

POLICY MW9 - NOISE

PROPOSALS FOR MINERAL WORKING AND WASTE DISPOSAL SITES, OTHER THAN BORROW PITS/WASTE DISPOSAL ASSOCIATED WITH ENGINEERING SCHEMES AND WITH VERY LIMITED WORKING LIVES, SHOULD BE DESIGNED TO COMPLY WITH THE FOLLOWING CRITERIA:

1. THE NOISE ATTRIBUTABLE TO THE MINERAL WORKING OPERATIONS AT THE FACADE OF ANY NEARBY RESIDENTIAL, EDUCATIONAL OR OTHER NOISE SENSITIVE PROPERTIES SHOULD NOT EXCEED 58 dB LAeq (1 HOUR). IN CIRCUMSTANCES WHERE THE BACKGROUND NOISE IS LOW THE LIMIT MAY BE MORE APPROPRIATELY SET, POSSIBLY AS LOW AS 55 dB LAeq (1 HOUR).
2. WHERE WORKING IS PROPOSED BETWEEN THE HOURS OF 06.00 AND 07.00, OR 19.00 AND 22.00 ON WEEKDAYS, OR 06.00 AND 07.00 OR 13.00 AND 22.00 ON SATURDAYS, THE NOISE LIMITS SHOULD BE REDUCED TO 50 dB LAeq (1 HOUR).
3. WHERE WORKING IS PROPOSED BETWEEN THE HOURS OF 22.00 AND 06.00 ON WEEKDAYS AND SATURDAYS OR AT ANY TIME ON SUNDAYS, THE NOISE LIMITS SHOULD BE REDUCED TO 45 dB LAeq (1 HOUR).
4. THE NOISE SHOULD BE MONITORED AT SEVERAL POINTS ON OR NEAR THE BOUNDARY OF THE MINERAL-WORKING SITE THAT ARE CHOSEN TO BE LARGELY FREE OF EXTRANEOUS NOISE AND SUITABLY POSITIONED IN RELATION TO THE NOISE SENSITIVE PROPERTIES. THE LIMITS AT THESE POINTS SHOULD ENSURE THAT THE LIMITS AT THE NOISE SENSITIVE PROPERTIES ARE NOT EXCEEDED AND MAY BE CALCULATED BY USING THE PREDICTION METHODS CONTAINED IN BS5228 AND TAKING INTO ACCOUNT THE ATTENUATION PROVIDED BY DISTANCE, SOFT GROUND AND BARRIERS.
5. ALTHOUGH THERE WOULD BE LIKELY TO BE NO SPECIFIED LIMITS TO NOISE EMISSIONS DURING SITE PREPARATION AND BATTLE CONSTRUCTION PERIODS OF THE OVERALL OPERATION, THE PLANNING AUTHORITY WOULD NEED TO BE CONVINCED THAT SUCH OPERATIONS WOULD NOT PRESENT AN INTOLERABLE BURDEN TO LOCAL INHABITANTS.

10.21.3 The noise produced by vehicle reversing alarms is almost universally quoted as being that which is found most annoying. Such alarms are extensively used in quarries, opencast and waste disposal sites and are often a source of complaint. Technology in respect of such alarms is constantly being refined and the Council would encourage applicants and existing operators to research this issue carefully. Noise limits are unlikely to have any material impact upon this issue as it is the tonal quality of the alarm rather than its loudness that causes the problem.

POLICY MW10 - REVERSING ALARMS

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oblivious to much higher levels. The intensity of a blast as measured by ground vibrations does not appear to correlate very well with the often much more noticeable "air over-pressure." It is the latter phenomenon that rattles windows and is probably the subject of the most complaints, even though it is not always identified as the problem by the complainants.

10.23.2 Ground vibration can be relatively easily measured and monitored by specialist equipment which most of the larger mineral operators and the County Council own. There is very little directly relevant research into the impact of ground vibrations upon the structure of buildings. Most of the research has been carried out in the USA but the buildings concerned were not of a construction type typical of this count. The figure that is commonly referred to as being a "safe" limit for blasting vibration is 12 mm per second, peak particle velocity. Experience tends to indicate that complaints can be forthcoming at very low figures but that any reading above 3 mm per second is very likely to attract complaints particularly when the person concerned is unfamiliar with blasting (for instance because the site is new or the person has just moved in to the area).

10.23.3 Air over-pressure is a far more difficult phenomenon to monitor. As blasting technology has advanced, the problem has been very significantly reduced. The more the detonation and explosion can be contained within the rock that is to be broken, the lower the likelihood of air over-pressure problems. Air over-pressure effectively arises from wasted explosive energy and it is thus in everyone's interest that it be minimised.

POLICY MW12 - BLASTING

THE MINERAL PLANNING AUTHORITY WILL REQUIRE ALL BLASTING OPERATIONS TO BE SO DESIGNED AS TO REDUCE GROUND VIBRATION AND AIR OVERPRESSURE AT THE NEAREST OCCUPIED DWELLINGS OR OTHER SENSITIVE PROPERTIES, TO MINIMUM LEVELS CONSISTENT WITH SAFE AND EFFICIENT BLASTING PRACTICE. THE MAXIMUM LEVEL FOR GROUND VIBRATION SHOULD BE NO HIGHER THAN 12 MM/SEC. PPV, AND ROUTINE/NORMAL LEVELS SHOULD BE VERY CONSIDERABLY LESS THAN THE MAXIMUM. ANY PROPOSAL THAT IS PREDICTED TO INVOLVE MORE THAN 5% OF BLASTS IN ANY SIX-MONTH PERIOD EXCEEDING 10MM/SEC. PPV WILL NOT BE PERMITTED. IN A LOCATION WHERE GROUND VIBRATIONS WOULD AFFECT AN URBAN AREA THE RELEVANT MAXIMUM FOR 95% CONFIDENCE WILL BE REDUCED TO 6 MM/SEC. THE TIMING OF BLASTING WILL BE STRICTLY CONTROLLED BY PLANNING CONDITION AND WILL BE EXPECTED TO BE RESTRICTED TO THE CORE HOURS OF THE WORKING DAY (PRECISE HOURS TO BE AGREED WITH THE PLANNING AUTHORITY).

10.24 Landscape Conservation

10.24.1 There are very few parts of the County of Powys that are not of high landscape value, although none of the Plan area is covered by a statutory landscape designation (i.e. National Park, Heritage Coast or Areas of Outstanding Natural Beauty). The working of minerals or the deposit of waste on anything but the smallest scale would be likely to alter the landscape significantly. In some cases a temporary negative impact could be replaced by a longer-term benefit (e.g. a well designed and sited wet-worked sand and gravel extraction) but in many cases the losses would be likely to outweigh the gains.

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THE PLANNING AUTHORITY WILL REQUIRE PROPOSALS FOR NEW MINERAL WORKINGS/WASTE DISPOSAL SITES OR THE EXTENSION OF EXISTING WORKINGS/SITES TO INCLUDE MEASURES TO LIMIT TO A MINIMUM (CONSISTENT WITH SAFE WORKING) DISTURBANCE TO THE OCCUPIERS AND USERS OF NEIGHBOURING PROPERTIES BY REASON OF VEHICLE REVERSING ALARMS OR OTHER NOISES WITH OUTSTANDING TONAL QUALITIES. APPLICANTS WILL NEED TO DEMONSTRATE THAT THE ISSUE HAS BEEN CAREFULLY RESEARCHED AND THAT THE MOST APPROPRIATE OPTIONS HAVE BEEN ADOPTED

10.22 The Control of Dust

10.22.1 Dust emissions from mineral working and waste disposal sites are almost always, to one degree or another, seen as being a problem by those living and working in close proximity. In some case there is little doubt that the mineral operation is unfairly blamed for a proportion of the dust that falls upon the neighbouring areas (trans-continental air masses can carry large quantities of fine dust particles). In some cases, however, dust complaints are fully justified. Dust emissions will probably always be an issue when mineral working is concerned but the controls introduced under the Environmental Protection Act should make an important contribution to dust control. The County Council will continue to give careful consideration to the dust issue when considering mineral planning applications, recognising that, with the best will in the world, total dust control on most quarry or opencast sites is effectively impossible. Whilst dust is generally less of an issue on waste disposal sites, its equivalent is litter that is picked up by strong winds and blown onto adjacent land. This is clearly an issue that must be very carefully controlled.

POLICY MW11- DUST AND LITTER

THE PLANNING AUTHORITY WILL REQUIRE ALL DEVELOPMENT PROPOSALS FOR MINERAL WORKING OR WASTE DISPOSAL OR PROCESSING OF MINERALS OR WASTE TO INCLUDE ACCEPTABLE PROPOSALS IN RESPECT OF THE DUST AND (WHERE APPROPRIATE) LITTER CONTROL MEASURES. IT IS ANTICIPATED THAT THE PRINCIPLE THAT WOULD BE ADOPTED WOULD BE THAT OF "BEST AVAILABLE TECHNIQUES NOT ENTAILING EXCESSIVE COST".

10.22.2 The policy recognises that dust/litter control is not a precise science and that definable limits cannot currently be established in an enforceable and reasonable manner. "Best available techniques not entailing excessive cost (Baleenec)" is a concept that is borrowed from Health and Safety legislation and is not usually applied in Town and Country Planning policies. In this case there is overlap between the two sets of legislation and the Mineral Planning Authority will exercise care in this respect when dealing with the dust/litter issue.

10.23 Blasting Vibration and Air Over-Pressure

10.23.1 Blasting is another very controversial subject, although the sensitivity of individuals to its effects outside the development site varies considerably. Some people seem to be able to sense ground vibrations at very low levels whilst others may be

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10.24.2 Due regard will have to be paid to the setting of the Brecon Beacons and Snowdonia National Parks which both immediately abut the Plan area. In the north of the Plan area, the National Park boundary largely coincides with the county boundary, but in the south, this is not the case. The Brynhenllys Opencast Coal Site straddles the boundary of the Brecon Beacons National Park. Development proposals are all very different in character and it is difficult to envisage the adoption of a workable policy on more than a very generalised format. A high standard of landscape design will be expected in all cases, and proposals will be expected to be appropriate and sensitive to the character of the surrounding landscape in order to be consistent with policy ENV2 in the Environment chapter of this plan.

10.25. Nature Conservation

10.25.1 Powys is a county that is blessed with a range of rich and varied wildlife habitats. Particularly having regard to the severe loss or degradation of native wildlife habitats over recent decades (both locally and nationally) the County Council considers that the conservation and enhancement of sites of ecological importance warrants a high priority. Sites that enjoy a statutory designation such as (biological) SSSI (Site of Special Scientific Interest) will generally be subject to a very high degree of protection. Sites that may have no existing designation but are never the less seen as being of importance will also be the subject of careful examination. Proposals that include the compensatory provisions for habitats destroyed or disrupted will usually need to be well researched and very attractive. Moving or replicating habitats that were established, usually over very long time periods, to fit the precise circumstances pertaining to the site, is normally an extremely risk-laden business. Proposals of this sort will therefore be examined very closely. Although similar policy statements are found in the Environment chapter, they are included here for ease of reference. Proposals for mineral extraction or waste disposal will be expected to comply with the nature conservation policies in the environment chapter of this plan and will be required to carry out an assessment of the ecological value of the site affected.

10.25.2 In some cases the required ecological assessment will constitute nothing more than a general description of the application site in wildlife habitat terms. If for instance the entire site constitutes "improved grassland" there would probably be no need to expand the assessment. On the other hand unimproved grassland or heath land would necessitate a far more detailed survey. Any site that includes wetlands or marshy areas will always require detailed assessment. Help with the surveys and advice on the level of detail required may be available from the Planning Authority and the Countryside Council for Wales. Reference should be made to the Local Biodiversity Action Plan for Powys.

10.26 Settlement Lagoons

10.26.1 The construction of lagoons is often a requirement of pollution control, in that it is necessary to have a means of reducing the content of suspended solids in surface water that runs off the site, haul roads, stocking areas etc. Although there is a requirement to be able to clean out the accumulated solids and it is probable that there would need to be some strongly "engineered" features, there is often no real reason why the lagoon

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should not be designed from the outset with an after-use of a wildlife pond in mind. Vegetation could be introduced onto the periphery at a very early stage and indeed species such as Common Reeds could play a valuable role in pollution control.

POLICY MW13 - SETTLEMENT LAGOONS

WHERE WATER SETTLEMENT LAGOONS ARE PROPOSED OR ARE REQUIRED AS PART OF A MINERALS OR WASTE DEVELOPMENT, THE PLANNING AUTHORITY (IN CONSULTATION WITH THE ENVIRONMENT AGENCY) WILL SEEK, WHEREVER POSSIBLE AND DESIRABLE, TO ENSURE THAT SUCH FEATURES ARE DESIGNED IN A MANNER THAT FACILITATES THEIR USE AND RETENTION (POSSIBLY WITH MODIFICATION FOLLOWING THE CESSATION OF WORKS) AS FEATURES OF VALUE AS WILDLIFE HABITATS.

10.27 Geomorphology, Archaeology and Structures of Historic Interest

10.27.1 Powys has a rich variety of sites, structures and other features of geomorphological, archaeological, historical or architectural importance of all dates and types, the conservation of which is given a high priority by the County Council. Ways in which such sites may affect mineral and waste sites fall into three broad categories:

1. There is a known feature of such importance within the development area that its presence, and the desirability of its retention within its setting prejudices the mineral working or waste deposition scheme and may warrant the refusal of planning permission to work the minerals below and around it or deposit waste upon or close to it. Whilst such features would normally constitute SSSI, Scheduled Ancient Monuments and/or Listed Buildings, there may be circumstances where the presence of other buildings or features may also warrant a refusal of planning permission.
2. There is a known feature or structure of interest, which is not of such importance as to warrant a refusal of permission. Under these circumstances the Planning Authority will expect the developer to make provision for any such features to be properly investigated, by an appropriate body, prior to their destruction. Typically this may involve the arrangement of field survey, in some cases archaeological excavation, and the observation of soil stripping, by professional archaeological contractors or geomorphologists.
3. There is no known feature of interest. There may or may not be suspected features or artefacts within the development site. Under these circumstances i.e. in all cases of working sites, developers are expected to comply with the "British Archaeologists and Developers Liaison Group" Code of Practice in respect of the excavation of artefacts, and pre-application surveys.

10.27.2 Information about the known archaeological, historic and architectural heritage of the County is contained in the Sites and Monuments Record held by the Curatorial Section of the Clwyd-Powys Archaeological Trust. Inevitably this record only represents the current state of knowledge and may not contain sufficient information to allow the

be rescued. Where safety criteria permit it may be possible to allow researchers or collectors to actively search for fossils. If there are discovered features of geological or palaeontological interest, specialist advice may be sought via the Planning Authority. Much of the research value of a fossil may well be lost if it is removed from its original location before a proper record of its situation and state within the rock can be made. The geological exposures developed by mineral working may be of such importance as to prevent them being lost through waste deposition. This may be a major, and possibly even insurmountable constraint in some cases.

POLICY MW15- DEVELOPMENTS AFFECTING SITES OF GEOLOGICAL OR PALAEONTOLOGICAL INTEREST

WHERE EXCAVATION WORKS ARE KNOWN IN ADVANCE, OR ARE SUBSEQUENTLY REVEALED TO BE OF GEOLOGICAL OR PALAEONTOLOGICAL INTEREST, FACILITIES FOR RESEARCH PURPOSES SHOULD BE OFFERED TO SUITABLE EDUCATIONAL, SCIENTIFIC OR CULTURAL ESTABLISHMENTS, IF SAFETY CRITERIA CAN BE MET. WORKED OUT AREAS KNOWN TO BE OF GEOLOGICAL INTEREST, FOR RESEARCH OR EDUCATIONAL REASONS, SHOULD BE CONSIDERED AS SITES APPROPRIATE FOR SUITABLE RESTORATION WHICH ENHANCES THEIR VALUE. THE DISPOSAL OF WASTE IN SUCH SITES WOULD BE THE SUBJECT OF VERY CAREFUL SCRUTINY AND PROPOSALS UNACCEPTABLY PREJUDICING IMPORTANT GEOLOGICAL OR PALAEONTOLOGICAL SITES WILL BE REFUSED.

10.29 Ancillary or Related Developments

10.29.1 Mineral Tip Reprocessing

10.29.2 There are several distinct types of spoil tips in the County, but those that are most likely to be the subject of specific planning applications relate to coal and heavy metals. Most of the coal spoil tips have now re-vegetated and there would appear to be very little to be gained, in environmental terms, in seeing them "reclaimed".

10.29.3 The recovery of useful ores from heavy metal wastes is likely to involve regrounding the material, thus increasing its surface area and thereby its potential as a pollutant when it is re-spread. Whilst there is a significant land reclamation problem with such wastes, metal recovery is not seen as having a useful role to play at present.

POLICY MW16 – REWORKING OF MINERAL SPOIL

PROPOSALS FOR THE REWORKING OF OLD SPOIL TIPS WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT SUCH WORKING WOULD:

1. PRODUCE POSITIVE ENVIRONMENTAL AND AFTER-USE BENEFITS, FOLLOWING THE IMPLEMENTATION OF A RESTORATION SCHEME, WHICH SHOULD NORMALLY BE GUARANTEED, BY A BOND OR OTHER FINANCIAL MEASURE SECURED THROUGH NEGOTIATION.
2. SATISFY THE APPLICABLE CRITERIA OF POLICY MW5 AND MW7.

Planning Authority to determine the impact of the scheme on the heritage on a given area. The Council will, therefore, expect developers to adequately assess the archaeological, historic and architectural content of an application site as part of their pre-planning enquiries. Typically this may involve a desktop study and some form of field evaluation carried out by professional archaeological contractors.

10.27.3 In most cases geomorphological or historic features will be clearly visible and the need for a detailed assessment will be easily identifiable. Archaeology is not so straightforward but early contact with the Clwyd-Powys Archaeological Trust will establish whether there is any need to carry out any more than a simple visual inspection of the surface of the site. Policies on the conservation of natural features, historic and archaeological sites are contained within the environment chapter of the plan and new (or reviewed) mineral and waste developments will be expected to comply with these.

10.27.4 Early discussions with the Clwyd-Powys Archaeological Trust, Cadw and/or the Royal Commission for Ancient and Historical Monuments in Wales (as appropriate), are advisable in most cases where more than very minor excavations or depositions are involved.

