

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number:	21/1660/FUL	Grid Ref:	E: 309990 N: 290353
Community Council:	Newtown And Llanllwchaiarn Community	Valid Date:	02.11.2021

Applicant: Powys County Council

Location: Cedewain School , Plantation Lane, Newtown, SY16 1LH,

Proposal: Demolition of all buildings currently associated with the existing Ysgol Cedewain Additional Learning Need (ALN) School site. Erection of a new 2 Storey Additional Learning Need School, formation of Multi Use Games Area, external services yard compound, sports pitch, new 45 space car parking area including 4 electric charging bays, new vehicular access off Plantation Lane, landscaping works and all associated works

Application Type: Full Application

The reason for Committee determination

This major application has been made by Heart of Wales Property Services on behalf of Powys County Council. In accordance with the Council's Constitution, the application is required to be determined by Members of the Planning, Taxi Licensing and Rights of Way Committee.

Consultee Responses

Consultee

Received

Contaminated Land Officer

8th Nov 2021

The subject site is identified as former unknown filled ground and there may be asbestos containing materials within the existing school and made ground present. I have reviewed the submitted information and generally concur with its findings. In respect of the proposed gas protection measures a Verification Plan in accordance with Ciria C735 will be required.

Whilst accepting of the investigation work undertaken, further work will be required once the buildings have been demolished.

Condition A

Condition 1. Site Characterisation

No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins. The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

Condition 2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 2 has been received from the local planning authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

Condition 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and

approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority. The verification report contents must be agreed with the local planning authority before commencement of the remediation scheme.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

Condition 4. Long Term Monitoring and Maintenance A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of duration to be agreed in writing with the local planning authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority.

Within six months following the completion of the measures identified in that scheme and the achievement of the remediation objectives, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy ____ of the adopted Local Plan (date)].

Note to Applicant

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 01597 827645

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:

- o 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
- o 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 prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Clean Water Comments

We have apparatus in the area of the planned development, the developer will need to contact Severn Trent Water, New Connections team as detailed below to assess their proposed plans for diversion requirements.

To request a water map please follow the link, <https://www.stwater.co.uk/building-and-developing/estimators-and-maps/request-a-water-sewer-map/> scroll down the page to view the link:

Please visit www.digdat.co.uk

You will need to register on the website and then you will be able to search for your chosen location and get an instant quote online. For more information you can view Digdat's user guide([opens in a new window](#)).

Please look at the district area supply plan (PDF)([opens in a new window](#)) to check that your site is within the Severn Trent boundary before requesting an underground asset map.

Any correspondence and diversion applications are to be submitted through New Connections the relevant form can be found on the Severn Trent website, please complete the form as fully as possible.

Highway Authority

16th Dec 2021

The Highway Authority (HA) met with the applicant during the course of the PAC and note that the design changes to the car park and access raised at that stage have been implemented on the revised drawings submitted to this application.

At PAC stage the HA raised issue with the narrow access off the U4206 at its junction with the U4210, which gives access to the existing school and the adjacent school. However, we understand through discussion that the applicant does not control sufficient frontage to which improvements can be made and the lane gives access to the adjacent school which is not within the application site. The existing situation shall be improved by relocating the main Ysgol Cedewain entrance to the U4205, as shown on Drawing Number CED-LST-A1-XX-DR-L-0102 Rev P4 and relocating the Ysgol Cedewain staff parking adjacent to the new school building. Therefore, the proposed development shall result in a reduction of movements through the existing access.

The HA recommended that the applicant provide sufficient off-street parking and dropping off for both schools as part of the proposed development. However, through discussion with the applicant, we note that the application site cannot be enlarged due to the dedication of surrounding land and TPO's. Therefore, the applicant is unable to provide additional parking/dropping off facilities for Maesyrrhandir CP School. We do note that the applicant has relocated the staff parking from its current position to within the proposed

service yard, therefore reducing the pressure on the available parking to the rear of Maesyrhandir CP School.

Our Active Travel section (AT) was consulted at the time of the PAC and the applicant has continued dialogue with Officers. As above the applicant has redesigned the access, which has addressed our concerns and that of AT. The AT Officers identified three Active Travel routes which the applicant should include within their submission. However, through further discussions with AT the route nearest the application site has already been implemented and the remaining routes are a considerable distance from the application site. Therefore, the improvements which the applicant has proposed to the access are considered sufficient.

The HA advises that the applicant's appointed contractor shall be required to obtain Streetworks licenses for the access, and any utility connections (see notes below).

The HA consider that the changes we identified at PAC stage, also subject to discussions at that point, are present in the submission. Therefore, the HA recommend that the following conditions be attached to any consent given.

