

# Planning, Taxi Licensing and Rights of Way Committee Report

## UPDATE REPORT

**Application Number:** 18/0922/RES

**Grid Ref:** E: 320376  
N: 290839

**Community Council:** Kerry Community

**Valid Date:** 16.11.2018

**Applicant:** Powys County Council

**Location:** Land Adjacent To Southeast of Village Hall, Sarn, Newtown, Powys, SY16 4HQ

**Proposal:** Reserved matters for details of access, appearance, landscaping, layout and scale in connection with proposed development of 7 no. affordable dwellings and all associated works

**Application Type:** Reserved Matters

### Consultee Responses

#### Consultee

#### Received

PCC – Ecology

19/03/19

Thank you for consulting me with regards to planning application 18/0922/RES which concerns reserved matters for details of access, appearance, landscaping, layout and scale in connection with proposed development of 7 no. affordable dwellings and all associated works at Land Adjacent To Southeast Of Village Hall, Sarn, Newtown, Powys.

I have reviewed the submitted information and note that a detailed landscaping plan (drawing no. T057.2.0.104 produced by Hughes Architects dated 9<sup>th</sup> November 2018) has been provided for the development site, the majority of the planting proposed comprises native species including native hedgerow planting, specimen tree planting and wildflower planting – the drawing includes details of species proposed and planting specifications. Whilst in principle the proposed landscaping scheme is considered to be acceptable it is noted that there seems to be some discrepancy with regards to the proposed trees within the site – the identified locations are labelled T6, T7, T8 and T9 – according to the details on the Landscaping Plan these correspond to the following species:

T6 – Hazel

T7 – Honeysuckle

T8 – Hornbeam  
T9 – Oak

Whilst T8 - oak and T9 - hornbeam are considered appropriate for standard tree planting T6 - hazel and T7 - honeysuckle are shrub species and would not be appropriate species for this purpose. Therefore, it is recommended that a planning condition is included to secure details of the standard tree planting within the scheme to ensure that the species proposed are appropriate to the local area in order to ensure the development complies with LDP policy DM4 with regards to ecological qualities of the landscape.

I note that the existing hedgerow to the front of the site will be translocated to the rear boundary of the development and a new native hedgerow is to be planted along the site frontage in order to achieve the proposed highway improvements and associated visibility splays. The intention to translocate the existing hedgerow is welcomed and will ensure that the hedgerow and associated ground flora are maintained. In order to ensure the translocation is undertaken in a manner which will provide the greatest chance for the hedgerow to survive the realignment I recommend that the submission of a Hedgerow Translocation Method Statement prior to commencement of development is secured through an appropriately worded condition.

Having reviewed the submitted information it is considered that condition 6 attached to the outline planning approval regarding submission of detailed external lighting plans remains valid.

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

*Notwithstanding the submitted plans, prior to commencement of development a detailed list of the standard tree species to be planted will be submitted to the LPA for approval, the approved details will be implemented in full and maintained thereafter.*

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016

*Prior to commencement of development a Hedgerow Translocation Method Statement including details regarding timings of works and aftercare scheme will 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 LDP Policies DM2 in relation to the Natural Environment and to meet the requirements of Planning Policy Wales (Edition

10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

## **Officer Appraisal**

### Ecology and Biodiversity

LDP policy DM2 indicates that development proposals should demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site. Proposals which unacceptably affect protected species or designated sites will not be supported. This is echoed within Technical Advice Note 5 and PPW.

Following the original report to Committee, comments from our Ecologist have now been received. The Ecologist has raised no objection to the proposed development subject to the inclusion of the suggested conditions upon any grant of consent. The conditions are in respect of landscaping and a hedgerow translocation method statement.

Notwithstanding the landscaping plan submitted in support of this application the Ecologist has noted that there are some discrepancies shown on the plans and that some of the species proposed would not be appropriate for their proposed purpose. As part of this application a section of hedgerow is to be translocated to the rear boundary of the development site and a native hedgerow to be planted to the frontage of the site in order to achieve necessary highway improvements. In order to secure the translocation of the existing hedgerow and to ensure the translocation is undertaken in an appropriate manner a hedgerow translocation method statement condition has been recommended to be attached to any grant of consent. Officers consider that the suggested conditions meet the six tests outlined within the Conditions Circular and therefore it is recommended that these are attached to any grant of consent.

In light of the above and consultation responses received, Officers consider that the proposed development is in compliance with policies DM2 and DM13 of the Powys LDP, Technical Advice Note 5 and PPW.

## **RECOMMENDATION**

In light of the above, the recommendation remains one of conditional consent subject to the conditions detailed below.

### **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 in accordance with the following approved plans and documents (2647/P21/001 REV A, 2647/P21/002 REV B, 2647/P21/003 REV B, T057.2.1.101 REV E, T057.2.1.102 REV D, T057.2.1.103 REV D, T057.2.0.104)
3. Prior to any other works commencing on the development site, detailed engineering drawings for a road widening and footway along the Class III C2053 and associated works, shall be submitted to and approved in writing by the Local Planning Authority.
4. Prior to occupation of any dwelling, all Highway Improvements, referred to above, shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.
5. Prior to the commencement of any other works on the development site, the access and visibility splays shall be constructed in accordance with drawing number 2647/P21/002 Rev B.
6. Prior to the occupation of any dwelling any entrance gates shall be set back at least 10 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
7. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 10 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.
8. Prior to the commencement of any other development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 10 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
9. Prior to the occupation of any dwelling, provision shall be made within the curtilage of the site for the parking of not less than one car per bedroom in accordance with CSS Wales Parking Standards, excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas

shall be retained for their designated use for as long as the development hereby permitted remains in existence.

10. Prior to the commencement any other development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.
11. Prior to the occupation of any dwelling the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 10 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
12. Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
13. No surface water drainage from the site shall be allowed to discharge onto the county highway.
14. Notwithstanding the submitted plans, prior to commencement of development a detailed list of the standard tree species to be planted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the details so approved.
15. Prior to commencement of development a Hedgerow Translocation Method Statement including details regarding timings of works and aftercare scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the details so approved.

## **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 highway safety and in accordance with the provisions of Powys LDP Policy DM13 and T1.

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13. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 and T1.
14. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016
15. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

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