POLICY MW14 - GEOMORPHOLOGY, ARCHAEOLOGY, HISTORY

THE PLANNING AUTHORITY WILL REQUIRE ALL PROPOSALS FOR THE WORKING OF MINERALS OR THE DEPOSITION OF WASTE TO COMPLY WITH THE RELEVANT POLICIES IN THE ENVIRONMENT CHAPTER OF THE UDP AND TO INCLUDE AN ASSESSMENT OF THE GEOMORPHOLOGICAL, ARCHAEOLOGICAL AND HISTORIC CONTENT AND VALUE OF THE SITE TO BE WORKED OR OTHERWISE AFFECTED. PROPOSALS THAT INVOLVE THE DESTRUCTION OF, DAMAGE TO OR AN ADVERSE AFFECT ON THE SETTING OF, KNOWN SITES, FEATURES OR STRUCTURES OF GEOMORPHOLOGICAL, ARCHAEOLOGICAL, HISTORIC OR ARCHITECTURAL INTEREST WILL BE THE SUBJECT OF CAREFUL EXAMINATION. IN CASES WHERE THE NEED FOR THE MINERAL OR THE WASTE DISPOSAL FACILITY OUTWEIGHS THE LOSSES INVOLVED, THE PLANNING AUTHORITY WILL NORMALLY REQUIRE THAT THE SITE, FEATURE OR BUILDING BE FULLY INVESTIGATED, EVALUATED AND RECORDED BEFORE ANY DEVELOPMENT TAKES PLACE IN THE LOCATION CONCERNED.

10.27.5 Further advice in this respect can be found in "Archaeological Investigations Code of Practice for Mineral Operators" (CBI) and the British Archaeologists and Developers Liaison Group Code of Practice. It should be noted that wherever there is reference to archaeology in this Plan it should be taken to include industrial archaeology.

10.28 Features of Geological Interest

10.28.1 The rock exposures within active or dormant quarries are not infrequently notified as Sites of Special Scientific Interest. Quarries are of interest to geologists. In some cases it may be desirable to leave quarry sides exposed at the cessation of working in order to facilitate visits for educational or research purposes. Where fossil bearing strata exist, larger specimens may sometimes catch the eye of operatives and

3. INCLUDE PROVISION FOR THE TIP MATERIAL TO BE REPROCESSED AT SOURCE ON THE TIP SITE ITSELF AND THE WASTE MATERIAL NOT TRANSPORTED ELSEWHERE.

PROPOSALS WILL BE EXPECTED TO INCLUDE FULL AND ADEQUATE PROVISIONS FOR THE PREVENTION OF POLLUTION OF WATERCOURSES AND GROUNDWATER.

10.30 Recycling and Secondary Aggregates

10.30.1 On a national scale it is seen as being both practicable and highly desirable that material such as road planings and demolition waste should be re-used in building and engineering works. Not only would/does such recycling conserve aggregate reserves, it reduces the amount going into landfill sites.

10.30.2 Secondary aggregates are derived from the waste of another process eg a product known as pulverised fuel ash is a secondary aggregate derived from coal fired power stations. Overburden and other waste material from the hard rock quarries, and slate waste from former slate quarries in the very north of the County are the only likely source of material. Officers of the Planning Authority try to assist in efforts to find markets for the hard rock quarry waste in particular.

10.31 Waste Disposal as an After-use of Mineral Working Sites

10.31.1 Although there are no proposals to use any of the currently working mineral sites in Powys for waste disposal, it is considered to be potentially valuable to briefly discuss a critically important, likely requirement of such a use if future proposals come forward.

10.31.2 Landfill sites for anything other than strictly inert material now need to be lined with an impervious layer or membrane to prevent the escape of leachate. In most cases the membrane would be most appropriate. The standard near vertical faces in a hard rock quarry render the lining of such a void very difficult. Where an after-use of landfill, other than for inert material only, is proposed, therefore the faces and benches of the worked out quarry, should be designed, well in advance to accommodate the waterproof membrane. Any mineral working below a water table is likely to seriously reduce reinstatement options particularly with respect to waste disposal.

POLICY MW17 - WASTE DISPOSAL AFTER-USE FOR A MINERALS VOID

ANY PROPOSAL FOR NEW OR EXTENDED MINERAL WORKINGS, WHICH INCORPORATES AN AFTER-USE OF WASTE DISPOSAL, SHOULD BE SPECIFICALLY DESIGNED TO ACCOMMODATE FUTURE LEACHATE CONTROL BARRIERS. THIS WILL NORMALLY NECESSITATE THE INTRODUCTION OF NON-VERTICAL FACES.

10.32. Ancillary Developments

10.32.1 Many of the larger modern mineral working sites, include elements other than simply processing the mineral itself. Many hard rock quarries for instance operate asphalt, concrete batching and/or concrete block making, plants. Modern waste sites should be removing as much as possible from the waste stream prior to final deposit and should therefore have some form of recycling facility. Such developments are legitimate parts of the minerals and waste industry with significant savings in road transport often applicable. It will usually be appropriate to link the ancillary development to the mineral working or waste deposition by condition, so that it does not continue to operate once the original justification for its location is no longer relevant. It would therefore be expected that capital-intensive developments would be applicable only to operations with very significant mineral reserves or waste void.

POLICY MW18 - ANCILLARY PLANT

DEVELOPMENT PROPOSALS FOR THE SITING OF ANCILLARY MINERALS OR WASTE PROCESSING PLANTS SHOULD BE LOCATED INSIDE SITES WHICH HAVE PLANNING PERMISSION FOR WASTE DISPOSAL OR MINERAL EXTRACTION, WINNING AND WORKING, AND ARE CURRENTLY IN USE. SUCH PROPOSALS WILL NORMALLY BE PERMITTED WHERE:

1. IT IS OF A SITING, SCALE, DESIGN, AND MASSING APPROPRIATE TO ITS SETTING.
2. IT INCLUDES A LANDSCAPING SCHEME CAPABLE OF SCREENING OR SUBSTANTIALLY MITIGATING ANY ADVERSE VISUAL IMPACTS FROM MAJOR PUBLIC VANTAGE POINTS.
3. IT IS LINKED TO THE LIFE OF THE MINERAL WINNING OR WASTE DEPOSITION ON THE SITE AND WOULD BE REMOVED UPON THE CESSATION OF SUCH.

10.33 Buffer Zones

10.33.1 It is clearly desirable that the efficient operation of mineral or waste sites is not prejudiced by the construction of buildings or the introduction of new uses within very close proximity of existing or approved future workings. Wherever possible all existing sites will be operating under a set of planning conditions designed to minimise the impact upon all sensitive properties that existed at the time the conditions were/are imposed/agreed. For the sake of potential occupiers/users and the mineral/waste operation it is important that new planning applications within close proximity of all approved mineral/waste operations, are carefully considered in this respect. The Buffer Zones in respect of current working quarries and waste disposal sites are indicated on the Inset Maps. There is no correlation between buffer zones and the potential areas for any future extension of the workings concerned.

POLICY MW19 - BUFFER ZONES

A BUFFER ZONE (EQUIVALENT FOR MINERALS OPERATIONS TO THE "MINERALS CONSULTATION ZONE") SHOULD BE ESTABLISHED FOR ALL AUTHORISED MINERAL WORKING AND WASTE DEPOSITION SITES WITH AN EXPECTED LIFE OF TEN YEARS OR MORE. ALL PROPOSALS THAT ARE LIKELY TO BE

INCOMPATIBLE WITH THE ADJACENT MINERAL WORKING OR WASTE DISPOSAL OPERATION (EG RESIDENTIAL DEVELOPMENT) WILL FORM THE SUBJECT OF A RIGOROUS EXAMINATION AND PROPOSALS THAT WOULD BE UNACCEPTABLY ADVERSELY AFFECTED OR PREJUDICE THE MINERAL WORKING OPERATIONS WILL BE REFUSED.

10.34 Monitoring

It is clearly of importance that all mineral working and waste disposal sites are regularly monitored and that there is a fruitful dialogue between the planning authority and site operators. It is also of importance that Community Councils and the public in general inform the planning authority of any problems that are being experienced through the activities at or emanating from a mineral working or waste disposal site. Such arrangements already exist with most of the site operators and it is hoped that similar arrangements will be progressively introduced for the others. The table below end contains of all current mineral workings in Powys, and includes details of the mineral types, operational status and review /completion dates.

MINERAL SITES IN POWYS (ACTIVE & INACTIVE)

Site Name	Mineral	Operational Status (2003)	Conditions Review Date	Estimated Completion Date
Brecknockshire				
Brynmorlais (nr Cwmwrc'h)	Coal	Active	N/A	2005
Cribarth Quarry (nr Llanafan Fawr)	Gritstone	Active	2010	2020
Nant Helen Quarry (nr Abercraf)	Coal	Active	2013	2015
Tredomen (nr Llanflio)	Sandstone	Active	2011	2026
Radnorshire				
Caerfalu Quarry (nr Llanfyr)	Sand & Gravel	Active	2013	2042
Gore Quarry (nr Walton)	Gritstone	Active	2008	2030
Little Wern Wells (nr Gladestry)	Sandstone	Active	N/A	2003 (Temp)
Llanfawdd Quarry (nr Buith Wells)	Igneous Rock	Active	2008	2042
Rhayader Quarry	Gritstone	Dormant	2014	2042
Strids Quarry (nr Old Radnor)	Limestone/Grit	Active	Annually	2042
Dolghr Quarry (nr Old Radnor)	Gritstone	Active	Annually	204
Montgomeryshire				
Buttington Brickworks	Shale	Active	2012	2004
Craigion Quarry (nr Welshpool)	Igneous Rock	Active	2012	2042
Sarnog/Lloyd's Quarry (nr Trewarth)	Igneous Rock	Dormant	N/A	Unlikely to re-open
Middleton Quarry Extension (nr Welshpool)	Igneous / Metamorphic	Permission to extend workings not yet implemented	N/A	Expires on 29/3/2006
Pen-y-Graig & Pen-y-Parc Quarries (nr Llangynog)	Igneous Rock	Dormant	N/A	N/A
Penstrowed Quarry (nr Newtown)	Gritstone	Dormant	N/A	No valid Consent
Tan-y-Foel Quarry (Between Camo & Llanfair Caereinion)	Gritstone	Active	2012	2016



11: General Development Policies

11.1 Introduction

The plan-led system for development control requires all planning applications to be determined in accordance with the relevant policies of the UDP unless material considerations indicate otherwise. This chapter sets out the general and mainstream development control policies that the County Council will apply in determining planning applications alongside the strategic policies in Part I and the detailed subject based policies found in the other Part II chapters. They are stated here to avoid duplication and repetition throughout the UDP.

11.2 Supplementary Planning Guidance

11.2.1 In order to keep the UDP succinct it is not appropriate for the plan to provide explicit detail on every topic or for every site. Instead it is more appropriate that Supplementary Planning Guidance (SPG), which the Council will prepare in the context of the UDP to complement its policies, addresses these detailed issues. Sometimes, but not always, the Council will approve SPG that has been prepared by other organisations such as Village Design Statements but ideally the Council should be an active participant in formulating such guidance. Where SPG has been prepared it will form a material consideration and will be taken into account when determining planning applications.

11.2.2 During the preparation and life of the UDP, the County Council proposes to prepare SPG in the form of development briefs and design guides. Where possible, this SPG will be incorporated within the Plan making process so that they can be subjected to simultaneous public consultation. Where this is not possible, consultation will be undertaken as and when the SPG is being drawn up with relevant interest groups such as the Local Highway Authority, utility companies and the public. SPG will take the form of:

- **Development briefs** - these will set out the Council's design expectations and requirements for the development of large, complex or sensitive sites.
- **Design guides** - these will provide guidance to applicants, developers, architects, Council departments and others on particular design matters or themes, including those listed in the following table.

Table 1 - Proposed Supplementary Planning Guidance

Supplementary Planning Guide	Purpose
1. Conversions	Guidance on sympathetic conversion of buildings, especially agricultural buildings.

2. Advertisements	Review of existing Areas of Special Advertisement Control, and guidance on good design.
3. Shop fronts	Design of shop fronts including guidance on shutters, grilles and other security devices, canopies, signage and illumination.
4. Accessibility and mobility	Advice on designing an accessible environment, pavements, streets, lifetime housing, public buildings, historic buildings, shops, workplaces, parking, etc.
5. Energy Conservation & Generation	Low impact housing, photo-voltaics, solar panels, renewable energy and other practical measures for saving energy.
6. Residential Design Guide	Dwelling and extension design, housing layout, amenity space, recreation areas, and space between dwellings.
7. Highways Design Guide	Road design and geometry, junctions and visibility splays, estate roads, parking guidelines, street lighting, traffic calming.
8. Listed Buildings	Practical advice on development affecting listed buildings, and the maintenance of historic buildings. Conservation Plans may be prepared for complex sites with significant conservation interest.
9. Conservation Areas	Designation of new conservation areas and the review of existing designations, with advice on sympathetic design and proposals for enhancing areas.
10. Housing Needs Survey	Assessment of housing needs across Powys, including the identification of local need for affordable housing.
11. Landscape Appraisal	Character appraisal of Powys' landscape, which will inform the location and design of developments.
12. Biodiversity, Trees and Nature Conservation	Protecting and incorporating measures that promote and protect biodiversity within developments e.g. trees (TPOs), hedgerows and landscaping.
13. Agricultural and Rural Workers Dwellings	Explanation of the special justification and planning requirements for rural workers dwellings.
14. Amenity and Play Space	Guidance on the circumstances in which amenity and play space should be provided by developers, and advice on the future maintenance of this space.
15. Sewage and Foul Water Treatment	Guidance and advice in relation to known 'problem' areas, alternative forms of treatment, and future maintenance and management issues.

11.2.3 There is also a vast number of other guidance notes, plans or strategies which have or are in the process of being prepared by the County Council, such as the Waste Management Strategy, Local Transport Plan, and Housing Strategy and Operational Plan. These are not land use planning documents, but each has implications for the development and use of land so they may become material to the consideration of planning applications. Under the provisions of the Local Government Act 2000, the Council has a duty to prepare a Community Strategy, for promoting or improving the economic, social and environmental well being of Powys, and contributing to the

achievement of sustainable development. The Council is embarking upon this process, and the UDP will provide the means of taking forward those elements relating to development and the use of land.

11.3 General Development Policies

11.3.1 The geographical scale of Powys provides a rich diversity in the design and architectural styles of building found across the region. Consequently this section of the Plan can only provide the general planning policies and principles that the Council will apply to ensure that high standards of design in development are achieved. More detailed guidance and advice on design will be addressed through the preparation of SPG.

11.4 Environmental Impact Assessment (EIA)

11.4.1 Large scale and complex development proposals can impact on the environment in many ways and to aid a fuller understanding of these effects applicants for specific development proposals are required to carry out an Environmental Impact Assessment (EIA) and to submit an Environmental Statement (ES) alongside a planning application. Proposals requiring an EIA are specified by Regulations [The Town & Country Planning (Environmental Impact Assessment) Regulations 1999, as amended]. Applications will be screened by the Council to determine whether an EIA is required, and where necessary, agreement should be reached over the scope and methodology before it is commenced. (Further advice on EIA is found in Welsh Office Circular 11/99).

11.5 Planning Conditions and Obligations

11.5.1 Planning conditions and obligations are used to improve the quality of development and to ensure that development is acceptable and able to proceed in circumstances where it would otherwise be refused. Conditions will be attached to all planning consents to control specified aspects of development and possibly future after uses of a site.

11.5.2 Planning Policy Wales (2002) states that "When granting planning permission local planning authorities may seek to enter into a planning obligation with a developer to:

- restrict development or use of land;
- require operations or activities to be carried out in, on, under or over the land;
- require the land to be used in a specified way; or
- require payments to be made to the authority either in a single sum or periodically."

11.5.3 Planning gain usually arises in situations where benefits are sought for the wider community as part of a development. This is only legitimate where the benefits are relevant and reasonably related to a development and required to enable the development to proceed. PGW stresses that unacceptable developments should never be allowed because of unrelated benefits. Any benefit sought must therefore be related in scale and kind to the development and necessary to the grant of permission. It would be unreasonable, for instance, to negotiate numerous benefits from a development, as this

may frustrate worthwhile development proposals or put at risk the Council's plans for an area. Circulars 13/97 Planning Obligations and 35/95 The Use of Conditions in Planning Applications provide further advice.

11.5.4 On-going maintenance costs and responsibilities should also be addressed as part of the negotiation process when determining planning applications. Circular 13/97 advises that, "The costs of subsequent maintenance and other recurrent expenditure should normally be borne by the body or authority in which the asset is to be vested. Payments should be time limited and not required in perpetuity by planning obligations. As a general rule, the planning authority should not attempt to impose commuted maintenance sums when considering the planning aspects of development". The circular lists three exceptions where commuted sums may be made, namely:

- where additional highway works are an essential prerequisite to the granting of planning permission and an agreement is entered into under S.278 of the Highways Act 1980 (which specifically provides for maintenance payments);
- in the case of funding for public transport - particularly if this will assist the achievement of sustainable development, and including the possibility of a contribution to revenue support of services;
- in the case of areas of open space, recreational facilities, children's play space, woodland or landscaping which is principally of benefit to the development rather than to the wider public.

POLICY DC1 - PLANNING CONDITIONS AND OBLIGATIONS

THE COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS OR SEEK TO ENTER INTO A PLANNING OBLIGATION BY AGREEMENT WITH APPLICANTS WHERE APPROPRIATE, TO ENSURE THAT:

1. HIGH QUALITY DEVELOPMENT IS ACHIEVED AND ANY ADVERSE EFFECTS OF PROPOSALS ARE MINIMISED OR CONTROLLED.
2. THE DEVELOPMENT PROVIDES FOR ADEQUATE INFRASTRUCTURE NECESSARY TO SERVE THE PROPOSAL, AND THAT SATISFACTORY MAINTENANCE ARRANGEMENTS ARE ACHIEVED.
3. BENEFITS IN THE PUBLIC INTEREST ARE SECURED WHERE THESE ARE RELEVANT AND REASONABLY RELATED TO THE PROPOSAL AND REQUIRED TO ENABLE IT TO PROCEED.
4. THE POLICIES OF THE PLAN ARE SATISFIED.

11.5.5 When considering planning applications the adequacy of infrastructure (e.g. highway network, sewerage systems and treatment works) are material considerations in deciding whether planning permission should be granted. Where necessary infrastructure provision or improvements are not already firmly programmed by a Utility Company to serve a development, the Council will either use planning obligations - (normally through a Section 106 legal agreement under the Town and Country Planning Act 1990, as amended) - to achieve the provision of adequate infrastructure to serve the development or seek the requisite contributions from the applicant towards the cost of providing the facilities.

