 that the scheme is then implemented in accordance with the approved details before the development is first brought into use.

It has been considered that these conditions are not necessary as there is already drainage on site. The proposal does not involve the installation of any sinks, kitchens or WC and therefore it is considered that the proposal will not detrimentally increase the foul and surface water flows and therefore the conditions are not considered necessary in this instance.

Therefore, in light of the above it is considered that the proposal fundamentally complies with policies DM6 & DM13.

RECOMMENDATION

Based on the information submitted with the application, consultation response and existing policy context, the recommendation to Members is one of conditional consent.

Conditions

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved (drawing no's: P6015/26/1, P6015/26/2, P6015/26/5, P6015/26/6).

Reasons

1. Required to be imposed by section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans approved by the Local Planning Authority in the interests of clarity and a satisfactory development.

Informative Notes

Building Control

A Building regulations application may be required for this development, please contact Building Regulations on 01874 612290.

Biodiversity

Birds - Wildlife and Countryside Act 1981 (as amended)

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

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

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

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

Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)

It is an offence for any person to:

- Intentionally kill, injure or take any bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- Under the Habitats Regulations it is an offence to:
- Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0845 1300 228 or email enquiries@bats.org.uk.

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