1. Notwithstanding the submitted details on drawing numbers CED-LST-A1-XX-DR-L-0102 Rev P4, CED-CUR-XX-XX-DR-C-5500 Rev P4, CED-LST-A1-XX-DR-L-0200 Rev P3 & CED-CUR-XX-XX-DR-C-9502 Rev P4 the Highway Authority wish the following conditions to be applied to any consent given.
2. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The 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.
3. No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 34 metres distant in an easterly direction and 14 metres distant in a westerly direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

4. 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.
5. Before any other development is commenced 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 15 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.
6. Prior to the first operational use of the development, provision shall be made within the corresponding site for the parking and turning of vehicles as detailed on the approved site plan CED-LST-A1-XX-DR-L-0102 Rev P47. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
7. Prior to the first operational use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 15 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.
8. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 15 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.
9. Any vehicular entrance gates installed within the application site shall be set back at least 15 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.
10. No surface water drainage from the site shall be allowed to discharge onto the county highway.

Advisory Notes

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular

access works.

- a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.
 - b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.
2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
 3. The need to inform and obtain the consent of Statutory Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
 4. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Natural Resources Wales (Mid Wales)
DPAS

17th Nov 2021

We refer to your consultation dated 02/11/2021. We have no objection to the proposed development as submitted and provide the following advice.

Protected Species

We note that the bat reports submitted in support of the above application (Ysgol Cedewain Preliminary Bat Roost Assessment, Middlemarch Environmental, August 2019 and Ysgol Cedewain, Updated Bat Surveys, Middlemarch Environmental, September 2021) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted. In line with the recommendations in the Updated Bat Surveys, we would welcome implementation of a lighting plan following the guidance in the Bat Conservation Trust/ ILP Guidance Note 08/18 Bats and artificial lighting in the UK, Bats and the Built Environment series to reduce the impacts of lighting in the interest of protected species and commuting corridors.

Contaminated Land

Natural Resources Wales considers that the controlled waters at this site are not of the

highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Land Contamination Risk Management (LCRM) guidance should be followed.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Ecologist

16th Dec 2021

No objection - subject to planning conditions and/or planning obligations

Policy background:

- o Planning Policy Wales, Edition 11, 2021
- o Technical Advice Note (TAN) 5
- o Powys Local Development Plan 2011 - 2026:

DM2 - The Natural Environment

DM4 - Landscape

DM7 - Dark Skies and External Lighting

- o Powys Supplementary Planning Guidance: Biodiversity and Geodiversity (2018)

Legislative background:

- o The Conservation of Habitats and Species Regulations 2017 (as amended)

- o Environment (Wales) Act 2016

Statutory sites within 2km:

- o none

Non-statutory sites within 2km:

- o One or more Ancient Woodland (AW) sites are located within 500m of the development

Records of protected and/or priority species identified within 2km? Yes

Comments:

The application is informed by the following information:

- o Worral, V. Holmes, B & Collins, A. (12/08/2019) Ysgol Cedewain & Ysgol Maesyrhandir, Newtown, Powys. Preliminary Ecological Appraisal. Report no. RT-MME-130845-01. Middlemarch Environmental.
- o Holmes, B, (08 September 2021) Ecological Walkover Survey - Cedewain School, Newtown, Powys. Ref. RT-MME-156080-01. Middlemarch Environmental.
- o Worral, V. Holmes, B & Collins, A. (12/08/2019) Ysgol Cedewain & Ysgol Maesyrhandir, Newtown, Powys. Preliminary Bat Roost Assessment. Report no. RT-MME-130845-02. Middlemarch Environmental.
- o Meredith, S. & Withington, D. (30/09/2019) Ysgol Cedewain & Ysgol Maesyrhandir, Newtown, Powys. Dusk Emergence and Dawn Re-Entry Bat Surveys. Report no. RT-MME-150335. Middlemarch Environmental.
- o Holmes, B, (09 September 2021) Cedewain School, Newtown, Powys. Updated Bat Surveys. Report no. 156080-02. Middlemarch Environmental.
- o Unknown (July 2021) Arboricultural Impact Assessment & Method Statement, Ysgol Cedewain School, Newtown. Ref. 21/AIA/POWYS/08. Tree Solutions Ltd.

Survey effort and methods employed in accordance with current national guidelines?

Yes

The preliminary ecological appraisal (PEA) identified the following habitats on and adjacent to the site: amenity grassland, buildings, fence, hardstanding, hedgerow, introduced shrub, scattered trees. The areas of amenity grassland, hardstanding and fencing were of relatively low ecological value. Mature and semi-mature trees and

hedgerows provided potential habitat for bats, nesting birds, hedgehog and reptiles, as well as invertebrates such as butterflies, moths and beetles. Two trees with bat boxes installed (but outside of the proposed development area) and a semi-mature oak with a potential bat roosting feature were identified. Trees and buildings were assessed separately for bat roosting potential and presence of bats (see below). The site was considered unsuitable for dormouse, water vole, pine marten, great crested newt and otter due to a lack of suitable habitat features. No evidence of badger was detected but it was considered that there was potential for them to pass through the site.