11.5.6 Instances where the Council may use planning obligations include:

- a) The provision and maintenance of open space and recreational areas in developments.
- b) Provision of cycle-ways or footpaths.
- c) The provision of community facilities e.g. bus shelter, extra car parking, improved highway access.
- d) Securing the provision of an element of affordable housing in large housing schemes, and ensuring affordable local needs housing is retained in perpetuity for such a purpose.
- e) Provision or improvement of infrastructure to serve a development.
- f) Provision, maintenance and management of recycling facilities.
- g) Traffic management and improved accessibility to public transport (e.g. contributions towards public transport services) and cycle/footpath routes.
- h) Ensuring rural dwellings are attached to the rural business (planning unit) that justified the need for the dwelling.
- i) Improvements to access for disabled people over and above the minimum requirements of Part M of the Building Regulations or the Disability Discrimination Act 1995.

11.5.7 In drawing up development briefs, the Council will identify where planning obligations are likely to be needed for specific sites. The settlement descriptions accompanying each inset map also indicate where infrastructure capacity is limited and planning obligations can be expected to secure the requisite provision.

11.5.8 Legislation (TCPA 1990, as amended) allows for an application to modify or discharge a planning obligation to be made to the Council but only after a period of five years starting from the date that the obligation was entered into, or where both parties agree to the amendments or discharge within five years. Refusals of such applications are subject to appeal.

11.6 General Development Control and Design Criteria

11.6.1 A following policy provides the Council's general development control and design policy applicable to all forms of development. Draft TAN2 Design (June 2001), advises that planning applications may be rejected for poor design, and suggests that planning application design statements should be submitted with all applications, although the level of detail required will depend on the nature and scale of the development and the sensitivity of its location. Whilst this is not yet a requirement, the Council will expect all detailed planning applications to provide comprehensive details of design. The Council is committed to early dialogue with architects, agents and others involved in the design process.

POLICY DC2 - GENERAL DEVELOPMENT CONTROL & DESIGN

DEVELOPMENT PROPOSALS WILL BE REQUIRED TO MEET ALL OF THE FOLLOWING CRITERIA:

1. THE DESIGN, LAYOUT, SIZE, SCALE, MASS, AND MATERIALS OF THE DEVELOPMENT SHALL COMPLEMENT AND ENHANCE THE CHARACTER OF THE AREA.
2. THE DESIGN AND LAYOUT SHALL TAKE ACCOUNT OF THE NEEDS OF ALL TRANSPORT USERS, ESPECIALLY PEDESTRIANS AND CYCLISTS.
3. DEVELOPMENTS SHALL BE DESIGNED TO BE INCLUSIVE AND ACCESSIBLE IN ACCORDANCE WITH POLICY DC5.
4. THE DESIGN, LAYOUT AND LIGHTING OF THE DEVELOPMENT SHALL MINIMISE THE POTENTIAL FOR CRIME.
5. DESIGNATED OR PROPOSED SITES OF NATURE CONSERVATION, HISTORIC, AND ARCHAEOLOGICAL INTEREST SHALL NOT BE UNACCEPTABLY ADVERSELY AFFECTED BY PROPOSALS.
6. WHERE DEVELOPMENT INVOLVES AN EXISTING BUILDING, ANY FEATURES OF ARCHITECTURAL, HISTORIC INTEREST OR LOCAL VERNACULAR CHARACTER SHALL NOT BE UNACCEPTABLY ADVERSELY AFFECTED.
7. THE AMENITIES ENJOYED BY THE OCCUPANTS OF NEARBY OR PROPOSED PROPERTIES SHALL NOT BE AFFECTED BY UNACCEPTABLE LEVELS OF NOISE, LIGHT, DUST, ODOUR, HOURS OF OPERATION OR FOR ANY OTHER PLANNING REASON.
8. ADEQUATE PROVISION SHALL BE MADE FOR HIGHWAY ACCESS, OFF STREET PARKING, VISIBILITY, TURNING, PASSING, CIRCULATION, DROPPED KERBS, AND SERVICING SPACE.
9. ADEQUATE UTILITY SERVICES SHALL EXIST, OR BE CAPABLE OF BEING READILY AND ECONOMICALLY PROVIDED WITHOUT UNACCEPTABLE ADVERSE EFFECT ON THE SURROUNDING ENVIRONMENT.

11.6.2 The Design and the creation of a high quality environment can only be achieved by making the best use of what a site has to offer. This must be based on a proper understanding of the characteristics of the site and its surroundings and by integrating those characteristics and features of significance within the development's design. Topography, micro-climate, aspect, important local features, local architecture and design styles, building traditions and neighbouring uses will vary from site to site and will always influence the choice of design.

11.6.3 Conducting a thorough site appraisal and character assessment, it may become apparent that certain sites are unsuitable for certain uses and in some cases for any development whatsoever. Whilst ingenious design solutions may be able to overcome the former, uses incompatible with neighbouring uses where disturbance and stress may result will be unacceptable. Noisy uses, for instance, would not be acceptable adjacent to quiet residential areas, while it would be similarly inappropriate to place a quiet use next to an existing source of noise as this will only lead to conflict and stress. Consultation on noise matters will be carried out with the Council's Environmental Health Department and for appropriate applications, applicants will be requested to submit detailed assessments of predicted noise levels. Where the Council is minded to grant planning permission, conditions may be used to control the noise levels of noisy activities. Further guidance is provided by TAN11: Noise (1997).

Renewable Energy Project aimed at helping local people install specific schemes to generate energy from the sun, wood, water or wind. One project is a Solar Club, which trains people to install their own solar water heating systems. Further advice on utilising passive forms of energy and heating will be incorporated within SPG.

POLICY DC4 - ENERGY CONSERVATION AND DESIGN

WHEREVER APPROPRIATE, DEVELOPMENTS SHALL BE DESIGNED TO REDUCE ENERGY CONSUMPTION AND MAXIMISE ENERGY CONSERVATION THROUGH THE USE OF APPROPRIATE MATERIALS, DESIGN, LAYOUT AND ORIENTATION.

11.7.2 The Council supports the use of construction materials, techniques and designs that maximise the efficient use and conservation of energy and resources. South facing locations and buildings orientated to face southwards are able to take advantage of passive solar heating whereas shady, windy or exposed locations should ideally be avoided, although where this is not possible tree planting to create shelter may help to reduce energy loss. Materials that have been recycled or are available locally can also reduce energy consumption during the construction process.

11.8 Accessibility and Highway Matters

11.8.1 Highway aspects are an important consideration for most planning applications, especially the implications they have on highway safety, the environment, local communities, and the economy. This section provides the Council's general highway policies for assessing all development proposals and should be read in conjunction with the UDP's Transport Chapter.

11.8.2 The Council's Interim Highways Design Guide provide detailed design advice and guidance on a range of highway matters including parking guidelines, highway design, cycling, junctions and visibility, traffic calming, etc.

11.8.3 It is important that new development should be designed to allow freedom of access and movement of all persons, regardless of any disability or impairment that they may have, to, from, within and around developments. A wealth of advice and guidance is available for improving access. Disability Wales has prepared its own SPG called Access for All (December 2000) which is a best practice guide for all practitioners involved in improving accessibility of the environment. It indicates that approximately 1 in 6 (17%) of the Welsh Population has an impairment or disability, and that with an ageing population, as Powys has, accessibility issues are of significance to planning and development control. Further guidance is also provided by TAN12: Design (October 1997) and Draft TAN 12, (June 2001). The County Council will prepare its own SPG on Access and Mobility, which will adhere to the Social Model of Accessibility and the principle of inclusive design. (N.B. The Council also has an approved Access Policy, which is currently being amended).

POLICY DC5 - ACCESS BY DISABLED PERSONS

11.6.4 Sensitive design solutions can be used to reduce the opportunities for crime, such as the use of landscaping to distinguish between public and private areas. However, extreme solutions such as solid shutters on the exterior of shop fronts should be avoided as they harm the character and appearance of towns.

POLICY DC3 - IMPORTANT SITE FEATURES & LANDSCAPING

IMPORTANT TREES, HEDGEROWS, OPEN SPACES AND OTHER LOCAL FEATURES THAT CONTRIBUTE SIGNIFICANTLY TO THE QUALITY AND CHARACTER OF THE LOCAL ENVIRONMENT AND ARE AFFECTED BY DEVELOPMENT PROPOSALS SHALL BE SAFEGUARDED AND, WHERE PRACTICABLE, INCORPORATED WITHIN THE DEVELOPMENT.

WHERE APPROPRIATE, DEVELOPMENTS SHALL BE LANDSCAPED USING APPROPRIATE NATIVE SPECIES OR MATERIALS WHICH COMPLEMENT AND ENHANCE THE CHARACTER OF THE LOCALITY. PLANTING SHALL BE CARRIED OUT IN THE FIRST AVAILABLE PLANTING SEASON, OR IN ACCORDANCE WITH THE STATED PLANNING CONDITION, AND ANY PLANTS WHICH DIE OR ARE REMOVED WITHIN 5 YEARS SHALL BE REPLACED WITH SIMILAR SPECIES.

11.6.5 also extends to the treatment of spaces between and around buildings, and care should be given to both hard and soft landscaping and the treatment of boundaries and surfaces so as to enhance the design but also to blend the development into its surroundings. Wherever practicable, existing landscape features such as trees should be accommodated and protected. Applications should identify landscaping schemes, although planning conditions may be applied requiring the approval of the landscaping scheme prior to the commencement of development. Boundaries provide a physical link with a site's immediate surroundings and should be designed to integrate and not alienate or hide developments, especially on the edges of settlements where hard landscaping can create a stark impression. Timber or wire fencing will not normally be acceptable, although it may be necessary in some rural locations where stock movements are high. Screening is an extreme form of landscaping with the sole purpose of obscuring unsightly premises and activities. Whilst screening is a poor form of landscaping, it may be helpful where it can obscure an existing unsightly or highly conspicuous use, but should be designed using materials or plants compatible with the locality.

11.7 Energy Conservation and Design

11.7.1 Energy reduction and conservation are encouraged by the Council in recognition that the efficient use of energy can have major environmental benefits on the sustainable use of resources. The UDP aims to achieve this in a number of ways. At a strategic level, the Sustainable Strategic Settlement Hierarchy advocated in Part I seeks to allocate the majority of future development to locations where numbers and distances of trips are minimised. Moreover, at a local level, careful site selection and building design can also reduce energy consumption. In practice, these ideas have been developed and implemented by the Centre for Alternative Technology and are being promoted by the Dyfi Eco Valley Partnership which has established a Community

APPLICATIONS WILL BE PERMITTED FOR THE DEVELOPMENT OF NEW BUILDINGS, PUBLIC AMENITIES, RECREATIONAL SPACES AND, WHERE PRACTICABLE AND REASONABLE THE CHANGES OF USE OR ALTERATIONS TO EXISTING BUILDINGS, WHERE SUITABLE ACCESS IS MADE TO AND WITHIN THE BUILDING AND ADEQUATE FACILITIES ARE PROVIDED (INCLUDING SANITARY CONVENIENCES AND PARKING SPACE) FOR PEOPLE WITH DISABILITIES.

11.8.4 The Disability Discrimination Act 1995 (DDA) seeks to avoid discrimination against people with impairments and disabilities, and for instance ensures that work premises do not disadvantage someone with a disability. It also has implications for access to Historic Buildings, and the impact that design solutions may have on the character and setting of the listed building. Cadw: Welsh Historic Monuments is in the process of preparing advice on this subject and issued a draft paper on Providing Physical Access to Historic Buildings (November 2001), which is subject to approval by the WAG.

11.8.5 Three local voluntary Access Groups operate in each of Powys' three Shires and the Council appreciates the important role that these Groups have in scrutinising the accessibility of relevant planning applications. Opportunities exist for involving these Groups in other aspects of planning (e.g. regeneration projects, access policy development) and the Council encourages such participation.

POLICY DC6 - HIGHWAY AND PARKING REQUIREMENTS

PERMISSION FOR DEVELOPMENT PROPOSALS WILL BE DEPENDENT ON ADEQUATE PROVISION FOR:

1. HIGHWAY ACCESS INCLUDING VISIBILITY, TURNING, PASSING, DROPPED KERBS, CIRCULATION, AND SERVICING SPACE.
2. PARKING IN COMPLIANCE WITH THE COUNTY COUNCIL'S GUIDELINES. THE STANDARD OF PARKING PROVISION REQUIRED SHOULD BE AGREED WITH THE LOCAL PLANNING AUTHORITY AND WILL BE DETERMINED BY BOTH THE NATURE AND LOCATION OF THE DEVELOPMENT, ITS ACCESSIBILITY TO SERVICES BY PUBLIC TRANSPORT, WALKING OR CYCLING, ENVIRONMENTAL CONSIDERATIONS AND ANY TRANSPORT ASSESSMENT AND TRAVEL PLAN REQUIRED UNDER UDP POLICY DC7.

IN SUPPORT OF THE PRINCIPLE OF MAXIMUM PARKING STANDARDS, PLANNING OBLIGATIONS MAY BE SOUGHT FOR IMPROVEMENTS TO PUBLIC TRANSPORT SERVICES AND/OR FACILITIES FOR WALKING AND CYCLING. ALL PARKING AREAS SHOULD BE WELL DESIGNED IN TERMS OF SAFETY, CIRCULATION AND APPEARANCE AND ASSIST ACCESS BY PEDESTRIANS, CYCLISTS AND THE MOBILITY IMPAIRED.

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT LIKELY TO RESULT IN AN INCREASE IN ON-STREET PARKING, WHERE IT WOULD ADVERSELY AFFECT TRAFFIC FLOWS, BUS MOVEMENT, HIGHWAY SAFETY, THE AMENITIES OF LOCAL RESIDENTS OR THE LOCAL ENVIRONMENT.

Note: Once TAN 18 has been re-issued and Parking Standards have been formalised a table of standards should be included within this section.

11.8.6 In the interests of highway safety, all development proposals that generate or involve traffic must be provided with adequate means of access and parking, and the relevant Highway Authority (County Council or Welsh Assembly Government) will be consulted on all planning applications. Further advice and guidance on access and parking is provided by TAN18 Transport (July 1998), and Draft TAN18 (March 2001) and will be incorporated within the Council's Highways Design Guide.

11.8.7 Planning Policy Wales (2002) indicates that maximum parking standards should be adopted and that these parking standards should reflect local transport provision. In keeping with this advice, the Council will generally seek to ensure that car parking provision is kept as low as possible commensurate with the developments needs, access to other means of travel and general highway and environmental considerations.

11.8.8 This approach realises that not all development needs to assume maximum level of car use, particularly in the case for new housing located in those settlements where services and facilities can be accessed by either public transport, walking or cycling. Similarly, within town centres it would not be physically possible to ensure that each individual development provides car parking commensurate with the Council's ideal standards. This is also the case in conservation areas and other sensitive locations where the environmental quality could be adversely affected by too great a provision of parking spaces. For development in such areas, the Council therefore may seek a level of parking provision below the maximum standard where this would not lead to an unacceptable increase in parking on the highway. In more isolated settlements the parking provision may be greater to reflect the difficulty in accessing other forms of transport and the lower levels of services and facilities available, but in such cases, environmental quality, the free flow of traffic and highway safety must not be compromised. Consequently, in all residential developments the Council will seek to ensure that parking is provided off street, for example on driveways in garages or dedicated parking areas. This reflects the desire to create residential developments that are designed around the pedestrian, rather than the car, thus creating friendly, safer streets.

11.8.9 Off-street parking provision will be unacceptable where it would lead to the deterioration in the character and amenity of the local environment and street scene. For instance, the use of front gardens within Conservation Areas for parking space will not generally be acceptable because it will harm the area's character and appearance through the loss of gardens and important local features, such as walls, hedges and trees.

POLICY DC7 - TRANSPORT ASSESSMENTS AND TRAVEL PLANS

PLANNING APPLICATIONS THAT ARE CONSIDERED TO GENERATE SIGNIFICANT AMOUNTS OF TRAVEL MUST INCLUDE A SATISFACTORY TRANSPORT ASSESSMENT AND A TRAVEL PLAN PRODUCED IN CONSULTATION WITH THE COUNCIL AND LOCAL TRANSPORT PROVIDERS.

11.9.3 Under the regulations controlling advertisements [The Town and Country Planning (Control of Advertisements) Regulations 1992, as amended] certain advertisements can be displayed without the need to obtain formal consent from the Council. These advertisements are given "Deemed Consent" so long as they comply with specific conditions defined in the Regulations. Where permission is required to display an advertisement, applicants must obtain the Council's "Express Consent". Signs erected or painted on any part of a highway, including overhanging signs, require the consent of the highway authority.

11.9.4 TAN7 Outdoor Advertisement Control (November 1996) provides the WAG's advice on advertisements, and makes it clear that, "the display of outdoor advertisements can only be controlled in the interests of amenity and public safety" (Paragraph 6).

POLICY DC8 - ADVERTISEMENTS

APPLICATIONS FOR THE DISPLAY OF ADVERTISEMENTS, INCLUDING THOSE ON SHOP FRONTS, WILL BE GRANTED EXPRESS CONSENT WHERE THE FOLLOWING CRITERIA ARE MET:

- THEY SHALL NOT CAUSE ANY UNACCEPTABLE ADVERSE EFFECTS ON PUBLIC SAFETY ESPECIALLY FOR HIGHWAY USERS INCLUDING PEDESTRIANS, AND ESPECIALLY PEDESTRIANS WITH MOBILITY AND/OR SENSORY IMPAIRMENTS.
- ADVERTISEMENTS SHALL NOT SPOIL THE VISUAL AMENITY, CHARACTER AND APPEARANCE OF ANY BUILDING, THE SURROUNDING ENVIRONMENT, LANDSCAPE OR STREET SCENE IN TERMS OF THE FOLLOWING DESIGN DETAILS:
 - THE SIGN'S SIZE, PROPORTIONS, MATERIALS, LETTERING, COLOUR(S) AND EXTERNAL FINISHES
 - ITS METHOD OF ILLUMINATION. WHEREVER POSSIBLE EXTERNAL SOURCES OF ILLUMINATION SHALL BE USED, PARTICULARLY IN THE OPEN COUNTRYSIDE, OR WHERE CONSERVATION AREAS OR LISTED BUILDINGS ARE AFFECTED. INTERNALLY ILLUMINATED BOX SIGNS WILL GENERALLY BE UNACCEPTABLE.
 - ITS POSITION AND PROJECTION. SIGNS WILL NOT NORMALLY BE PERMITTED ON BUILDINGS ABOVE FIRST FLOOR LEVEL AND GENERALLY THERE SHOULD BE NO MORE THAN ONE HANGING SIGN PER BUILDING/ELEVATION.
- WHERE PROPOSED IN THE COUNTRYSIDE, ADVERTISEMENTS SHALL NOT RESULT IN A PROLIFERATION OF SIGNS TO THE DETRIMENT OF THE LANDSCAPE AND ENVIRONMENT (SHARED SIGNS ARE GENERALLY PREFERABLE TO INDIVIDUAL SIGNS) AND SHALL BE EITHER:
 - ADVANCE WARNING SIGNS ESSENTIAL FOR HIGHWAY/PUBLIC SAFETY; OR
 - DIRECTIONAL SIGNS REASONABLY REQUIRED IN THE OPINION OF THE COUNCIL FOR APPROPRIATE RURAL BUSINESSES;

PROPOSALS THAT GENERATE SIGNIFICANT TRAVEL DEMANDS WILL ONLY BE PERMITTED WHERE ADEQUATE PUBLIC AND OTHER SUSTAINABLE FORMS OF TRANSPORT ARE INCORPORATED AS PART OF THE PROPOSAL AND ARE CONSISTENT WITH THE ROLE AND FUNCTION OF THE ROAD NETWORK.

11.8.10 In addition to access and parking considerations, development proposals should also take account of the wider implications that they have on transport and accessibility, such as the need to reduce traffic levels, integration with public transport and rights of way, linkages with neighbouring uses, community, recreation and retail facilities, and the provision of facilities to encourage walking and cycling. To achieve this, it is proposed that all planning application proposals that would generate significant traffic, such as offices, factories and supermarkets, are subjected to a Transport Assessment. Thresholds for triggering assessments are not defined, because much will depend on the particular circumstances of a development proposal. The need for and scope of an assessment should be agreed with the Council as early as possible in the planning process. Applicants will be expected typically to collect and analyse information on traffic flows, accidents, bus routes and service frequencies, distance and access to bus and rail stops, as well as specific details on the proposal such as the number of trips to be generated, how the site is to be accessed by walkers, cyclists and other modes.

11.8.11 Where development briefs are prepared by the County Council, these will set out the requirements of the Council for providing satisfactory access and any transport facilities that developers will be expected to provide or contribute towards as part of the development. Such facilities may include the development of a Travel Plan (for larger developments) or participation in achieving the objectives of an existing Travel Plan. Travel Plans aim to reduce reliance on travel by private cars and promote alternative modes of transport. Where such plans are incorporated as part of the development, car-parking standards may be reduced. The Council will also encourage and advise existing employers, retail, leisure and education providers to develop travel plans to reduce dependence on the private car.

11.9 Advertisements and Shop Front Signage

11.9.1 The Council recognises that advertisements and signs have an important economic and commercial role in promoting local businesses and in providing information for travellers. Well-designed signs can enhance the character and attractiveness of town centres and in many cases what would otherwise be drab buildings. However, a balance needs to be struck between these interests and protecting the character and appearance of Powys' countryside, towns and villages from clutter, poor design and unacceptable levels of proliferation.

11.9.2 In recognition of the harm that may be caused by signs, stricter controls for advertisements are already in place for the majority of Montgomeryshire and Brecknockshire, which are designated as Areas of Special Control for Advertisements (ASCAs). The Council in the context of the following Policy will prepare SPG on advertisements and shop fronts and this will include a review of the ASCAs. Consultation on this will be undertaken with local trade and amenity organisations.

2. WHEREVER POSSIBLE, APPLICANTS ARE ENCOURAGED TO DESIGN ADVERTISEMENTS TO BE BILINGUAL AND TO MEET THE NEEDS OF PERSONS WITH DISABILITIES.

11.9.5 A sign should always be designed to harmonise with the character of its surroundings. Although applicants may wish advertisements to be as eye-catching and conspicuous as possible, they should not dominate their surroundings or become visually intrusive as this will degrade the quality of the local environment and may cause danger to highway safety by distraction, confusion or obstruction. The sign's size, style of letters, colours and motifs should be in keeping with the proportions and architectural detailing of the building especially where buildings and streets of architectural or historic importance, or the natural environment are affected. Signs made from uPVC will be discouraged by the Council where located within an existing or proposed conservation area. Adverts and signs also contribute to the cultural identity of an area, and applicants are encouraged to adopt bilingual signage.

11.9.6 Illumination can add interest and appeal to a well-designed sign and fascia signs with individually lit letters applied to a unit background are generally less garish than fully illuminated box fascias. The Council will discourage the use of box fascia signs especially in conservation areas or where historic streets and buildings are affected.

11.9.7 An excess accumulation of signs can cause clutter which harms local amenity. Clutter can be avoided by controlling the number and placement of signs on buildings and in streets. Generally only one hanging sign per building will be appropriate, and signs should not be located above first floor level especially in town centre shopping streets.

11.9.8 Well-designed shop fronts can lift a building and create a feature of interest. Whenever possible, historic shop fascias should be restored and re-used with advertisements hand painted, as these are an essential part of every shop's individual identity and historic character. New shop fronts should capture the character and feel of historic shop fronts where these are found nearby and traditional materials should be used. The Council accepts that company colours and logos are necessary to identify national operators, but will always encourage applicants to design advertisements that reflect local styles, particularly in existing or proposed conservation areas. The Council also discourages external security shutters.

11.9.9 The beauty and character of the open countryside can be spoilt by the proliferation of direction signs at locations distant from the premises referred to. Wherever practicable, the Council will encourage the combining of essential advertising to avoid a proliferation of signs in the countryside. Illuminated advertisements in the countryside are particularly obtrusive and cannot be readily assimilated into the environment so will only be permitted in exceptional cases on an individual basis such as at petrol filling stations.

11.10 Lighting

11.10.1 Lighting in the Countryside: Towards Good Practice (1997), published by the former Department of the Environment, Transport and Regions provides practical advice on the prevention and control of lighting impacts by all those involved with lighting in the

countryside. It recognises that lighting can help promote security, reduce road accidents, advertise commercial enterprises, permit outdoor working and sports activities at night, and enhance the environment. However excessive, poorly designed and badly aimed lighting may have adverse effects. Excessive lighting on rural roads, village streets and in other areas of the countryside can lead to sky glow which shuts out the splendour of the night sky, and lighting apparatus can spoil daytime views. Glare from excessively bright or poorly aimed lights causes dazzle, with safety implications for motorists and pedestrians, and destroys privacy. Over time it can also blur the distinction between urban and rural areas.

11.10.2 All residential estates with adoptable roads must have appropriate highway lighting. The Council's policy indicates that all new lighting should focus light to where it is needed and minimise light spillage in the night sky. Specific types of lighting may be conditioned to planning permissions to create a uniform approach for reducing light pollution. Further advice on street lighting will be included within the Highways Design Guide.

POLICY DC9 - EXTERNAL LIGHTING

PROPOSALS INVOLVING EXTERNAL LIGHTING WILL BE PERMITTED WHERE THEY ARE ESSENTIAL FOR PUBLIC SAFETY. IN ALL CASES THEY SHOULD NOT CAUSE:

1. A NUISANCE OR HAZARD TO HIGHWAY USERS.
2. UNACCEPTABLE LEVELS OF LIGHT POLLUTION, ESPECIALLY IN THE COUNTRYSIDE.
3. HARM TO THE CHARACTER AND APPEARANCE OF ANY BUILDING OR THE SURROUNDING ENVIRONMENT.
4. ADVERSE IMPACT ON WILDLIFE.

11.10.3 The County Council appreciates that the intrusiveness of lighting in the countryside should be kept to a minimum, and will assess the need for lighting in association with development proposals. Instead of automatically assuming that lighting is necessary, applicants should consider carefully whether the development could proceed without lighting; the benefits of lighting outweigh any dis-benefits; and whether there are any alternatives to lighting. Having established that lighting is needed, an appraisal of the specific lighting requirements of the site should be undertaken so that the lighting scheme is designed to integrate with its surroundings. Among the issues that should be examined will be the effects of night lighting on dark landscapes, the appearance of lighting structures in daytime, potential impacts on the amenity of local residents and effects on the safety of transport users.

11.11 Telecommunications

11.11.1 Telecommunications technology is developing rapidly to meet the growing demands for better and faster communications, and it has become an essential part of modern living. In rural areas such as Powys, telecommunications and information technology can serve to overcome the problems of peripherality and remoteness, enabling home working and entertainment, long distance education, and new patterns of

commerce for local businesses, with the overall advantage of reducing the need to travel. Whilst telecommunications can offer these exciting opportunities, the Council recognises the need to protect public health and the environment especially as telecommunications apparatus can often be visually intrusive.

POLICY DC10 - TELECOMMUNICATIONS APPARATUS

PROPOSALS FOR TELECOMMUNICATION MASTS OR OTHER APPARATUS WILL BE CONSIDERED HAVING REGARD TO THE SPECIAL SITING, TECHNICAL AND OPERATIONAL REQUIREMENTS OF THE EQUIPMENT, THE SIGNIFICANCE OF THE PROPOSAL AS PART OF A NATIONAL NETWORK, AND THE NEED TO MINIMISE VISUAL INTRUSION AND ADVERSE ENVIRONMENTAL EFFECTS. THEY WILL BE APPROVED PROVIDED THAT:

1. THE PROPOSAL WOULD NOT UNACCEPTABLY ADVERSELY AFFECT:
 - SITES OR FEATURES OF NATURE CONSERVATION, HISTORIC OR ARCHAEOLOGICAL INTEREST;
 - THE CHARACTER OR SETTING OF A CONSERVATION AREA, LISTED BUILDING OR THE SPECIAL LANDSCAPE OF POWYS.
2. THE DEVELOPMENT WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO PUBLIC HEALTH AND SAFETY OR THE AMENITIES ENJOYED BY EXISTING OR PROPOSED PROPERTIES, SUCH AS RADIO OR ELECTRICAL INTERFERENCE, NOISE OR VISUAL IMPACT.
3. WHERE FEASIBLE, PROPOSALS SHALL SHARE THE SITE OR STRUCTURE OF AN EXISTING FACILITY, AND IN APPROPRIATE CASES, ANTENNAE SHALL BE ERECTED ON A SUITABLE EXISTING BUILDING OR STRUCTURE SO AS TO PREVENT PROLIFERATION.
4. WHEREVER FEASIBLE AND APPROPRIATE, ALL CABLES SHALL BE LAID UNDERGROUND, PARTICULARLY IN SENSITIVE AREAS, SUBJECT TO THE PROTECTION OF ARCHAEOLOGICAL AND CONSERVATION INTERESTS.
5. THE PROPOSAL SHALL BE DESIGNED, FINISHED, LANDSCAPED AND SCREENED TO MINIMISE ANY ADVERSE IMPACT ON THE CHARACTER AND APPEARANCE OF ITS SURROUNDINGS.

11.11.2 Under the General Permitted Development Order 1995, as amended, permitted development rights may be exercised for telecommunication developments including those carried out by licensed operators. Where planning permission is required, or prior approval procedures apply, applicants are advised to undertake early consultation with the Council. Developers should consider in detail the environmental effects associated with the proposal, and where appropriate the Council may request the preparation of an Environmental Impact Assessment.

11.11.3 To reduce the effects on built and natural environments, operators should share existing sites, masts and structures in order to prevent a proliferation of installations. Developers will be required to provide evidence of the consideration that they have given to the possibility of utilising shared facilities. In certain circumstances, it may be sensible for operators who need to install a mast to include additional structural capacity to take account of the growing demands for network development, including those of other operators. This will prevent a proliferation of masts and associated equipment as networks develop over time. Careful design, landscaping and screening can significantly

reduce any adverse impact on amenity, environment or the visual appearance of streets, buildings, open spaces and views.

11.11.4 A condition will also be attached to any grant of planning permission to ensure that the development will be removed and the land restored to its former use and condition, should the facility no longer be required.

POLICY DC11 - SATELLITE DISHES, ANTENNAE, CCTV AND OTHER DEVICES

APPLICATIONS FOR SATELLITE DISHES, ANTENNAE(E), CCTV AND OTHER SUCH DEVICES, WILL BE PERMITTED WHERE THEY HAVE NO UNACCEPTABLE ADVERSE EFFECTS ON THE CHARACTER AND APPEARANCE OF THE BUILDING OR NEIGHBOURHOOD. DEVELOPMENTS HAVING AN UNACCEPTABLE ADVERSE EFFECT UPON LISTED BUILDINGS, BUILDINGS IN CONSERVATION AREAS, OR THEIR SETTINGS, WILL NOT BE PERMITTED.

11.11.5 Permitted development rights for the erection of a satellite antenna and closed circuit television cameras (CCTV) on a dwelling, or within a dwelling's curtilage, are granted by the General Permitted Development Order 1995, as amended. Elsewhere, permitted development rights are reduced for such apparatus. Wherever possible, shared dish systems should be used to avoid a proliferation of antennae particularly in Conservation Areas or for flats, but in all cases should be positioned so as to minimise their impact on the appearance of dwelling and the amenity of the local environment. Proposals affecting a listed building or within a conservation area will also be considered against the relevant policies in the Environment Chapter, and the Council will refuse applications especially where they detract from the area's or building's special character and appearance. Any associated attachments, cables or cable networks should be designed so as not to cause any harm to the built or natural environments. Devices should be attached to buildings and separate columns or other structures will only be acceptable where they would be less detrimental to the character or appearance of the area than if they were mounted on the buildings themselves. It may be preferable for satellite dishes affecting listed buildings or buildings in conservation areas to be sensitively located within the grounds of the building rather than to be attached to the building directly.

11.12 Conversion of Rural Buildings

11.12.1 A number of policies in the UDP support the conversion of existing buildings in Powys' countryside to new uses, such as employment (Policy EC7) and housing (Policy HP16). In encouraging the re-use of buildings the Council recognises that there are sustainable arguments both for and against such developments. On the positive upside, conversions can breathe new economic and social life into rural communities, and they re-use existing buildings and building materials which reduces the need to construct on greenfield sites and for processing new construction materials. However, on the downside, conversions can create a dispersed pattern of settlement that is likely to generate new and longer trips, as existing buildings are typically remote from shops and other services. The policy below and the specific topic policies seek to balance this inherent conflict, and places priority on the re-use of buildings for economic uses.

11.12.2 SPG will be prepared by the Council to provide further advice on conversions, particularly on matters of design. TAN6 Agricultural and Rural Development (June 2000) provides the WAG's advice on the re-use and adaptation of rural buildings.

POLICY DC12 - CONVERSION OF BUILDINGS IN THE COUNTRYSIDE

PROPOSALS WILL BE ALLOWED IN THE COUNTRYSIDE FOR THE CONVERSION OR RE-USE OF A:

- A. TRADITIONAL BUILDING WHERE IT COMPLIES WITH THE RELEVANT CHAPTER POLICY AND THE CRITERIA BELOW.
- B. MODERN BUILDING OF MORE RECENT CONSTRUCTION WHERE THE APPLICANT CAN DEMONSTRATE TO THE SATISFACTION OF THE COUNCIL THAT THE BUILDING WAS CONSTRUCTED AND USED FOR ITS ORIGINAL PURPOSE, AND THAT IT WILL NOT RESULT IN A NEED FOR A REPLACEMENT BUILDING, AND WHERE IT COMPLIES WITH THE RELEVANT CHAPTER POLICIES AND THE CRITERIA BELOW:
 1. PREFERENCE WILL BE GIVEN TO THE CONVERSION OF BUILDINGS TO ECONOMIC ACTIVITIES IN ACCORDANCE WITH POLICY EC7. CONVERSIONS FOR RESIDENTIAL USES WILL ONLY BE ALLOWED WHERE THE BUILDING IS NOT SUITABLE FOR ECONOMIC ACTIVITY.
 2. THE BUILDING SHALL BE A SUITABLE SIZE, STRUCTURALLY SOUND AND CAPABLE OF CONVERSION WITHOUT:
 - SIGNIFICANT REBUILDING, WHICH WOULD BE TANTAMOUNT TO THE ERECTION OF A NEW BUILDING. WHERE NECESSARY, APPLICANTS SHALL SUBMIT A DETAILED STRUCTURAL ENGINEER'S REPORT ON THE CONDITION OF THE BUILDING AND THE WORKS NECESSARY TO CONVERT IT.
 - THE NEED FOR MAJOR ALTERATIONS OR EXTENSION.
 3. THE CONVERSION SHALL BE DESIGNED AND USE MATERIALS WHICH RETAIN AND ENHANCE THE CHARACTER AND APPEARANCE OF THE BUILDING. WHERE TRADITIONAL BUILDINGS ARE INVOLVED:
 4. NEW OPENINGS WILL NOT NORMALLY BE PERMITTED ON PRINCIPAL FACADES.
 5. ROOF LIGHTS AND VENTILATION STRUCTURES WILL ONLY BE PERMITTED WHERE THEY ARE ESSENTIAL AND SHALL BE LIMITED TO THE LEAST OBTRUSIVE ROOF SLOPE. ROOF LIGHTS SHOULD BE FLUSH FITTING AND FLUES/VENTS SHALL BE USED WHEREVER POSSIBLE. NEW CHIMNEYS AND DORMER WINDOWS WILL NOT GENERALLY BE ACCEPTABLE.
 6. THE CONVERSION, ITS CURTILAGE AND ASSOCIATED DEVELOPMENT (E.G. ACCESS, LANDSCAPING, STORAGE, SEWAGE DISPOSAL) SHALL NOT HAVE AN UNACCEPTABLE ADVERSE EFFECT ON THE CHARACTER AND APPEARANCE OF THE LANDSCAPE AND SURROUNDING ENVIRONMENT, OR ON THE AMENITIES OF NEIGHBOURING DWELLINGS OR USES.

7. PROPOSALS AFFECTING PROTECTED OR RARE WILDLIFE SPECIES (E.G. BATS AND OWLS) SHALL COMPLY WITH POLICY ENV6.
8. THE PROPOSAL SHALL SATISFY THE BASIC REQUIREMENTS FOR ACCESS, SEWAGE DISPOSAL, AND OTHER UTILITY INFRASTRUCTURE. PROPOSALS SHOULD NOT LEAD TO THE PROVISION OF UNSIGHTLY INFRASTRUCTURE AND TO OVERHEAD WIRES.

11.12.3 Powys has many types and styles of rural buildings ranging from individual stone barns and former chapels through to large farm complexes which have become redundant and are suitable for conversion to new uses. However, not all buildings will be suitable for conversion and re-use, such as cases where the character and integrity of a traditional building would be damaged by the introduction of uncharacteristic features such as dormer windows, porches, chimneys, or conflicts would arise with a neighbouring use. Given the variety in building styles, each application will need to be determined on its own merits because some alterations may be negligible and acceptable in one context but not in another.

11.12.4 Also, many of the County's rural buildings have been long abandoned and deteriorated to such an extent that conversion is no longer feasible, and their re-occupation could only be achieved by significant or complete reconstruction. It is important that the existing building is structurally sound and does not require significant rebuilding or alteration to achieve its new use, otherwise the resultant building would be tantamount to the construction of a new building. (N.B. The UDP includes a specific policy for the re-habitation of former/abandoned dwellings – Policy HP19).