A further updated site assessment confirmed no substantial change in the type and condition of habitats present on site. It identified that two hedgerows on site would be lost to the development and compensation was advised. Mitigation measures were recommended to avoid loss or damage to remaining trees and hedgerows and to avoid harm to reptiles, hedgehog, nesting birds and badger during the construction phase. It was advised that the recommendations identified within the accompanying bat reports should also be followed.

The preliminary bat roost assessment PRA consisted of an internal and external inspection of the buildings on site to identify potential bat access points, roost features and evidence of the presence of bats. Trees were subject to ground level inspection for potential roosting features. Not all parts of all buildings and trees were accessible for inspection and so a precautionary approach was taken regarding requirement for future surveys. The main Maesyrrhandir school building and adjacent nursery building are not impacted by the proposal and were excluded from the assessments.

Ten separate buildings were assessed; three brick-built structures and seven portacabins. No evidence of the presence of bats was detected in any building where physical inspection was possible. It was considered that the portacabins possessed negligible potential to support roosting bats. The three brick buildings possessed multiple potential bat access points and roost features and were considered to have high roost potential. Five trees were identified to have potential roost features; a semi-mature oak with limb cracks, two trees with bat boxes and two trees with bird boxes; all will be retained. The height of the limb cracks and all four boxes precluded physical inspection. All were considered to have high roost potential. Three activity surveys (two dusk, one dawn) were conducted in accordance with national guidelines were carried out on the three brick buildings and the oak tree. No bats were detected emerging or entering any parts of the buildings or the oak tree during any of the survey periods. It was concluded that no bat roosts would be impacted by the proposals. Limited foraging and commuting activity was identified across the site probably due in part to high levels of nocturnal illumination present. The updated assessment of the buildings on site and a further dusk emergence survey undertaken in 2021 confirmed that the condition of the buildings

affected by the proposal remained unchanged and again no evidence of bat roosting activity was detected. As no bat roosts will be affected by the proposal a European Protected Species licence will not be required for the development.

Recommendations were made regarding habitat enhancement and nocturnal lighting to benefit roosting, commuting and foraging bats in the local area, which are considered appropriate for the development. Given the scale and nature of the development it is advised that a wildlife sensitive lighting plan is submitted to ensure that adverse impact to nocturnal wildlife in the area is avoided.

The arboricultural assessment identified a number of trees requiring removal to accommodate the proposed development or for health and safety reasons (dead, diseased or damaged). The semi-mature oak tree (T25) identified in the PEA and bat surveys is to be retained in recognition of its arboricultural quality and has been incorporated into the design of the development, which is welcome. Three dying or diseased trees are to be removed for safety reasons and eleven young trees of moderate or low quality will be removed to accommodate the development. The submitted Tree Protection Plan and Arboricultural Method Statement provides appropriate measures to ensure retained trees and hedgerows are protected during the construction phase.

I have reviewed the submitted Boundary Plan with regard to potential impact on wildlife movement, particularly hedgehog. Poorly designed and installed boundary features are considered highly detrimental to hedgehog populations because they hinder commuting, foraging and dispersal. Hedgehog is included on the Environment (Wales) Act 2016, s7 list of species of priority conservation importance within Wales. Therefore, all permanent fencing installed as part of a development is required to include gaps of sufficient size and number at ground level to enable hedgehogs to move through sites. From the information submitted it is not clear if sufficient gaps exist beneath the perimeter fencing (wire mesh), demarcation fencing or secure boundary line fencing (timber). Access points comprising gaps of 130mm x 130mm (5" x 5") should be created within the fence line at ground level with at least one gap along each aspect of the fenced boundary, or every 25m along the site perimeter. If such measures are included it is considered unlikely to impact small mammal movements significantly.

Biodiversity enhancement:

The submitted Planting Plan and Planting Design and Tree Planting Plan are most welcome. The proposed soft landscaping scheme includes planting of shrubs, trees and hedges, which will compensate for loss of the eleven young trees and sections of hedgerow, and provide enhancement for nesting birds, foraging and commuting bats, small mammals and insects. Substantial areas of the grounds will be planted with wildflower mixes, a wildlife garden and a sensory garden. The features have potential to

enhance biodiversity if implemented as proposed and maintained in the long-term. Site preparation and aftercare measures have been provided in addition to the locations, number and species to be planted.