11.14.5 Many of these former buildings also tend to occupy remote and un-serviced sites where re-building would establish an unsustainable development pattern and damage the character of the countryside and natural environment. Where necessary, applicants will be requested to submit a detailed structural engineer's report on the condition of the building and the works necessary to convert it.

11.12.6 Conversions should avoid the need for significant extension or alteration which may harm the building's character, its setting and the local landscape. To enable the Council to assess the full impact of development proposals, applications should be accompanied by details of any ancillary development (e.g. sheds, storage areas), car parking, amenity/garden space, boundary treatment, landscaping and any plans for future expansion. Conversions will only be acceptable where they are designed to integrate with their surroundings and should not result in a suburban style of development. Boundary treatment has an immediate impact on visual amenity and should be designed to complement local styles and traditions. Details should also be provided of any new buildings that are required to accommodate a displaced use, as these may prove unacceptable in their own right. In granting planning permission, the Council will generally impose a condition to remove permitted development rights.

11.12.7 Many older buildings provide habitats for species protected by law and in circumstances where this arises, measures should be included within the development to protect and accommodate the species. Consultation will be undertaken with the Countryside Council for Wales in this respect and pre-determination assessments, including mitigation measures, requested where appropriate.

AND THESE SHALL BE COMPLETED PRIOR TO THE DEVELOPMENT PROCEEDING.

11.13.5 Utility companies are granted specific rights under the Town and Country Planning (General Permitted Development) Order 1995, as amended, to carry out certain operational developments without the need for planning permission. Operational development may be necessary in a number of circumstances, such as where an existing system needs replacement, or upgrading to meet increased demands. Where the Council is consulted on operational works or planning permission is required, it will emphasise the need to safeguard and protect both the built and natural environment. Living and working standards can be enhanced by the improvement or provision of utilities, thus the County Council encourages utility companies to carry out improvements to utility infrastructure throughout Powys wherever necessary.

11.13.6 The Council also recognises that utility companies often do not have flexibility in deciding where and whether to invest in new infrastructure. These decisions are often determined by external factors and in this respect utilities development is wholly different in character from conventional development where pressure comes from the developer. The nature of utilities means that it is inevitable that some development will take place in the countryside.

POLICY DC14 - DEVELOPER CONTRIBUTIONS TO UTILITY INFRASTRUCTURE

WHERE NEW OR UPGRADED UTILITY INFRASTRUCTURE IS REQUIRED AS A DIRECT RESULT OF A DEVELOPMENT PROPOSAL, PLANNING PERMISSION WILL ONLY BE GRANTED WHERE THESE IMPROVEMENTS ARE CARRIED OUT PRIOR TO THE COMMENCEMENT OF, OR CONCURRENTLY WITH, THE DEVELOPMENT.

IN ACCORDANCE WITH POLICY DC1, A PLANNING CONDITION WILL BE ATTACHED TO ANY GRANT OF CONSENT, OR WHERE APPROPRIATE APPLICANTS WILL BE REQUESTED TO ENTER INTO A PLANNING OBLIGATION BY AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS AMENDED, TO ENSURE THE PROVISION OF, OR CONTRIBUTION TOWARDS, THESE IMPROVEMENTS.

11.13.7 In cases where a proposed development will necessitate the provision of improved, upgraded or new utility infrastructure, including sewage treatment, surface water drainage, gas, electric or water supplies, and these facilities are not within the firm investment programme of the appropriate utility company, a developer may reasonably be expected to provide or contribute to the cost of that provision. Where appropriate the developer will be expected to provide a phased programme for the development of the site linked to the provision of facilities.

POLICY DC15 - DOMESTIC WATER SUPPLY

DOMESTIC DEVELOPMENT THAT IS ACCEPTABLE IN PRINCIPLE WILL ONLY BE ALLOWED WHERE IT IS SERVED BY A WHOLESOME AND ADEQUATE WATER SUPPLY. WHERE THE EXISTING WATER SUPPLY SYSTEM IS INADEQUATE AND NEW OR UPGRADED INFRASTRUCTURE IS REQUIRED AS A DIRECT RESULT OF

11.12.8 Conversions of modern buildings to new uses will only be permitted where the Council is satisfied that they have been used legitimately for the purpose for which they were originally constructed. For instance, favourable consideration is unlikely to be given to alternative uses for agricultural buildings that have been constructed for less than five years.

11.13 Utility Infrastructure

11.13.1 Utility infrastructure encompasses services such as gas, electricity, water supply, drainage and sewage treatment. Responsibility for the supply and maintenance of existing services rests largely with a mix of statutory undertakers and private companies. Planning applications are scrutinised by the Council to assess their utility requirements and the impact that these would have on existing users and the environment. Where possible, developments should be connected to the existing infrastructure but in locations where there is no spare capacity, future development will be constrained until the constraint is overcome or a satisfactory alternative can be found.

11.13.2 The utility companies have been consulted at an early stage in the UDP process, to ascertain whether particular towns and villages have utility constraints that will restrict future development and to establish the investment programmes of these companies. This information has been used to inform the UDP's distribution of housing, employment and other land use allocations and specific details for each settlement are found in the settlement descriptions accompanying each Inset Map. Strategic Policy UDP 13 Utilities/Service Infrastructure states that, "New development will be acceptable in principle in those locations where the appropriate utility service infrastructures are available or programmed. Where new facilities are to be provided, permission for development will be phased to accord with the availability for use of these facilities".

11.13.4 WAG advice in Planning Policy Wales (2002) requires development plans to consider both the siting requirements of the utilities to enable them to meet the demands that will be placed upon them, and the environmental effects of such additional uses. The following policy is intended to strike a balance between the needs of utilities providers and users and the environmental considerations set out elsewhere in this plan.

POLICY DC13 - OPERATIONAL DEVELOPMENT BY UTILITY COMPANIES

THE COUNCIL WILL FACILITATE THE OPERATIONAL DEVELOPMENT OF UTILITY COMPANIES, HAVING REGARD TO THEIR TECHNICAL AND ECONOMIC CONSTRAINTS, PROVIDED THERE ARE NO UNACCEPTABLE ADVERSE EFFECTS ON:

1. THE CHARACTER AND APPEARANCE OF THE LANDSCAPE, OR OF EXISTING SETTLEMENTS, BUILDINGS AND THEIR SETTINGS.
2. SITES AND FEATURES OF NATURE CONSERVATION, HISTORIC AND ARCHAEOLOGICAL INTEREST.

WHERE APPROPRIATE, PROPOSALS SHALL INCLUDE ACCEPTABLE MEASURES TO MITIGATE ANY EFFECTS ON THE ABOVE SITES OR FEATURES

A PROPOSAL, DEVELOPERS WILL BE EXPECTED TO PROVIDE OR CONTRIBUTE TO THESE IMPROVEMENTS PRIOR TO THE DEVELOPMENT BECOMING OPERATIONAL IN ACCORDANCE WITH POLICY DC14.

11.13.8 Domestic water supplies in Powys are provided by Dwr Cymru-Welsh Water and Severn Trent Water Ltd. Under the Water Industry Act 1991 both these Water Companies have a duty to provide a wholesome supply of mains water for domestic purposes, without detriment to existing customers.

11.13.9 Exceptions exist for elevated positions where there is no statutory requirement for these Companies to provide a supply of mains water to a height greater than it will flow by gravitation through the mains from the service reservoir or tank from which that supply is taken. The Environment Agency, together with the Water Companies are carrying out strategies to assess the reliability of water supplies and whether work may be required to constrain demand or increase supplies in certain areas. If public water mains are not available, alternative sources and their impacts will be considered, such as private bore-holes or water/rainfall harvesting, but in all cases the Council must be satisfied that any source is wholesome and adequate.

11.13.10 Water Companies are not obliged to make supplies available for non-domestic purposes, so developers in such instances are encouraged to discuss their needs with the appropriate Water Company as soon as possible to find a solution. This applies to developments such as golf courses and in such cases the use of drinking (potable) water supplies for the irrigation of golf courses will be restricted, and a condition will be attached to any grant of planning permission to advise that any irrigation system will need to use a private water supply.

11.13.11 While both Water Companies are encouraged to undertake necessary improvements throughout the Plan Area, each has indicated that dependent on the scale and precise location of development, there may be a need for some off-mains extensions which should be provided by developers as a normal development expense in accordance with Policy DC14. In such circumstances, satisfactory arrangements should be made between the Water Companies and the developer for the aftercare and maintenance of the works. The settlement descriptions accompanying each Inset Map highlight any known or potential water supply problems.

POLICY DC16 - PROTECTION OF WATER RESOURCES

FOLLOWING CONSULTATION WITH THE ENVIRONMENT AGENCY, DEVELOPMENT PROPOSALS WHICH IMPACT ON THE WATER ENVIRONMENT AND ASSOCIATED LAND WILL ONLY BE PERMITTED SUBJECT TO THE FOLLOWING CRITERIA:

1. THE PROPOSED DEVELOPMENT SHALL NOT UNACCEPTABLY IMPAIR THE QUALITY, CAPACITY OR FLOW OF SURFACE OR GROUND WATERS.
2. THE PROPOSED DEVELOPMENT SHALL NOT LEAD TO POLLUTION PROBLEMS SUCH AS THOSE THAT MIGHT ARISE WITH THE DISTURBANCE OF CONTAMINATED LAND.
3. THE PROPOSAL SHALL NOT BE OF DETRIMENT TO EXISTING WATER ABSTRACTIONS, FISHERIES, AMENITY OR NATURE CONSERVATION.

11.13.12 The Environment Agency Wales (EA Wales) is the statutory body responsible for managing the water environment, and for maintaining and improving the quality of water resources including groundwater, rivers, lakes, estuaries and coastal waters. It also has wider responsibilities for integrated pollution prevention and for the monitoring of air, land and water.

11.13.13 New development should not lead to a deterioration in the quality of water, either directly or indirectly, as this may adversely affect drinking or potable water, as well as water used for other uses such as agriculture and industry. A deterioration in water standards will also have negative implications for general amenity, water based recreation, tourism, fisheries and nature conservation. It is also important that the supply of water to new development should not have a detrimental impact on existing water abstraction, river flows, fisheries, nature conservation, archaeological interests, agriculture, amenity or water based recreation. Over-abstraction from rivers or ground waters can have a detrimental impact on existing abstractions and the environment. Abstractions are controlled by licenses granted by the EA Wales under the Water Resources Act 1991, although certain developments such as single dwellings are exempt.

11.13.14 The protection of groundwater resources from contamination is of particular importance and under The Water Resources Act 1991, Statutory Water Quality Objectives (SWQOs) were introduced, a system for water quality planning although current targets relate only to rivers. They form part of the Local Environment Agency Plans (LEAPs), which have the broad objective of conserving and enhancing the total river environment through effective land and water resource management. Within Powys, LEAPs have been produced for a number of rivers and their catchment areas including the Rivers Severn and Wye. It is envisaged that LEAPs will continue as the focus for river basin management by the EA Wales, and will be developed in the context of wider management plans for the protection and enhancement of water, land and air. Severn Trent Water Ltd will be consulted on development proposals that affect the Elan Valley Aqueduct, the route of which is shown on the Proposals and Inset Maps.

11.14 Sewage and Foul Water Treatment

11.14.1 To dispose of sewerage and foul water (e.g. water from toilets and washing machines) effectively and efficiently, development should always be connected to the public foul sewerage system, which comprises sewers, sewage pumping stations and sewage treatment works. Development will not be permitted unless foul sewers and sewage treatment works of adequate design and capacity are available or will be provided in time to serve the development. This will avoid any risk of polluting the environment. The existing situation as regards sewage treatment facilities in relation to each settlement is indicated in the settlement descriptions that accompany each inset map.

11.14.2 Only where connection to the mains system is not feasible, practicable or acceptable, for reasons other than cost, should the use of private sewage disposal systems be considered and in such circumstances developers must demonstrate that a

POLICY DC18 - NON-MAINS SEWAGE TREATMENT

WHERE IT IS NOT FEASIBLE FOR DEVELOPMENT PROPOSALS TO CONNECT TO THE PUBLIC FOUL SEWERAGE SYSTEM, PERMISSION MAY BE GRANTED FOR THE PROVISION AND USE OF PRIVATE SEWAGE TREATMENT PLANTS, SEPTIC TANKS AND BIO-SYSTEMS WHERE:

1. THE COUNCIL IS SATISFIED THAT CONNECTIONS TO THE PUBLIC SEWERAGE SYSTEM ARE NOT PHYSICALLY POSSIBLE OR ACCEPTABLE. SMALL PRIVATE SEWAGE TREATMENT FACILITIES WITHIN SEWERED AREAS WILL NOT BE ACCEPTABLE.
2. GROUND CONDITIONS, IN TERMS OF DRAINAGE AND POROSITY, ARE SUITABLE AND WILL NOT GIVE RISE TO POLLUTION PROBLEMS. APPLICANTS WILL BE REQUESTED TO SUBMIT AN INDEPENDENTLY PREPARED PERCOLATION TEST TO CONFIRM THE SUITABILITY OF GROUND CONDITIONS.
3. THE PLOT OF LAND IS OF SUFFICIENT SIZE TO PROVIDE AN ADEQUATE SUBSOIL DRAINAGE SYSTEM.
4. THE QUALITY OF SURFACE OR GROUNDWATERS WILL NOT BE IMPAIRED.
5. THE AMENITY OF NEIGHBOURING PROPERTIES WILL NOT BE UNACCEPTABLY ADVERSELY AFFECTED IN TERMS OF SMELL OR OTHER DISTURBANCE.
6. APPROPRIATE ARRANGEMENTS ARE MADE FOR THE LONG TERM MAINTENANCE AND AFTERCARE OF THE FACILITY.
7. SEALED CESS POOLS OR PITS WILL NOT NORMALLY BE PERMITTED.

11.14.6 Where adequate public foul sewerage and sewage treatment capacity is available, it is essential that new development should connect to those systems, in order to prevent a proliferation of individual private sewerage systems or septic tanks, particularly where there is an unacceptable risk of pollution. Many villages do not possess public sewerage systems and future development is reliant on the use of septic tanks, bio-systems or private treatment plants. Wherever possible, developers are encouraged to promote co-ordinated schemes of foul drainage with neighbouring developers and existing properties. The use of sealed cess pools or pits should be avoided, due to the regularity and cost of emptying, which can encourage neglect and pollution from overflows.

11.14.7 The proliferation of septic tanks in areas with unsuitable ground conditions for soakage can cause pollution. The Council must be satisfied of the adequacy of the proposed means of foul drainage through a technical report accompanying applications for development, showing design details of plant, underground strata, layout of effluent drains, location of potable water supplies and results of percolation tests to BS6297. Ideally percolation tests should be carried out in winter conditions when the ground is saturated. Failure to submit these details will result in a planning application being refused.

11.14.8 Developers should note that Severn Trent Water Ltd. have indicated that any development proposed within 50m of the Elan Aqueduct in Radnorshire shall have a method of private sewage disposal which will not affect the groundwater quality in the

private treatment facility will be acceptable before planning permission is granted. This will involve consideration of a number of factors including the testing of ground conditions, and the plot of land being of sufficient size to provide an adequate subsoil drainage system without risk to the water environment. Shared private treatment works will only be permitted where satisfactory arrangements are in place to ensure the long-term maintenance of the system. One way of achieving this would be for developers to enter into a planning obligation by agreement with the Council to ensure the provision of long-term maintenance is addressed.

11.14.3 Welsh Office Circular 3/99 Planning Requirement in Respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development provides guidance on the exercising of planning controls on non-mains sewerage and associated disposal aspects of future development so as to avoid environmental, amenity or public health problems. This includes proposals using septic tanks and private treatment works. The Circular states that, "Before deciding a planning application, the local planning authority needs to be satisfied that the sewerage arrangements are suitable. If the non-mains sewerage system and sewage disposal proposals are assessed as being unsatisfactory, this would normally be sufficient to justify refusal of planning permission". (Para. 1, Annex A).

POLICY DC17 - MAINS SEWAGE TREATMENT

DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WILL BE PERMITTED WHERE THEY CAN BE ADEQUATELY SERVED BY THE PUBLIC FOUL SEWERAGE SYSTEM. WHERE THIS SYSTEM IS INADEQUATE AND NEW OR UPGRADED INFRASTRUCTURE IS REQUIRED AS A DIRECT RESULT OF A PROPOSAL, DEVELOPERS WILL BE EXPECTED TO PROVIDE OR CONTRIBUTE TO THESE IMPROVEMENTS PRIOR TO THE DEVELOPMENT BECOMING OPERATIONAL IN ACCORDANCE WITH POLICY DC14.

11.14.4 Dwr Cymru - Welsh Water and Severn Trent Water Ltd. are responsible for the installation and improvement of the public sewerage system and sewage treatment works in Powys. In a number of settlements, however, the sewage treatment works and sewerage systems are either at or nearing full capacity, posing a constraint on the scale of further development. In such cases, either new or upgraded facilities should be provided in association with the development proposal. Where sites are to be divided into individual plots, the infrastructure for the whole site should be provided prior to the site being split.

11.14.5 The Water Companies are encouraged to overcome any specific problems, and to carry out improvements throughout Powys wherever necessary. Planning permission will not be granted for development which would result in the capacity of foul sewers, pumping stations or sewage treatment works being exceeded, unless adequate measures have been agreed to increase the capacity of such facilities. Furthermore, in cases where developers are required to undertake improvements in advance of development, planning permission will only be granted subject to a suitable planning condition or a planning obligation by agreement under Section 106 of the Town and Country Planning Act 1990. To ensure this developers should also enter into appropriate aftercare and management arrangements with the Water Companies.

vicinity. The course of the aqueduct is marked on both the proposals map and appropriate town and village inset maps.

11.15 Overhead Lines and Pipelines

11.15.8 Overhead wiring and cables for the transmission of electricity and telecommunications can drastically affect the character of landscapes and townscapes. Improvements in telecommunications, such as satellite technology, and the placing of cables underground, especially in urban areas, has lessened the need for overhead wiring but it will continue to be needed especially in rural areas. Its impact can be substantially reduced if routed to follow hedgerows, woodland edges, and low-lying land wherever this is feasible. The placing of lines underground is more expensive, but will be sought if it is to be constructed across important landscape or in conservation areas. Gas pipelines are laid underground as a matter of practice, but new proposals should be similarly sited to avoid damage or harm, especially during construction, to important landscapes, nature conservation and archaeological interests.

POLICY DC19 - OVERHEAD LINES AND PIPELINES

ALL OVERHEAD LINES AND PIPELINES SHALL BE PLACED UNDERGROUND UNLESS THERE ARE OVERRIDING REASONS. LINES SHOULD BE ROUTED TO MINIMISE THEIR IMPACT ON THE LANDSCAPE AND NATURAL AND BUILT ENVIRONMENT OF POWYS, PARTICULARLY IN IMPORTANT LANDSCAPES AND AREAS OF CONSERVATION OR ARCHAEOLOGICAL INTEREST. WHERE OVERHEAD LINES ARE UNAVOIDABLE IN RURAL AREAS THESE SHOULD FOLLOW HEDGEROWS, WOODLAND MARGINS, LOW LYING LAND AND FOLDS IN THE LANDSCAPE WHEREVER FEASIBLE.

11.16 Surface Water Drainage and Flooding

11.16.1 In considering planning applications, the County Council must be satisfied that any surface water can be adequately disposed without causing or exacerbating flooding either on site or elsewhere. Consultation will be undertaken with the Environment Agency Wales, the Powysland Internal Drainage Board and the County Council's land drainage section to ensure that developments proposed in low lying areas in the vicinity of a river or watercourse are adequately serviced and are not sited in areas liable to flooding from surface or rising ground waters.

11.16.2 Strategic Policy UDP13, states that no development will be permitted within an area subject to a 1 in 100 year risk of flooding, except where the development is of strategic importance or appropriate flood alleviation measures are agreed. The EA Wales has undertaken comprehensive surveys of Local Authority areas liable to flood problems, as required by Section 105(2) of the Water Resources Act 1991. In preparing the UDP, the EA Wales has been consulted to ascertain whether sites are at risk from flooding or likely to exacerbate flooding elsewhere. Reference is made in the settlement descriptions to any settlement with known and recurrent flooding problems. WAG advice is provided by TAN15 Development and Flood Risk (1998).

POLICY DC20 - SURFACE WATER DRAINAGE & FLOOD RISK

DEVELOPMENT PROPOSALS WILL BE PERMITTED WHERE THEY MAKE ADEQUATE PROVISION FOR LAND DRAINAGE AND SURFACE WATER DISPOSAL AND WHERE THEY WILL NOT RESULT IN AN UNACCEPTABLE RISK OF FLOODING EITHER ON OR OFF SITE OR WHICH WOULD ADVERSELY AFFECT FLOOD MANAGEMENT OR MAINTENANCE SCHEMES.

IF FLOOD DEFENCE OR OTHER MITIGATION MEASURES ARE REQUIRED TO PERMIT A DEVELOPMENT TO PROCEED, A CONDITION WILL BE ATTACHED TO ANY PLANNING PERMISSION, OR A PLANNING OBLIGATION BY AGREEMENT SOUGHT, TO ENSURE THAT THE NECESSARY WORKS ARE COMPLETED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

WHERE PROPOSALS INCLUDE SATISFACTORY ALLEVIATION MEASURES TO OVERCOME ANY PROBLEM OF DRAINAGE OR FLOODING RISK, INCLUDING THOSE TO THIRD PARTIES, THESE WILL ONLY BE ACCEPTABLE WHERE THEY WILL NOT RESULT IN:

1. THE LOSS OF WETLAND HABITATS.
2. UNACCEPTABLE ADVERSE IMPACTS ON SURFACE OR GROUNDWATERS.
3. THE LOSS OR IMPEDIMENT OF ACCESS TO WATERCOURSES AND PUBLIC RIGHTS OF WAY.

11.16.3 Impermeable surfaces, such as paved areas, roads and roofs, reduce the ground area that is capable of absorbing rainfall. Consequently, new development may increase the quantity and the rate at which run-off reaches rivers and other watercourses. These effects may cause the capacity of the watercourse to be exceeded at times of flood risk, especially where there are culverts, bridges and other artificial or natural restrictions. The consequences of development in the upper parts of a river catchment can have significant effects on areas downstream.

11.16.4 Wherever practicable surface water should be disposed of as close to the source as possible and developments should preferably connect to existing surface water drainage systems wherever these are available or have spare capacity. Planting and soft landscaping can help to impede or slow down surface water run-off. Developers may be asked to carry out and provide details of hydraulic investigations to enable the Council to properly determine the implications of the proposed development.

11.16.5 Where systems are not available or capacity has been reached, development will only be acceptable where a satisfactory alternative means of disposal can be found. This may involve some form of flow balancing to control discharges, but could also require the provision of on and off site improvements. As part of larger developments, new surface water sewers/drains which discharge directly into local watercourses may provide a practical solution, although these will be assessed to ensure they have no detrimental impacts on the natural environment, or increase the risk of flooding. For minor development such as single dwellings, soakaways may provide an acceptable solution but developers may be requested to provide information on ground conditions from a

POLICY DC22 - DEVELOPMENT ON UNSTABLE OR CONTAMINATED LAND

PROPOSALS TO DEVELOP LAND KNOWN OR SUSPECTED TO BE UNSTABLE OR CONTAMINATED WOULD ONLY BE PERMITTED WHERE THE APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE COUNCIL THAT THE PROPOSAL WILL NOT:

1. RESULT IN PROBLEMS OF GROUND INSTABILITY OR CONTAMINATION EITHER ON OR OFF SITE.
2. UNACCEPTABLY ADVERSELY AFFECT PUBLIC HEALTH AND SAFETY, NATURE CONSERVATION, HISTORIC OR ARCHAEOLOGICAL INTERESTS.

PLANNING APPLICATIONS SHALL BE ACCOMPANIED BY A SPECIALIST SITE INVESTIGATION REPORT, WHICH SHALL PROVIDE EVIDENCE ON THE NATURE AND EXTENT OF GROUND INSTABILITY OR CONTAMINATION AND ANY REMEDIAL MEASURES TO OVERCOME THESE PROBLEMS. WHERE REMEDIAL WORKS ARE ACCEPTABLE, CONDITIONS WILL BE ATTACHED TO ANY PLANNING PERMISSION OR A PLANNING OBLIGATION BY AGREEMENT SOUGHT TO ENSURE THAT THESE ARE CARRIED OUT BEFORE THE DEVELOPMENT COMMENCES.

11.17.3 Ground instability is a serious threat to public health and safety as it can cause structural damage to buildings or the fracture of gas mains and other public services. Should potential problems arise they are likely to be confined to sites that have been the subject of waste disposal operations or areas where past mineral workings have taken place. For example, consultation is undertaken with the Mineral Valuer/Coal Authority on appropriate applications lying in the South Wales Coalfield in the Ystradgynlais area to assess the extent of risk to the development from mineral workings. Former known landfill sites are identified on relevant Inset Maps, and consultation will be undertaken with the Council's Waste section on planning applications within 250 metres of these sites. Land which is contaminated in other ways, for example an old sewerage works or land used for industrial purposes where hazardous substances have been used or stored, may also give rise to the risk of public safety or pollution of the environment.

11.17.4 Responsibility for determining the extent and effects of instability or other risks lies with the developer, who must ensure that land is suitable for the development proposed. Where a known or potential risk exists, either on the application site or on neighbouring land, developers will be requested to submit an independent and professionally prepared specialist report that should provide an assessment of evidence or data which might reveal ground instability or contamination, and how these problems can be overcome. It should demonstrate an adequate appreciation of ground and groundwater conditions and any other relevant factors influencing stability or contamination, and should be based on desk studies, site reconnaissance and subsurface investigation, laboratory testing and monitoring. It should be noted that certain aspects of such investigations such as drilling boreholes, might themselves require planning permission.

percolation test. Specific advice on highways drainage will be contained in the Highways Design Guide. Rising water tables may lead to unsuitable ground conditions.

11.16.6 Where flood defence or other mitigating measures are necessary in association with a development proposal, such as the provision of adequate off-site works or on-site balancing pools, the grant of planning permission will be subject to a suitable condition requiring the completion of works prior to the commencement of development. Alternatively, the developer may be requested to enter into a planning obligation by agreement. Long-term maintenance of any flood protection/mitigation structures will also need to be agreed at this stage.

POLICY DC21 - FLOOD PREVENTION

THE COUNCIL, IN CONJUNCTION WITH THE ENVIRONMENT AGENCY, WILL SEEK TO FACILITATE FLOOD PREVENTION AND ALLEVIATION SCHEMES WHERE PRACTICABLE AND REASONABLE, SUBJECT TO THEIR BEING IN ACCORDANCE WITH THE ENVIRONMENT AND CONSERVATION POLICIES AND PROPOSALS OF THE PLAN.

11.16.7 Specific and recurrent flooding problems have occurred at various places in the County, such as in Llanelwedd, Knighton and the Severn valley. The Environment Agency (EA) is responsible for maintaining, improving and carrying out flood prevention or alleviation works to main rivers including the Rivers Severn, Vymwy, Ilhon, Lugg, Teme and Wye. Responsibility for other ordinary watercourses lies with the County Council in its capacity as Land Drainage Authority under the Land Drainage Act 1991, and with the Powysland Internal Drainage Board in the Welshpool area. Both authorities have powers to undertake flood defence systems, although the Act does not make this a duty, and therefore each can only be encouraged to overcome this problem where it affects existing developments provided there are no adverse impacts on the natural environment. For instance, culverting should be avoided where it would result in the loss of natural habitats.

11.17 Pollution, Contaminated and Unstable Land

11.17.1 Local Planning Authorities are required [by the Environmental Protection Act 1990, as amended by Section 57 of the Environment Act 1995] to guide development to lessen the risk from natural or man-made hazards, including the risk from contaminated land. Planning applications will be assessed by the Council to ensure that new developments are not at risk from hazards such as subsidence, mine and landfill gas and leachate emissions, landslips or rockfalls, and that development does not take place in unstable locations without appropriate precautions.

11.17.2 Similarly, the Council is concerned that developments should not damage the environment through pollution or contamination. For instance, petrol interceptors may have to be fitted to storm water drains in new estates. Where sites have already been contaminated, the Council will work with the Environment Agency and other interested parties to address the problems of contamination and returning contaminated land to productive and suitable uses, including agriculture where possible, whilst seeking to safeguard features of nature conservation, historical or archaeological interest.

POLICY DC22 - DEVELOPMENT ON UNSTABLE OR CONTAMINATED LAND

PROPOSALS TO DEVELOP LAND KNOWN OR SUSPECTED TO BE UNSTABLE OR CONTAMINATED WOULD ONLY BE PERMITTED WHERE THE APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE COUNCIL THAT THE PROPOSAL WILL NOT:

1. RESULT IN PROBLEMS OF GROUND INSTABILITY OR CONTAMINATION EITHER ON OR OFF SITE.
2. UNACCEPTABLY ADVERSELY AFFECT PUBLIC HEALTH AND SAFETY, NATURE CONSERVATION, HISTORIC OR ARCHAEOLOGICAL INTERESTS.

PLANNING APPLICATIONS SHALL BE ACCOMPANIED BY A SPECIALIST SITE INVESTIGATION REPORT, WHICH SHALL PROVIDE EVIDENCE ON THE NATURE AND EXTENT OF GROUND INSTABILITY OR CONTAMINATION AND ANY REMEDIAL MEASURES TO OVERCOME THESE PROBLEMS. WHERE REMEDIAL WORKS ARE ACCEPTABLE, CONDITIONS WILL BE ATTACHED TO ANY PLANNING PERMISSION OR A PLANNING OBLIGATION BY AGREEMENT SOUGHT TO ENSURE THAT THESE ARE CARRIED OUT BEFORE THE DEVELOPMENT COMMENCES.

11.17.3 Ground instability is a serious threat to public health and safety as it can cause structural damage to buildings or the fracture of gas mains and other public services. Should potential problems arise they are likely to be confined to sites that have been the subject of waste disposal operations or areas where past mineral workings have taken place. For example, consultation is undertaken with the Mineral Valuer/Coal Authority on appropriate applications lying in the South Wales Coalfield in the Ystradgynlais area to assess the extent of risk to the development from mineral workings. Former known landfill sites are identified on relevant Inset Maps, and consultation will be undertaken with the Council's Waste section on planning applications within 250 metres of these sites. Land which is contaminated in other ways, for example an old sewerage works or land used for industrial purposes where hazardous substances have been used or stored, may also give rise to the risk of public safety or pollution of the environment.

11.17.4 Responsibility for determining the extent and effects of instability or other risks lies with the developer, who must ensure that land is suitable for the development proposed. Where a known or potential risk exists, either on the application site or on neighbouring land, developers will be requested to submit an independent and professionally prepared specialist report that should provide an assessment of evidence or data which might reveal ground instability or contamination, and how these problems can be overcome. It should demonstrate an adequate appreciation of ground and groundwater conditions and any other relevant factors influencing stability or contamination, and should be based on desk studies, site reconnaissance and subsurface investigation, laboratory testing and monitoring. It should be noted that certain aspects of such investigations such as drilling boreholes, might themselves require planning permission.

11.17.5 Additionally, a notice shall be issued with any grant of planning permission informing the applicant that the responsibility and subsequent liability for the safe development and occupancy of the site rests with the developer and/or landowner. The notice will state that the Local Planning Authority has determined the application on the basis of information available to it, but this does not mean that the land is free from instability or contamination, and does not necessarily imply that the requirements of any other controlling authority would be satisfied.

POLICY DC23 - NOTIFIABLE INSTALLATIONS

DEVELOPMENT PROPOSALS FOR NOTIFIABLE INSTALLATIONS OR ANY PROPOSAL AFFECTING A NOTIFIABLE INSTALLATION WHICH IS ACCEPTABLE IN PRINCIPLE, WILL ONLY BE PERMITTED FOLLOWING CONSULTATION WITH THE HEALTH AND SAFETY EXECUTIVE AND WHERE THE COUNCIL IS SATISFIED THAT THERE IS NO RISK TO PUBLIC HEALTH AND SAFETY, OR UNACCEPTABLE ADVERSE ENVIRONMENTAL IMPACT.

11.17.6 Certain man made sites or pipelines are designated as 'notifiable installations' by virtue of the type or quantity of hazardous substances they handle, such as toxic, flammable, highly reactive or explosive substances. In accordance with the Planning (Hazardous Substances) Regulations, 1992, and Welsh Office Circular 20/92 'Planning Controls for Hazardous Substances', the Council will ensure that the Health and Safety Executive, and other relevant organisations, are consulted on development proposals for, or affecting notifiable installations. The Council must be satisfied that the development proposal does not represent a risk to the population in the surrounding or wider community, in terms of health or safety, or have an unacceptable environmental impact.

11.17.7 The Health and Safety Executive defines consultation distances/zones around existing notifiable installations, and they are consulted automatically where planning applications fall within these zones. Powys currently has 6 notifiable sites and 33 high-pressure natural gas transmission pipelines.

POLICY DC24 - CORDON SANITAIRES

IN ORDER TO AVOID CONFLICTS BETWEEN NEIGHBOURING USES, DEVELOPMENT WILL NOT BE ALLOWED IN CLOSE PROXIMITY TO POTENTIAL OR EXISTING SOURCES OF POLLUTION OR NUISANCE, SUCH AS SEWAGE TREATMENT WORKS.

11.17.8 To minimise potential 'bad neighbour' conflict, the Council will ensure that any proposal for development will be compatible with its neighbouring uses. This includes development proposals within the development constraint areas or 'cordon sanitaires' surrounding sewage treatment works where certain nuisance can arise from odour, insect infestation, noise or vibration.

11.18 Amenity and Completions Notices

11.18.1 There are instances where the condition of land or buildings becomes derelict or an eyesore to local amenity. Powers are available to the Council under the TCPA 1990 (Section 215) to serve an amenity notice as a way of dealing with such situations, although this power is discretionary and is generally only used as a means of dealing with relatively severe cases. An amenity notice can also assist in cases where there is a delay in the commencement of development resulting in a loss of amenity as a result of neglect.

11.18.2 There are also occasions when construction of a development is commenced but completion is long delayed. In the interim, such development sites can become visually unsightly and unsafe. The condition of partly completed buildings can also deteriorate rapidly. For these reasons the Council will on occasions use available legal powers to require completion of a development.

POLICY DC25 - AMENITY AND COMPLETION NOTICES

THE COUNCIL WILL SERVE AMENITY NOTICES IN CASES OF SEVERELY NEGLECTED OR UNSIGHTLY LAND OR BUILDINGS WHERE IT IS SATISFIED THAT THEIR CONDITION IS HAVING A SERIOUSLY DETRIMENTAL EFFECT ON LOCAL AMENITIES.

THE COUNCIL WILL SERVE COMPLETION NOTICES WHERE THE COMPLETION OF A DEVELOPMENT HAS BEEN LONG DELAYED, TO THE DETRIMENT OF THE ENVIRONMENT, LOCAL AMENITY OR PUBLIC SAFETY.

11.19 Welsh Language

11.19.1 The Welsh language is an important component of the social fabric of the County. In 1991 the Welsh language was spoken by 20.5% of the population of the County. This compares with a figure of 18.7% for Wales as a whole. The highest proportion of the County's Welsh speakers is within the 65 years and over age group, where 23.3% in Powys and 22.6% in Wales speak Welsh. A high proportion also exists within the 3 to 15 years age group, with 30% in Powys and 24% in Wales being able to speak Welsh. North and southwest Powys have the highest proportion of Welsh speakers, although strongholds of the language are also found in certain rural areas. The County Council is conscious that it has a role in sustaining and fostering the Welsh language heritage and has adopted a Welsh Language Scheme applicable to the delivery of all of its services. Accordingly, the promotion and protection of the Welsh language is considered to be an important policy issue for Powys County Council.

11.19.2 From a land use planning perspective, it is important that future development is assessed to ensure the needs and interests of Welsh-speaking communities are sustained and not harmed, as recognised by the WAG's TAN20 The Welsh Language (June 2000). Similarly, Planning Policy Wales, 2002 recognises that the Welsh language forms "part of the social and cultural fabric of Wales", and that land use planning can contribute towards its well being by developing land use strategies that take account of the impact new developments may have on the Welsh language. In developing such strategies, the Welsh Assembly Government indicates that:

also cause significant and lasting harm to the character of communities and this can be particularly heightened in Welsh speaking areas where the linguistic and cultural balance is fragile.

11.19.7 The Council has contributed towards a Linguistic Impact Study, which is currently being undertaken. The results of this will inform the preparation of supplementary planning guidance detailing the recommended approach for measuring "significant harm", and the ways in which developments can contribute to the well being of the Welsh language. The Council shall also use this information to prepare monitoring reports on the impact of the Plan on the Welsh language within Powys.

POLICY DC 26: WELSH LANGUAGE AND CULTURE

IN THE FOLLOWING SETTLEMENTS, THE WELSH LANGUAGE HAS BEEN IDENTIFIED AS BEING IMPORTANT TO THE SOCIAL, CULTURAL AND COMMUNITY FABRIC, AND SHALL BE SEEN AS A MATERIAL CONSIDERATION IN DETERMINING DEVELOPMENT PROPOSALS. WITHIN THESE SETTLEMENTS, THE COUNCIL WILL REQUIRE DEVELOPERS TO DEMONSTRATE HOW THE PROPOSAL POSITIVELY SUPPORTS THE WELSH LANGUAGE. PROPOSALS THAT HAVE SIGNIFICANT HARM ON THE WELSH LANGUAGE AND CULTURE WILL BE REFUSED.