Subject to inclusion of the conditions below, would the development result in a significant negative effect on biodiversity? No

Conditions:

Should Development Management be minded to approve this application, inclusion of the following conditions is recommended

1. The development shall be undertaken in strict accordance with the recommendations in Ecological Walkover Survey - Cedewain School, Newtown, Powys, Ref: RT-MME-156080-01, by Middlemarch Environmental, dated 8th September 2021. The measures identified shall be adhered to and implemented in full.
2. The development shall be undertaken in strict accordance with the Arboricultural Impact Assessment & Method Statement, Ysgol Cedewain School, Newtown, by Tree Solutions Ltd, dated July 2021, including Appendix Four - Tree Protection Plan and Appendix 5 - Tree Protective Measures/Method Statement. The measures identified shall be adhered to and implemented in full.
3. The development shall be undertaken in strict accordance with PLANTING PLAN PLANTING DESIGN, Drawing no. CED-LST-XX-XX-DR-L-0501 Rev. P2 and PLANTING PLAN TREE PLANTING, Drawing no. CED-LST-XX-XX-DR-L-0500 Rev. P2. The measures identified shall be adhered to and implemented in full and maintained thereafter.
4. Prior to commencement of development, an External Lighting Design Scheme to avoid and reduce potential impacts on nocturnal wildlife shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). Full details can be found at <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>. The approved scheme shall be adhered to and be implemented in full.
5. Access points to facilitate movement of hedgehog and small mammals shall be incorporated into all fencing forming any part of the site boundary or boundary between individual plots. A minimum of one access point comprising gaps of 130mm x 130mm (5" x 5") shall be installed along each interior fenced aspect of the boundary. A minimum of one access point shall be installed every 25m along the length of the site's perimeter boundary. If gravel boards are to be used, hedgehog friendly designs shall be used. The

access points shall be maintained thereafter.

Reason: To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Informatives:

The following advice for the applicant is also considered appropriate

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

- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird
- o 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 on 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 2017 (as amended).

It is an offence for any person to:

Intentionally kill, injure or take any bats.

- o 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:

- o 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 2017 (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 0345 1300 228 or email enquiries@bats.org.uk.

Correspondence received

Apologies, I obviously missed the lighting plan amongst all the submitted info. The lighting details are sufficient and I'd be grateful if you would condition development in accordance with the plan details. Many thanks

Environmental Protection

11th Nov 2021

Environmental Protection has no objection to the application, subject to inclusion of the following condition for the control of demolition-/construction-phase noise/vibration and dust:

All work during the demolition and construction phases of the development shall proceed in accordance with the measures listed in the Construction Phase Plan (ref: IMS-8.1-Construction Phase Plan (Inc. Env)) for the control of noise/vibration and dust.

Community Council

9th Dec 2021

The Town Council supports the application but also forwards comments received from a member of the public.

Ward Councillor

4th Dec 2021

As county Councillor for this ward and having several residents expressing concerns

about this planning application I would like to have the application called in please

Countryside Services

Correspondence dated 6th January 2022

We are aware of the development and an application to divert the public footpath has been made.

The developer needs to make sure that the development works over the existing line of the path are not already substantially complete. If works do need to start then will need to think about temporarily closing the public footpath until such time as the diversion application is confirmed.

Temporary closures – If the safety of the public cannot be guaranteed at all times during construction, consideration should be given to applying for a temporary closure of the public right of way.

The process can take a couple of months to put into place so early consultation with Countryside Services is recommended if a temporary closure is required. This is a separate procedure for which a fee applies.

For advice, please contact Powys County Council Countryside Services with details of the development at:

rights.of.way@powys.gov.uk

Representations

The proposed development has been advertised by site display (notice posted 09/11/2021). At the time of writing this report, 2 third party representations have been received. The concerns expressed therein can be summarised as follows;

- Loss of open space/outdoor play facilities;
- Residential amenity – associated traffic movements;
- More suitable sites within Newtown;
- Impact on public rights of way.

Planning History

No planning history relevant to this planning application.

Principal Planning Constraints

Contaminated Land

Unknown Filled Ground

LDP Development Boundaries
Powys Open Space Assessment 2018

Newtown/ Y Drenewydd
Maesyrhandir Greenspace

Right of Way
Mineral Safeguarding Sand/Gravel

253/N1/1

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Development Plan 2021
PPW	Planning Policy Wales (Edition 10, December 2021)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Community		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN16	Sport, Recreation and Open Space		National Policy
TAN18	Transport		National Policy
TAN24	The Historic Environment		National Policy
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
DM2	The Natural Environment		Local Development Plan 2011-2026
DM3	Public Open Space		Local Development Plan 2011-2026

DM4	Landscape	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM8	Mineral Safeguarding	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
DM15	Waste	
C1	Community Facilities and Indoor Recreation Facilities	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	
SPG	Landscape	
SPG	Residential Design Guide	

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

Officer Appraisal

Site Location and Description

Ysgol Cedewain is an existing Additional Learning Needs (ALN) School located to the south west of Newtown. The application site lies adjacent to Maesyrhandir CP School (located to the east) whilst Plantation Lane is located to the north. Located to the west is open space and to the south Mochdre Industrial Park.

The school currently provides education for pupils aged 2 to 19 years and operates within a Gross Internal Floor Area (GIFA) of 2163 square metres comprised across 10 disparate buildings. The current application seeks to consolidate the educational accommodation and provide an ALN building of approximately 5146 square metres, capable of accommodating 108 pupils. The new build is predominantly 2 storey and comprises of 17 classrooms.