ABERCRAF	LLANERFYL
ABERCEGIR	LLANFAIR CAEREINION
ABERHOSAN	LLANFIHANGEL
ABERTRIDWR	LLANFYLLIN
BONT DOLGADFAN	LLANGADFAN
CAE HOPKIN	LLANGYNOG
CAER BONT	LLANRHAEDR YM MOCHNANT
CAER LAN	LLANSILIN
CARNO	LLANWDDYN
CEFN COCH	LLANWRIN
CEMMAES	LLAWRY GLYN
COMMINS COCH	LOWER CWMTWIRCH
CWM LLINAU	MACHYNLETH
DAROWEN	PENEGOES
CWMGIEDD	PENRHOS
DERWENLAS	PENYBONTFAWR
DOLANOG	PONTROBERT
ESGAIRGEILIOG CEINWS	TALERDDIG
FOEL	TREFEGLWYS
FORGE	UPPER CWMTWIRCH
GLANTWYMYN	YNYS ISAF
GURNOS	YNYS UCHAF
LLAN	YSTRADGYNLAIS
LLANBRYNMAIR	

"...local planning authorities should consider whether they have communities where the use of the Welsh language is part of the social fabric, and where this is so it is appropriate that this be taken into account in the formulation of land use policies" (Planning Policy Wales, 2002, page 26, para 2.10.2)

11.19.3 However, the document also highlights the importance of ensuring that policies should not seek to discriminate against individual needs on the basis of their linguistic ability, and should not for example seek to control housing occupancy on linguistic grounds.

11.19.4 To this end, the Council's Sustainable Strategic Settlement Hierarchy ensures that housing and other development is appropriate to the character, scale and location of the settlement. Similar, Strategic Policy UDP SP1 Social, Community & Cultural Sustainability also recognises that development proposals need careful consideration, to ensure that new development positively contributes towards community life.

11.19.5 Within Powys exist particular communities where the Welsh language is a significant social and community characteristic. Therefore, in keeping with Planning Policy Wales 2002, the Council has adopted a precautionary approach aimed to safeguard those communities where the Welsh language is considered to be central to the social and cultural characteristic of community life. To this end the following communities have been identified by the Council as forming part of the Welsh cultural heartland, and the settlements that lie within them require special planning policy attention to safeguard their community characteristics that are founded on the Welsh language. The justification for this being that in 40% or more of the resident population aged three and over speak Welsh (1991 Census).

Banwy	Llangyniew
Cadfarach	Llangynog
Camo	Llanbrynmair
Glanwymyn	Llanrhaeadr-ym-Mochnant
Llansiln	Llanwddyn
Llanerfyl	Machynlleth
Llanfair Caereinion	Penybontfawr
Llanfihangel	Trefeglwys
Tawe Uchaf	Ystradgynlais
Llanfyllin	

11.19.6 Consequently, where the Council has identified settlements where the Welsh language is judged to be an integral part of the cultural and social identity, the Council may seek legally binding arrangements to ensure that developments take account of the Welsh language and culture of these settlements. One way in which the developer can demonstrate this is by ensuring that at least 40% of the dwellings permitted are occupied by people who originated from Powys or from community areas that adjoin the particular settlement or have lived within the County or such adjoining areas for a period of 3 years. This approach would not seek to restrict occupancy on grounds of linguistic ability but rather recognises that those meeting the eligibility criteria are more likely to be able to support the Welsh language and culture. The loss of community and social facilities can

Appendix 1 – Rural Settlements in Powys

BRECKNOCKSHIRE

CRICKADARN, GWENDDWR, LLANAFAN FAWR, LLANDEILO'R-FAN, LLANFIHANGEL NANT BRAN, LLANWERN, LLECHFAEN, MERTHYR CYNOG, PENTRE BACH, PENTRE FELIN, PONTFAEN, PWLLGLOYW, SARNAU, TAL-Y-LLYN, TIRABAD, TRALLONG, UPPER CHAPEL, YNYS UCHAF

MONTGOMERYSHIRE

ARGAE HALL, BACHELDRE, BELAN, BRONEIRION, BROOKS YNHYFRYD, BRYN MAWR, BRYNMELIN, BURGEDIN, BWLCH Y DDAR, CEFN (BUTTINGTON), CEFN CANOL, CEFN COCH (LLANRHAEDR), CERIST, CIL (BERRIEW), CITY, CRIGGION, CWM, CWM LLINAU UCHAF, CYFRONYDD, DDOL-COWMNY, DEUDDWR, DOLFACH, DYLUFE, EAST LLANBRYNMAIR, EFAL RHYD, FELINDRE (BERRIEW), FELINDRE (LLANIDLOES), FFRIDD, FRON, GEUFFORD, GLANGWYNEDD, GLANMULE, GLANRHYD, GLANYNANT, GLASPWLL, GREEN LANE, GROESPLUAN, HENDOMEN, HENIARTH, HIRNANT, HODLEY, HOPE, HYSINGTON, LLANGYNEW, LLANLUGAN, LLANMEREWIG, LLANWYDDLAN, LLIDIARTYWAEN, LLWYNYGOG, MELINBYRHEDIN, MELINDDOL, MELLINGTON, MOCHDRE, MOELFRE, NANTYMEICHAID, NEWCHAPLE, NORTH DEUDDWR, OAKLEY PARK, OLD CHURCHSTOKE, OLDHALL, PANDY, PANTYCRAI, PANTYFRIDD, PEDAIR-FFORDD, PENNANT, PENNANT MELANGELL, PENRHOS, PENSTROWED, PENTRE (CHURCHSTOKE), PENTRE (KERRY), PENTREBEIRDD, PENTREFELIN, PENTRE-LLYMRY, PENTRENANT, PENYFOEL, PENYGARNEDD, PONTDOLGOCH, PONT FELIN, PONTLOGELRHANDIR (LLANGADFAN), RHIWLAS RHOS, COMMON RHOSYBRITHDIR, RHYDYCROESAU, SAWMILLS, (KERRY) SOUTH FORDEN, STAYLITTLE, TAFOLWERN, TALYVERN, TAN HINON, THE GREEN, TREFNANNAU, TYCRWYN, TYLWCH, WAEN-TREDERWEN, WERN-GERHYNT

RADNORSHIRE

ALLT Y CRUG, BOUGHROOD BREST, BRONYDD, BWLCH Y SARNAU, CREGRINA, CWM Y GEIST, DISCOED, DISSERTH, DOLLEY GREEN, GAUFRON, GLASCWM, GRAVEL, GWYSTRE, LLATHOU, LLANBISTER ROAD, LLANFAREDD, LLANFIHANGEL NANT MELAN, LLANSTEPHAN, RHYDSPENCE, YARDRO

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

A : BRECKNOCKSHIRE & RADNORSHIRE PLANNING AREAS

BRECON PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
LARGE VILLAGES			
Felinfach	Land adjoining north of village	New allocation	6
	Land to the east of Glandafale	Committed	6
Groesfordd	Land south of Groesfordd Park (Site A)	New allocation	12
Llanfihangel Taly-y-fryn	Land at Pistyll Farm	Extension of existing allocated site that has permission for 8 dwellings	16
SMALL VILLAGE			
Llanddew	Land opposite village hall	New allocation	9

BUILTUP WELLS PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRES			
	Old Skin Warehouse, Brecon Rd	Committed	9
Builtup Wells			
	Former Gas works, Castle Road	Committed	11
	Land south of Western Grove	Committed and under construction	20
	Land to east of Tai Ar Y Bryn, Hospital Road	Allocated	58
	Land to south of Hill View Brecon Rd	New allocation	34
	Land to east of Brecon Road	Allocated in the Brecknockshire Local Plan	50
KEY SETTLEMENTS			
	Land between Station Rd & Ffos Rd	Allocated in the Brecknockshire Local Plan. Previous planning permission for 16 dwellings has now lapsed	60
Llanwrtys Wells	Site off Llandoverly Rd	Committed	5

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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LARGE VILLAGES			
Beulah	Land to south of A463	Part of site is committed with planning permission for 6 dwellings	15
Erwood	Land south of Wheelwright's Arms	Committed, with 1 dwelling completed	6
Garth	Land to south-east of Llanfryn Afon	New Allocation. Extension of existing site	12
Llangammarch Wells	Land opposite Penybryn	Extension of existing allocated site	16
SMALL VILLAGES			
Aberedw	Land West of Wyvern Terrace	Allocation within the Radnorshire Local Plan	5
Franksbridge	Land to rear of Three Cottages	Allocation within the Radnorshire Local Plan	5
	Land south of Pen Y Cae	Allocation within the Radnorshire Local Plan	5

HAYTALGARTH PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
KEY SETTLEMENT			
Aberllynfi (Three Cocks)	Land north of school drive	New Allocation	22
	Land south of Petrol Station	New Allocation	13
	Land on Talgarth Rd	New Allocation	6
Brenllys	Brenllys Court and Village Centre	New allocation	30
LARGE VILLAGES			
	Opposite Baskerville Arms	Committed	7
Clyre			
	South east of Village	Committed	19
	South of Castle	Allocation within the Radnorshire Local Plan	8
Glasbury	Land south of Twin Oaks	New allocation	15
	Land Adjoining Village Hall	Committed	5
	Land west of St Cynidr Terr.	Allocation within the Radnorshire Local Plan	15
Llanigon	Land south of Willow Glade	New allocation	16
Llysawen	Land opposite Bridge End Inn	New allocation	10

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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SMALL VILLAGES			
Boughrood	Extension of site east of Beeches Park	New Allocation	5
Cwmbach	Land adjacent to Methodist Church	Allocation within the Radnorshire Local Plan	9
Felindre	Land north of village farm	Extension of Existing Committed Site	10
Ffynon Gynydd	Land adjoining Gwaun Darw	Allocation within the Radnorshire Local Plan	5
Painscastle	Gwyns Ploek	Committed	7

KNIGHTON PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
KEY SETTLEMENT			
	Garth Meadow	Allocation within the Radnorshire Local Plan	8
Knighton			
	Llanishay	Allocation within the Radnorshire Local Plan	100
	Bryntirion, Presteigne Road	Committed Site	6
	Pontfaen, Farrington Lane	Allocation within the Radnorshire Local Plan	26
LARGE VILLAGE			
	Land adjacent to Glyndwr, part OS Encl. 4819	Allocation within the Radnorshire Local Plan	9
Knucklas	OS Encl. 2015, South of Baptist Chapel	Allocation within the Radnorshire Local Plan	20
SMALL VILLAGES			
Beguildy	Land west of the Radnorshire Arms	Allocation within the Radnorshire Local Plan	5
Lloyney	Land adjacent to Rock View	Allocation within the Radnorshire Local Plan	5
Whitton	Whitton Court	Allocation within the Radnorshire Local Plan	7

LLANDRINDOD WELLS PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Land of Lakeside Avenue	New Allocation	22
Llandrindod Wells			
	Rear of Ridgebourne Garage	Committed	8
	Land adjoining Tabernacle Baptist Chapel	Allocation within the Radnorshire Local Plan	5

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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	Land east of Tremont Rd Phase 1	Committed site	31
	Land east of Tremont Rd Phase 2	Allocation within the Radnorshire Local Plan	116
	Land east of Tremont Rd Phase 3	Allocation within the Radnorshire Local Plan	66
	Rock House Road	Committed Site	9
KEY SETTLEMENTS			
Crossgates			
	Land west of Badger's Green	New Allocation	30
	Site east of Post Office	Existing Allocation	15
	Land south Llwynbrin estate	Allocation within the Radnorshire Local Plan	20
Howey			
	Land west of school	Allocation within the Radnorshire Local Plan	5
	Land south of Llwynbrin Close	Allocation within the Radnorshire Local Plan	12
Newbridge on Wye			
	Land at Tylers Patch	Committed Site	30
	Land south of Knapplands	Allocation within the Radnorshire Local Plan	5
LARGE VILLAGES			
	Glebe	Allocation within the Radnorshire Local Plan	16
	Land south of vicarage	Allocation within the Radnorshire Local Plan	5
Penybont	Land adjoining Ithon	Allocation within the Radnorshire Local Plan	15
SMALL VILLAGES			
Dolau	Land West of Rhydithon	Allocation within the Radnorshire Local Plan	5
Llanbadarn Fynydd	Land south of Abergweniale farm	New Allocation	15
Llanbister	Land rear of school	Allocation within the Radnorshire Local Plan	6
Llanddewi	Land adjoining Ithon View	Allocation within the Radnorshire Local Plan	5
	Land adjoining primary school	Committed	5
Tanhouse	Land west of village	Committed	5

PRESTEIGNE PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Churchview, Broad Street	Committed Site	7
Presteigne			
	Camellie	Committed Site	41
	Land west of Caenbrook Meadow	Committed Site	30

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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	Land at Scottleton Street	Committed Site	11
SMALL VILLAGES			
Evenjobb	Court Farm	Allocation within the Radnorshire Local Plan	10
Gladestry	Land east of hall	Allocation within the Radnorshire Local Plan	5
Kinnerton	Round plot at centre of village	Allocation within the Radnorshire Local Plan	6
Norton	Land at Offa's Green	Committed Site	10
Old Radnor	Land adjoining Court Fold	Committed Site	5

RHAYADER PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Tir Gola	Committed Site	58
Rhayader			
	Lions Yard, West Street	Committed Site	8
	St Harmon Road North	Committed Site	23
	Bryngwy	Allocation within the Radnorshire Local Plan	33
	Caeherbert Lane	Allocation within the Radnorshire Local Plan	5
SMALL VILLAGES			
Llanwrthwl	Land opposite Oaklands	New Allocation	8
Nantmel	Brynllwg	Allocation within the Radnorshire Local Plan	8
St. Harmon	Land opposite Marteg House	Committed Site	8

YSTRADGYNLAIS PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Land at Bryn Y Groes	New allocation. Development Brief required, access improvements required. Trees to be protected	65
Ystradgynlais			
	Land east of Brecon Rd, Penrhos	Allocated in the Brecknockshire Local Plan. Site on road frontage has pp for 5	40
	Land Rear of 91 Station Rd	Allocated in the Brecknockshire Local Plan. Committed	10
	Land rear of Jeffreys Arms, Brecon Road	Allocated in the Brecknockshire Local Plan	34
LARGE VILLAGES			
Abercraf	Land north of Tan y Garth	New allocation	5
	Land east of Dan-y-Fron	New allocation	20

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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Caehopkin	Land at End of Morgan St	New Allocation	11
	Land east of Bryneglur, south of School	New Allocation	5
Coelbren	Site north of Cefn Byrle Rd	New Allocation	6
	Site south of Brynawelon	New Allocation	15
Cwmtyrch (Upper & Lower)	Site East of Palleg Rd	New Allocation	25
Gumos	Land at Gumos Cross Garage	New allocation	5
	Land at Gwof Road	New allocation	14

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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B : MONTGOMERYSHIRE PLANNING AREAS

LLANFAIR CAEREINION PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Mount Road	Allocated	14
Llanfair Caereinion			
	OS0089 Watergate Street	Committed	25
	OS6906 Watergate Street	Allocated	20
LARGE VILLAGES			
Adfa	West of Timber Yard	Committed	5
	OS 1700	Committed	7
	OS2607	Committed	11
Manafon	Church Cottage	Allocated	13
	Adjacent Filling Station	Committed	7
SMALL VILLAGES			
Foel	Pt OS 9443 / OS 0248	Allocated	9
Llangadfan	Adjacent School	Allocated	10
Pontrobert	OS 0886 Yew Tree House	Allocated	7

LLANFYLLIN PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	N. of Link Road/ N. of Stado	Allocated	30
Llanfyllin			
	Creflau Cain	Committed	12
	Bachie Lane	Allocated	10
	South of Maesyrdd OS 6569	Allocated	25
	Old Depot Site	Committed	5
KEY SETTLEMENT			
Llansantffraid	Corpe Field	Allocated	10
	Adjacent Vicarage	Allocated	10
	Bronhyddon	Allocated	20
	Spontey Farm	Allocated	30
LARGE VILLAGES			
Abertridwr	Adjacent Bryn-y-Fedwen	Allocated	5
	OS 4218	Allocated	10
Llangynog	Rear School Terrace	Allocated	10
	Adjacent Church	Allocated	5
Llanrhaeadr Ym Mochnant	OS 1641	Allocated	20
Llansilin	Bryn Celyn	Allocated	14
	Opposite Wynnstay Arms	Committed	10
	Rear of Cambrian House	Allocated	13
Melfod			
	Rear of Springfields	Committed	9
	Extension to Broniarth View	Allocated	5

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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Penybontfawr	OS 7063	Committed	23
SMALL VILLAGES			
Llanfihangel	OS 0056	Allocated	5
Pen-y-Bont Emrys	Opposite Pen-y-Bont Inn	Committed	5

LLANIDLOES PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRES			
	Opp. Rock Terrace, Fan Rd	Committed	11
Llanidloes			
	Adj. Manweb Substation	Allocated	15
	Rear of Pen-y-bont	Allocated	25
	OS 0039, East of KTH, Gorn Road	Allocated	30
	OS 0007, East of Rhos y Maen Uchaf	Allocated	15
	North of Dolgwenith, Bryndu Road	Committed	9
	Ty Coch Lane, OS 6562	Allocated	5
KEY SETTLEMENTS			
Llandinam	Saw Mills	Allocated	15
	Adjacent Waulk Mill	Allocated	20
	Old School and rear of Memorial Hall	Committed	45
Trefeglwys			
	South of New School	Allocated	20
	Memorial Hall	Committed	8
LARGE VILLAGE			
Llangurig	Adjacent Pen-y-bont Farm	Committed	10
	Adjacent Maesylan	Allocated	15
SMALL VILLAGE			
Y Fan	Adjacent Y Fan Chapel	Allocated	5
	South of Martedd Chapel	Committed	5

MACHYNLLETH PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Mynydd Griffiths Phase 2	Committed	5
Machynlleth			
	Garnon	Committed	11
	Land to the east of the Vicarage, Newtown Road	Allocated	5
	OS 1546, Aberystwyth Road	Allocated	30

Appendix 2: Allocated Housing Sites for 5 or More Dwellings

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LARGE VILLAGES			
Llanbrynmair	West of Glanlegyr	Allocated	5
	East of Glanlegyr (Mae Darwen)	Committed	5
	West of Bryn Coch	Allocated	5
	Adjacent Independent Chapel	Committed	8
Penegoes	OS 6600, Adjacent P.O.S.	Committed	17
SMALL VILLAGES			
Glanwymyn	Adjacent Coed Derw	Committed	5
Llan	Opposite Aelbryn	Allocated	5
Llanwrin	Council Site	Committed	10

NEWTOWN PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRES			
	Pengwern	Allocated	50
Newtown			
	OS 4556 Bryn Lane	Allocated	20
	OS 6347 Bryn Lane	Allocated	30
	South side of Bryn Lane	Allocated	5
	OS 5332 Sycamore Drive	Allocated	20
	Hendridley, Millford Road	Committed	13
	Liys Ifor	Committed	5
	Vernon House, Llanfihochiairn Road	Allocated	5

	Central Dairies, Lower Canal Road	Allocated	20
	Black Hall, Garth Owen	Allocated	25
	Severn Heights, Brinmon Close	Committed	78
	Rock Farm, Llanfihochiairn	Committed	145
	South of Fronies Wood, Llanfihochiairn	Allocated	95
	OS 6258, South of Rock Farm	Allocated	60
	Adjacent Glandwr, Vaynor	Committed	18
	Ffordd Croesawdy	Allocated	20
KEY SETTLEMENTS			
	Remainder of land north of School	Committed	21
Abermule			
	Land Opposite School	Allocated	35
	Adj. The Mill, South of the School	Committed	48
	Adj. The Rectory	Allocated	5
	Rear of the Hospital	Committed	50
Carsers			
	Adjacent the School	Committed	24
	OS 5632, Carno Road	Allocated	30
	OS 1075	Allocated	20
Carno			
	Rear Aleppo Merchant	Committed	10
	South of Maea Cerniog	Allocated	5
	South of Tremynoddia	Committed	32
	Dollforan View / Penaron Drive	Committed	50
Kerry			
	Rear of Chestnut View	Allocated	40

	Pt OS 4200	Committed	10
	OS 2200 Adj. Forest Lodge	Allocated	14
Sarn			
	East of Min y Sarn	Allocated	35
	Sarn Inn	Committed	5
	South of Liys Cynon	Allocated	5
Tregynon			
	Adj. Green Terrace, OS 8263	Committed	14
	Adj. The Manse	Allocated	12
	Part OS 7852 & Part OS 0054	Committed	62
LARGE VILLAGE			
Bettws Cadwalan			
	North of Brynleg	Allocated	5
	Pt. OS 1756 & OS 2368 Bryn Bachan	Committed	11
SMALL VILLAGES			
Aberhafesp	Rear of Beechcroft	Allocated	10
Clatter	Part OS 6867	Allocated	5
Llanmug	Western Part OS 2700	Allocated	5
	Northern part of Mae y Cwm estate	Committed	5

WELSHPOOL PLANNING AREA			
Settlement Name and Category	Site Description / Enclosure No.	Committed / Allocated Site	Capacity (Dwellings)
AREA CENTRE			
	Burgess Lands	Allocated	70
Welshpool			
	Adj. Brynfa Cottage	Committed	38
	Part OS 5536 Gungrog Farm	Allocated	30
	Rear of the Mount, Mount Street	Committed	10
	W.R. Davies / County Highways Depot	Committed	34
	Adj. Canal / Liys Hafren (Two Sites)	Allocated	20
	Rear of High Street, Park Lane	Committed	8
	Smithfield South, Mill Lane	Allocated	30
	Smithfield North, Mill Lane	Allocated	20

	Foundry Lane Depot, Cae Glas	Committed	7
	Greenfields, Cae Glas	Allocated	10
KEY SETTLEMENTS			
Churchstoke			
	Rear of Village Hall	Committed	27
	Old Poultry Hatchery	Committed	6
	Adj. Fir Court	Committed	14
	Adj. Fir House	Allocated	25
Four Crosses	Adj. Oldfield (Opp. Golden Lion)	Allocated	30
	The Clawdd	Allocated	10
	Plas Foxen Phase 4	Committed	8
	OS 2300 Forden Road	Allocated	5
Montgomery			
	OS 5109 and adj. New Road	Committed	50
	Adj. Tan Y Mur	Committed	12
	Part OS 4280 Adj. Oaklands / Rosedale	Allocated	5
Trewern			
	Part Canadoc	Committed	20
	Garreg Bank	Committed	5
LARGE VILLAGES			
Arddleen	Adj. Naylor House, OS 0002	Allocated	18
Barriew	Rear of Glan Yr Afon	Allocated	15
Crew Green	South of Malt Rise	Committed	5
	Old Garage Site, B4393	Allocated	10
	OS 2200 Sarn Meadows	Committed	18
Gulftfield			
	Grannlyn Cottage, Celyn Lane	Committed	5
Kingswood	Springfields	Committed	15
	Adj. Orchard House	Committed	20
Llandrinio			
	OS 4161 Adj. Llwyn Coch (Meadow View)	Allocated	10
Llanymynech			
	Part OS 3978, Carraghola Lane	Allocated	25
	Goffa Close	Committed	6
Middletown			
	Adj. Caravan Park	Allocated	5
	Adj. Methodist Church	Allocated	8
	Part OS 0036 & 0041, west of Goffa Close	Allocated	15
Refall	Part OS 0916 (Adj. The Willows)	Allocated	5
	South of Gie Cottages	Allocated	18
SMALL VILLAGES			
Forden	Adj. School	Allocated	5

GLOSSARY

Adopted Plan	The final statutorily approved version of the Plan
Affordable Local Needs Housing	Permanent housing provided for sale or rent at prices below the market rate. Affordable housing is provided to meet a special local housing need which cannot be met by housing on the open market and is subject to a legal occupancy agreement.
Afforestation	The planting of trees, normally conifers, on large open tracts of countryside.
Aggregates	Local material which when mined or processed can be used for construction purposes, for example crushed rock, sand and gravel.
Agricultural Dwelling	A dwelling which is subject to a condition or legal agreement that it shall only be occupied by someone who is employed or was last employed solely or mainly in agriculture, forestry or other appropriate rural employment.
Allocation	Area of land identified within the UDP, which is reserved for a specific use such as housing and employment.
Amenity	The pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents or visitors.
Anaerobic Digestion	Method of waste treatment that traps methane from organic matter and converts it to carbon dioxide to produce heat and electricity.
Ancient/Semi-Natural Woodland	Original woodland where no or minimal re-planting has taken place.
Ancillary	Uses of land or buildings which technically differ from the main (or primary) use, but which are of lesser importance and are permitted by reason of their association with the primary use.
Appeal	The process whereby an applicant can challenge an adverse decision on an application by means of written representations, an informal hearing or formal inquiry proceedings. Appeals can also be made against the failure of the planning authority to issue a decision, against conditions attached to permission and against the issue of an enforcement notice.
Archaeological Assessment	Investigation of land, objects or material for the purpose of obtaining and recording information of archaeological or historic interest to determine whether the findings are of significant value.

Glossary

Class A1	SHOPS of all types including superstores and retail warehouses; also includes hairdressers, sandwich bars (except those selling hot food), travel agents, laundrettes, dry cleaners, showrooms (except car showrooms)
Class A2	FINANCIAL AND PROFESSIONAL SERVICES to visiting members of the public, including banks, building societies, estate agents, betting offices, legal services etc.
Class A3	FOOD AND DRINK including restaurants, pubs, wine bars and take-aways.
Class B1	BUSINESS USE including offices (other than those falling in Class A2) research and development, and industrial processes, providing that the use can be carried out in any residential area without detriment to amenity due to noise, vibration, smell, fumes, smoke, soot, ash or grit.
Class B2	GENERAL INDUSTRIAL processes other than one falling within Class B1
Class B3	STORAGE AND DISTRIBUTION including warehouses and wholesale cash and carry.
Class C1	HOTELS
Class C2	RESIDENTIAL INSTITUTIONS including schools, hospitals, nursing homes and colleges
Class C3	DWELLING HOUSES occupied by a single person or family or by not more than 6 persons living together as a single household.
Class D1	NON RESIDENTIAL INSTITUTIONS including religious buildings, public halls, museums, medical services
Class D2	ASSEMBLY AND LEISURE including bingo halls, cinemas, indoor sports, casinos.
Committed Site	A site where planning permission exists for housing development but the development has not been completed.
Conditions	Stipulations attached to a planning permission to limit or direct the manner in which a development is carried out.
Conservation Area	Area designated by the Local Planning Authority within a town or village to conserve or enhance the buildings, trees or open spaces within it.
Conservation Area Consent	Consent required from the local planning authority before demolishing an unlisted building in a conservation area
Contaminated Land	Land that has been polluted or harmed in some way rendering it unusable without remedial work.

Glossary

Area of Outstanding Natural Beauty (AONB)

Area designated by the Countryside Agency or the Countryside Council for Wales where the primary purpose is the conservation and enhancement of natural beauty including flora, fauna, geology and landscape

Article 4 Direction

A planning measure which takes away specific permitted development rights where the Local Planning Authority considers it appropriate to control such development. E.g. within a Designated Conservation Area

Article 14 Direction

Issued by the Secretary of State or the National Assembly for Wales to restrict the grant of planning permission by a local planning authority, either indefinitely or for a specified period, normally to give the Department time to decide whether to call in the application.

Biodiversity

The richness and variety of living things (plants, birds, animals, fish and insects etc.), which exist in a given area, and the habitats that support them.

Borrow Pit

Mineral working required to supply material solely for a specific short-term construction project.

Brown Field Site

Land which is or was previously developed by a permanent structure (excluding agricultural or forestry buildings) and associated infrastructure.

Buffer Zone

An area retained between two types of development to protect each from likely conflicts.

Building Preservation Order

A notice under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to protect buildings of special architectural or historic interest from demolition or alterations that would affect their interest.

Cadw - Welsh Historic Monuments.

Part of the Welsh Assembly Government, responsible for the designation, conservation, preservation and promotion of ancient monuments and buildings of historic or architectural interest.

Certificate of Lawful Use or Development

A legal certificate issued by the Local Planning Authority confirming that a development was originally carried out without planning permission (or in breach of a planning condition) is now lawful.

Chalet

A building, generally of wood construction, normally used for temporary/holiday purposes.

Change of Use

More correctly referred to as a 'material change of use'. A change in the use of land or buildings that is of significance for planning purposes, often requiring planning permission.

Circular

Advice and planning guidance issued by the Welsh Assembly Government to local planning authorities on planning issues.

Glossary

Countryside Council for Wales (CCW)

The Welsh Assembly Government's statutory advisor on sustaining natural beauty, wildlife and the opportunity for outdoor enjoyment in Wales and its inshore waters.

Curtilage

Area attached to and containing a building, often a domestic garden associated with a house.

Deposit Period

Period of statutory public consultation when representations may be made on any part of a Local Plan. Unresolved objections will usually be considered at a Public Local Inquiry.

Development

The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or land.

Development Brief

A statement outlining the general proposals and requirements for the development of a specific site including detailed design.

Development Control

The process whereby a local planning authority decides whether a planning application meets the requirements of planning policy, particularly as set out in development plans.

Development Limit

Line drawn around a settlement to show the extent of the area within which development will be permitted.

Diversification

The introduction onto farms of new enterprises which are not normally associated with traditional farming activities but strengthen the viability of the farm.

Ecosystem

All the plants and animals of a particular area and how they interact with their environment and each other.

Enforcement -

Procedures by a local planning authority to ensure that the terms and conditions of a planning decision are carried out, or that development carried out without planning permission is brought under control.

Enforcement Notice

Notice requiring the discontinuance of an unauthorised use and/or the removal of buildings, including restoration of land, where development has been begun without permission or in breach of a condition.

Environment Agency

Central Government agency responsible for environmental regulation to ensure air, water and soil quality

Environmental Appraisal

The process of weighing all the policies in a development plan for their global, national and local implications.

Glossary

Environmental Impact Assessment (EIA)	An assessment of the impact, whether beneficial or, adverse impact of a development proposal upon the environment and produced in the form of an Environmental Statement.
Flood Risk Assessment	An assessment of the potential for flooding at a site.
Frontage development	Development that faces a road.
Full Application	An application including full details of a development proposal.
General Permitted Development Order 1995 (GPDO)	Regulations specifying permitted development rights and procedures in relation to the handling of planning applications.
Greenfield Sites	Land that has never been built on, usually grassland, farmland or heath.
Hazardous Installations	A building, which contains characteristics or properties of being explosive, highly flammable, toxic or carcinogenic.
Hazardous Waste	Has one or more characteristic or properties of being explosive, highly flammable, toxic or carcinogenic.
Housing Association	An organisation, usually charitable, which provides housing for the public, normally for rent.
Hydro-Electric Power	Electricity generated from the flow of water.
Important Amenity Space	Land or space, either within or adjacent to a settlement, which provides important character and setting through its pleasantness of situation and attractive features.
Infill	Development within an otherwise built-up frontage.
Inset Maps.	Plans of the towns and villages which illustrate in greater detail policies and proposals not able to be shown on the Proposals Map
Inward Investment	Financial investment in commerce or industry that originates from outside the area.
Light Industry	Industrial and manufacturing processes, which have limited detrimental impact upon any neighbouring land uses.
Listed Building	A building included on the List of Buildings of Special Architectural or Historic Interest prepared by the Secretary of State.
Local Agenda 21	The process established as a consequence of the Rio Earth Summit in 1990 with the objective of seeking action on sustainable development issues at the local level.
Local Biodiversity Action Plan	Aims to ensure that species and their habitats of national regional and local importance are protected from inappropriate development. Produced by the Local Authority in partnership with landowners, conservation bodies and the community.

Essary

Planning Obligation	This can be a legal undertaking by a developer only, or a legally binding agreement with the Local Planning Authority. Planning Obligations are finalised before planning permission is granted. They are used to ensure that a planning permission is carried out in a certain way.
Planning Policy Wales	Planning guidance produced by the Welsh Assembly Government and supported by a series of topic based Technical Advisory Notes.
Policies	Land use policies which describe the Council's approach for the development and use of land.
Primary Shopping Frontage	Accessible and main shopping street(s) within a town centre's Retail Core Area which primarily contains shops (Use Class A1).
Proposals	Land use and development proposals which describe the Council's adopted course of action to achieve its stated aims.
Proposals Map	The map within a Local Plan which illustrates the policies and proposals for the development and use of land. Detailed areas are shown on Inset Maps.
Protected Species	Plant and animal species, including all wild birds, protected under the Conservation (Natural Habitats and Conservation) Regulations 1994, the Wildlife and Countryside Act 1981 and subsequent amendments, or other species protected under legislation specific to them.
Public Local Inquiry	A formal public inquiry, chaired by an Inspector appointed by the Secretary of State for Wales, and held by the Local Planning Authority into unresolved objections made on the Local Plan.
Public Open Space (POS)	Land provided in urban or rural areas for public recreation, though not necessarily publicly owned.
Ramsar Site	Area identified under the internationally agreed Convention on Wetlands of International Importance, especially as waterfowl sites and as Sites of Special Scientific Interest focusing on the ecological importance of wetlands generally.
Renewable Energy	Energy produced by methods using unlimited and natural resources, e.g. wind or water, rather than limited resources, e.g. coal or oil.
Reserved Matters	In relation to an outline planning application or outline planning permission, any details which have not been given in the application in relation to siting, design, external appearance, access and landscaping which will require approval at a later date.
Retail Core Area	Defined shopping and commercial area within a town centre.
Ribbon Development	Linear development along a road frontage.

Essary

Local Nature Reserve (LNR)	Area designated under the National Parks and Access to the Countryside Act 1949 as being of particular importance to nature conservation and where public understanding of nature conservation issues is encouraged.
Local Planning Authority	The Authority which is responsible for preparing development plans and controlling development.
Local Transport Plan	Plan which sets out the County Councils transport strategy, implementation, policy and priorities for transport improvements in Powys.
Material Change of Use	Used to describe changes to the use of land or buildings which make them so different that they adopt a character different to that which previously existed.
Material Consideration	Relevant, additional documents and/or information that must be taken in to account in relation to a planning application or plan representation. This includes development plans, Supplementary Planning Guidance, Technical Advice Notes and Development Briefs.
National Nature Reserve	Area designated by English Nature to protect and conserve nationally important areas of wildlife habitat and geological formations and to promote scientific research; in Wales it is an SSSI that the Countryside Council for Wales (CCW) has designated of national or international importance for nature conservation. (Note: on the CCW website I noticed that they also refer to National Nature Reserves, as well as SSSIs)
Open Countryside.	Land outside the development limits of the villages and towns
Outline Application	Application to establish in principle the development of a site subject to subsequent approval of detailed matters.
Permitted Development Rights	Rights to carry out certain limited forms of development without the need to make an application for planning permission, as granted under the terms of the Town and Country Planning (General Permitted Development) Order 1995.
Phasing	The development of a site in gradual stages over a period of time rather than all at once.
Planning Condition	Planning permission can be granted subject to planning conditions to ensure that development is or is not carried out in a certain way.
Planning Gain	The principle of a developer agreeing to provide additional benefits or safeguards, often for the benefit of the community, usually in the form of related development supplied at the developer's expense.

Essary

Scheduled Ancient Monuments	A structure placed on a schedule compiled by Cadw in Wales for protection under the Ancient Monuments and Archaeological Areas Act
Site of Special Scientific Interest (SSSI)	The term used to define an area of under the Wildlife and Countryside Act 1981, as amended, as being in the opinion of the Countryside Council for Wales, of special scientific interest by reason of its flora, fauna, water or geological or physiographical features. The purpose of the designation is to protect the special features of the site.
Statutory Sui Generis	Required by law e.g. Act of Parliament. Many uses do not fall within any Use Class and therefore are described as Sui generis-a class on their own. For example, theatres amusement centres, car showrooms, petrol filling stations are among uses which are specifically excluded from any defined classes.
Supplementary Planning Guidance (SPG's)	Documents which include more detailed advice on specific policy areas and also include development briefs and design guides which set out site specific planning requirements or general advice which is too detailed to include in the UDP. SPG's should be read in conjunction with the UDP but does not replace them.
Sustainable Development	Ensuring that the needs of the present are met without compromising the ability of future generations to meet their needs.
TANs	Technical advice notes for Wales which provide topic-based supplements to the policy document Planning Policy Wales
Tree Preservation Order (TPO)	A legal order giving protection to trees and woodland which makes it an offence to cut down, top, lop, uproot or wilfully damage or destroy specifically identified trees without prior consent from the Council.
Use Classes Order (1987)	Statutory Instrument that contains a classification of land uses. (See Class A1- D2 above)
Wind Fall Sites	A site for new development which is currently unallocated but has the potential to come forward for development during the plan period.
Wind Farms	Sites upon which wind turbines collectively generate electricity.
Written Justification	Written part of the Unitary Development Plan which provides a justification and explanation of why the plans policies and proposals have been chosen.

Essary