New external works include sustainable drainage features, a Multi Use Games Area (MUGA), external service yard and sports pitch. Provision has been made for a new staff and visitor car park (45 bays) inclusive of 2 disabled and 4 electric charging bays whilst a new vehicular access off Plantation Lane will be constructed.

Introduction

In considering the proposed development, the key material considerations are as follows;

- Principle of Development;
- Siting, Design and Scale;
- Highway Safety and Movement;
- Ecology, Biodiversity and the Environment;
- Open Space Provision;
- Residential Amenity;
- Contaminated Land;
- Public Rights of Way.

Principle of Development

LDP policy C1 actively supports the provision of community facilities including schools provided that they are suitably located within or adjacent to a settlement identified in the strategic hierarchy and are of a scale and nature appropriate to their location.

For the purposes of the plan and strategic hierarchy, Newtown is defined as a Town. Given the dense population and accessibility, Towns are generally the chosen location for 'area services' and in particular larger scale public services including schools. The site subject to this application is located to the southwest of Newtown, within close proximity of Maesyrhandir CP School and Newtown High School and will replace an existing ALN facility which has reached the end of its serviceable life.

The Design and Access Statement accompanying the application outlines the long term vision for Ysgol Cedewain, this being to provide a flexible and inspiring learning hub for its pupils, capable of fulfilling the ever-changing needs of its cohort and staff whilst also supporting ALN needs across Powys.

In considering the proposed development, Officers acknowledge the Council's Corporate Strategy 'Vision 2025' and aspirations to improve skills and learning within the County and also the policy support for educational facilities in appropriate locations. Based upon the relevant policy framework and details submitted, Development Management considers the principle of development to be fundamentally acceptable subject to all other material considerations being satisfied.

Siting, Design and Scale

In accordance with policy DM13, development proposals must be able to demonstrate a good quality design and have regard to the qualities and amenity of the surrounding area, local infrastructure and resources. As such, proposals will only be permitted where they have been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.

The footprint of the proposed building measures approximately 90 metres in length by 45 metres in width. The building is predominantly 2 storey and reaches a maximum height of approximately 9.8m (central entrance). External materials comprise of flashed black brick, aluminium cladding, aluminium standing seam panelling and vertical Larch timber cladding.

On reviewing the Design and Access statement, it is understood that the design of the new school has been led by the spatial requirements, appropriate to the special educational needs of its pupils but it also meets the functional requirements of staff.

The building is clearly divided into two halves by a linear circulation and support spine that runs North to South, centrally through the plan, creating vertical circulation routes to service the upper level of the school. At ground floor this spine also provides a service corridor to access centralised primary support facilities for visiting professionals, such

as Medical Inspection, Nurses Base and the Physiotherapy suite.

To the right of the spine are the predominantly single storey, public facing parts of the building. At ground floor the main entrance, administration areas, and communal facilities such as shared dining hall, changing areas and community café are all located on this side of the building. Additionally all service, and heavily serviced facilities such as the plant rooms, hydrotherapy pool and school commercial kitchen are located on the right hand side of the plan for ease of vehicular access via the site service compound.

To the left of the spine is the 2 storey private teaching wing of the building. This element is designed in a courtyard format around a central sensory garden. This building typology is understood to have a number of benefits including direct connection to central safe and secure external area. It precludes dead end corridor situations which some students can find distressing. It also improves passive supervision, enhances natural light into circulation spaces and assists with way-finding. The general teaching spaces are organised to facilitate early years and primary (KS1-KS2) classrooms at ground floor level, with secondary (KS3-KS4) and 6th Form classrooms above. As all general teaching classrooms have been designed in a standardised manner there is inherent flexibility in this arrangement.

In terms of siting, Officers note that the building footprint has been centralised within the context of the school site and provides a clear line between public and private space, but also sets the building away from any residential or industrial curtilage thereby negating any adverse visual impacts. Its massing is conceived as a series of two storey cube forms, with adjacent rectilinear linking elements of varying orientations. This has the effect of breaking down the large span of the North and South Elevations of the building, reducing its perceived scale thus aiding the assimilation of the proposed school within its surroundings. Officers consider that the palette of materials outlined above are natural in composition and will the character and appearance of the surrounding environment.

Having carefully consider the design, layout and scale of the proposed scheme, Officers are satisfied that the development will integrate into it setting without adversely affecting the character and appearance of existing buildings compliant with LDP policy DM13. By virtue of the contemporary appearance of the build and associated landscaped areas, it is considered that the development will positively enhance the appearance of the site and surrounding area, to the benefit of pupils, staff and the community.

Highway Safety and Movement

Policies DM13 and T1 of the adopted plan seek to ensure that developments are designed and located to minimise the impacts on the transport network – journey times, resilience and efficient operation – whilst ensuring that highway safety for all transport users is not detrimentally impacted upon. Development proposals are therefore expected to meet all highway access requirements, (for all transport users), vehicular

parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

The existing school site is accessed exclusively from the North via a narrow private drive off an existing junction with Plantation Lane and Pine Court – shared by both vehicles and pedestrians. Parking facilities are poor and minibus parking removes the playground from use at the beginning and end of the day. Officers are advised that the single track proves difficult at peak times with the volume of traffic.

The new scheme creates a new car park and drop off area at the front of the school side, providing clear, direct access off Plantation Lane to the main school entrance together with minibus facilities on site. A minibus drop off lay-by has been prioritised along the pedestrian access to the building in an effort to create a direct, safe route for children to be dropped off with school staff and collected at the end of the day. The one-way system creates a loop around the car park which has a central pedestrian table thereby providing a clear linear route to the main entrance.

In commenting on the proposed development, the Highway Authority make reference to earlier Pre-application discussions which are understood to have informed the current proposal. Based upon the information accompanying the application, the Highway Authority has confirmed that they are satisfied with the proposal subject to the recommended conditions being imposed on any planning permission granted.

Members are advised that third party concern has been expressed regarding highway safety implications and increased traffic movements on Plantation Lane. Whilst acknowledging the concerns, Officers note that the educational facility already exists at this location whilst the scale of development is unlikely to significantly affect existing movements. The redevelopment of the school provides an opportunity to address current highway issues and enhance the current traffic system as outlined above in the interests of both vehicles and pedestrians.

Notwithstanding the third party concerns, in light of the comments received, Development Management is satisfied that sufficient provision has been made for both pedestrian and vehicular safety and movement in accordance with planning policy, particularly policies DM13 and T1 of the adopted development plan.

Ecology, Biodiversity and the Environment

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations.

Protected Species

The application is accompanied by Preliminary Bat Roost Assessment (PRA) dated August 2019 which consisted of an internal and external inspection of the buildings on site to identify potential bat access points, roost features and evidence of the presence of bats. Trees were subject to ground level inspection for potential roosting features. Not all parts of all buildings and trees were accessible for inspection and so a precautionary approach was taken regarding requirement for future surveys. The Maesyrhandir CP school building and adjacent nursery building are not impacted by the proposal and were therefore excluded from the assessments. No evidence of roosting bats was found. The updated assessment of the buildings on site and a further dusk emergence survey undertaken in 2021 confirmed that the condition of the buildings affected by the proposal remained unchanged and again no evidence of bat roosting activity was detected.

In commenting on the proposed development, both the County Ecologist and Natural Resources Wales offer no criticism of the survey evidence submitted or indeed the report findings. Recommendations were made regarding habitat enhancement and nocturnal lighting to benefit roosting, commuting and foraging bats in the local area, which are considered appropriate for the development. Members are advised that the application is accompanied by a Lighting Design Scheme, adherence to which will be conditioned as part of any planning permission granted.

Other Species

The preliminary ecological appraisal (PEA) identified the following habitats on and adjacent to the site: amenity grassland, buildings, fence, hardstanding, hedgerow, introduced shrub, scattered trees. The areas of amenity grassland, hardstanding and fencing were of relatively low ecological value. Mature and semi-mature trees and hedgerows provided potential habitat for bats, nesting birds, hedgehog and reptiles, as well as invertebrates such as butterflies, moths and beetles. Two trees with bat boxes installed (but outside of the proposed development area) and a semi-mature oak with a potential bat roosting feature were identified. Trees and buildings were assessed separately for bat roosting potential and presence of bats (as above). The site was considered unsuitable for dormouse, water vole, pine marten, great crested newt and otter due to a lack of suitable habitat features. No evidence of badger was detected but it was considered that there was potential for them to pass through the site.

A further updated site assessment confirmed no substantial change in the type and condition of habitats present on site. It identified that two hedgerows on site would be lost to the development and compensation was advised. Mitigation measures were recommended to avoid loss or damage to remaining trees and hedgerows and to avoid harm to reptiles, hedgehog, nesting birds and badger during the construction phase.

The arboricultural assessment identified a number of trees requiring removal to accommodate the proposed development or for health and safety reasons (dead, diseased or damaged). The semi-mature oak tree (T25) identified in the PEA and bat surveys is to be retained in recognition of its arboricultural quality and has been incorporated into the design of the development, which is welcome. Three dying or

diseased trees are to be removed for safety reasons and eleven young trees of moderate or low quality will be removed to accommodate the development. The submitted Tree Protection Plan and Arboricultural Method Statement provides appropriate measures to ensure retained trees and hedgerows are protected during the construction phase.

In commenting on the submitted Boundary Plan the County Ecologist notes that poorly designed and installed boundary features are considered highly detrimental to hedgehog populations because they hinder commuting, foraging and dispersal. Therefore, all permanent fencing installed as part of a development is required to include gaps of sufficient size and number at ground level to enable hedgehogs to move through sites however based upon the submitted information it is not clear if sufficient gaps exist beneath the perimeter fencing (wire mesh), demarcation fencing or secure boundary line fencing (timber). Access points comprising gaps of 130mm x 130mm (5" x 5") should be created within the fence line at ground level with at least one gap along each aspect of the fenced boundary, or every 25m along the site perimeter. If such measures are included it is considered unlikely to impact small mammal movements significantly. In order to ensure unrestricted passage, a suitable condition will be attached to ensure adherence to the above.

Biodiversity enhancement

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.

The application is accompanied by a Planting Plan, Planting Design and Tree Planting Plan, all of which indicate extensive new planting across the application site. Proposed soft landscaping includes planting of shrubs, trees and hedges, which will compensate for loss of the eleven young trees and sections of hedgerow whilst also providing enhancement for nesting birds, foraging and commuting bats, small mammals and insects. Substantial areas of the grounds will be planted with wildflower mixes, a wildlife garden and a sensory garden. The features have potential to enhance biodiversity as proposed. Site preparation and aftercare measures have been provided in addition to the locations, number and species to be planted.

Officers are satisfied that the proposed landscaping scheme will positively enhance biodiversity at this location whilst also offering compensation for loss of existing landscaping within the site. A suitable condition will therefore be attached to ensure implementation and future maintenance.

Conclusion

In light of the consultation comments received and subject to suitable conditions, Officers consider the proposed development to be in accordance with planning policy in respect of ecology matters.

Open Space Provision

LDP policy DM3 seeks to safeguard public open space provision. Third party concerns have been expressed regarding the loss of the green space on which the proposed school will be located and impact on the local community. Whilst the area of land has no formal open space designation, it is understood that the local community has informally utilised the ground for outdoor play provision.

Although Officers acknowledge the concerns expressed, the land is within private ownership and has no formal open space designation for the purposes of the adopted LDP, specifically policy DM3. As such, it is not considered that sufficient weight can be given to the concerns expressed to justify a refusal on the grounds of the loss of open space.

Residential Amenity

Policy DM13 indicates that the amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter.

The application site is located within an established residential area and within close proximity of Mochdre Industrial Estate. Notwithstanding proximity to sensitive receptors, Officers acknowledge the existing ALN facility together with adjoining land uses – primary school.

Given the use, siting and design of the proposed development, it is not considered that the proposal will give rise to unacceptable impacts in respect of overlooking, odour or air pollution.

In respect of dust, noise and vibration, the application is accompanied by a Construction Phase Plan which includes measures for the control of the above during the construction phase. In responding to consultation, Environmental Health has confirmed no objection to the proposed development subject to a suitable condition being attached ensuring adherence to the submitted plan as above. Based upon the information submitted and comments received, Officers consider that potential impacts on the surrounding area including residential amenity can be adequately managed during the construction phase compliant with policy DM13.

Contaminated Land

Contamination and land instability can present risks to human health, property and the environment, and long term limitations on the use of soils. Development proposals therefore need to be carefully assessed to ensure that any risks from hazards such as subsidence, mine and landfill gas and leachate emissions, landslips or rockfalls are acceptable and addressed. Similarly development should not harm the environment through pollution or contamination.

Policy DM10 confirms that development proposals on contaminated or unstable land will be permitted where they do not:

1. Result in any additional problems of ground instability or contamination either on or off site and shall remediate the contamination / instability.
2. Unacceptably adversely affect public health and safety, nature conservation, historic or archaeological interests.

The Council's Contaminated Land Officer has indicated within the consultation response that the subject site has been identified as former unknown filled ground and there may be asbestos containing materials within the existing school and ground. As such, a series of conditions, including pre-commencement requirements have been recommended.

In order to avoid pre-commencement conditions in respect of contamination, additional information has been submitted by the applicant's agent which is currently being reviewed by Contaminated Land Officers. Unfortunately, as a response is outstanding at the time of writing this report, Officers will endeavour to provide a full update together with appropriate conditions within an update report.

Public Rights of Way

Policy DM13 of the LDP seeks to ensure that the public rights of way network is enhanced and integrated within the layout of the development proposal; or appropriate mitigation measures are put in place where necessary.

The application site is crossed by a public right of way as shown on drawing no. CED-LST-XX-XX-DR-L0100 Rev P3. The submitted plan indicates the intention to divert the right of way whilst also proposing a permissive route within the application site boundary.

In commenting on the proposed development, Countryside Services acknowledge that an application to formally divert the right of way has been received by the Authority however this is subject to consideration independent of the planning application. Whilst acknowledging the rights of way legislation and consenting regime, based upon the detail provided, Officers are satisfied that a suitable alternative route is capable of being provided and therefore the scheme will not adversely affect the rights of way network subject to legal diversion. The proposal is therefore compliant with policy DM13 as above.

RECOMMENDATION

Having carefully considered the proposed development, Officers are satisfied that the proposal is in accordance with national and local planning policies. The proposed development will provide enhance educational facilities in a contemporary, sustainable building and grounds to meet the needs of both pupils and staff actively supporting the

Council's desire to promote enhanced skills and learning within the County. The recommendation is therefore one of approval subject to the conditions detailed below.

Conditions

1. The development shall begin not later than five years from the date of decision.
2. The development shall be carried out in accordance with the following approved plans;

CED-LST-XX-XX-DR-L-0101 P3
CED-LST-A1-XX-DR-L-0200 P3
CED-CUR-XX-XX-DR-C-5500 Rev P4
CED-LST-XX-XX-DR-L-0600 Rev P2
CED-CUR-XX-XX-DR-C-2001 Rev P5
CED-CUR-XX-XX-DR-C-2002 Rev P5
CED-LST-XX-XX-DR-L-0601 Rev P2
CED-KMA-02-ZZ-DR-A-7100 Rev P2
CED-KMA-02-ZZ-DR-A-7101 Rev P2
CED-KMA-02-ZZ-DR-A-7102 Rev P2
CED-KMA-02-ZZ-DR-A-7103 Rev P2
CED-KMA-02-00-DR-A-7000 Rev P2
CED-KMA-02-01-DR-A-7001 Rev P2
CED-KMA-02-ZZ-R1-DR-A-7002 Rev P2
CED-KMA-02-ZZ-R2-DR-A-7003 Rev P2

3. No development shall commence until provision is made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. The 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.
4. No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 34 metres distant in an easterly direction and 14 metres distant in a westerly direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

5. 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.
6. Before any other development is commenced 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 15 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.
7. Prior to the first operational use of the development, provision shall be made within the corresponding site for the parking and turning of vehicles as detailed on the approved site plan CED-LST-A1-XX-DR-L-0102 Rev P47. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
8. Prior to the first operational use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material for a distance of 15 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.
9. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the first 15 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.
10. Any vehicular entrance gates installed within the application site shall be set back at least 15 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.
11. No surface water drainage from the site shall be allowed to discharge onto the county highway.
12. The development shall be undertaken in strict accordance with the recommendations in Ecological Walkover Survey - Cedewain School, Newtown, Powys, Ref: RT-MME-156080-01, by Middlemarch Environmental, dated 8th September 2021. The measures identified shall be adhered to and implemented in full.

13. The development shall be undertaken in strict accordance with the Arboricultural Impact Assessment & Method Statement, Ysgol Cedewain School, Newtown, by Tree Solutions Ltd, dated July 2021, including Appendix Four - Tree Protection Plan and Appendix 5 - Tree Protective Measures/Method Statement. The measures identified shall be adhered to and implemented in full.
14. The development shall be undertaken in strict accordance with PLANTING PLAN PLANTING DESIGN, Drawing no. CED-LST-XX-XX-DR-L-0501 Rev. P2 and PLANTING PLAN TREE PLANTING, Drawing no. CED-LST-XX-XX-DR-L-0500 Rev. P2. The measures identified shall be adhered to and implemented in full and maintained thereafter.
15. External lighting shall be implemented strictly in accordance with drawing no. CED-ESD-XX-XX-DR-E-6900 Rev P4 and maintained as approved in perpetuity.
16. Access points to facilitate movement of hedgehog and small mammals shall be incorporated into all fencing forming any part of the site boundary. A minimum of one access point comprising gaps of 130mm x 130mm (5" x 5") shall be installed along each interior fenced aspect of the boundary. A minimum of one access point shall be installed every 25m along the length of the site's perimeter boundary. If gravel boards are to be used, hedgehog friendly designs shall be used. The access points shall be fully implemented following first erection of the boundary treatment and maintained thereafter.
17. The development hereby approved shall be undertaken strictly in accordance with the Construction Phase Plan (Including Environmental) dated February 2019.

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 movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
4. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
5. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
6. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice

- Note 18 – Transport (2007) and Planning Policy Wales (2021).
7. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
8. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
9. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
10. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
11. In the interests of highway safety and movement in accordance with policies SP7, DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 – Transport (2007) and Planning Policy Wales (2021).
12. To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning (2009), Planning Policy Wales (2021) and Part1 Section 6 of the Environment (Wales) Act 2016.
13. To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning (2009), Planning Policy Wales (2021) and Part1 Section 6 of the Environment (Wales) Act 2016.
14. To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning (2009), Planning Policy Wales (2021) and Part1 Section 6 of the Environment (Wales) Act 2016.
15. To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning (2009), Planning Policy Wales (2021) and Part1 Section 6 of the Environment (Wales) Act 2016.
16. To comply with Powys County Council's LDP Policies DM2, DM4 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning (2009), Planning Policy Wales (2021) and Part1 Section 6 of the Environment (Wales) Act 2016.
17. In order to safeguard local amenity by reasons of noise, dust and vibration in accordance with policy DM13 of the Powys Local Development Plan (2018) and Planning Policy Wales (2021).