

5.0 OUTLINE OF NATIONAL PLANNING POLICY

5.1 National planning policy is contained within the 11th edition of Planning Policy Wales (PPW), published in February 2021. PPW is supported by topic-based Technical Advice Notes (TANs).

5.2 The statutory 'development plan' for this site is currently provided by the Powys Local Development Plan (LDP) 2011-2026, adopted in April 2018.

Planning Policy Wales (PPW)

5.3 PPW is the principal planning policy document of Welsh Government that needs to be taken into account in the preparation of development plans and in the determination of planning applications and appeals. The main thrust of PPW is to promote sustainable development by ensuring that the planning system provides for an adequate and continuous supply of land available and suitable for development. It dictates that available land must meet society's needs in a way that is consistent with overall sustainability principles and which links with the requirements of the Well-Being of Future Generations Act 2015 to ensure that communities are sustainable and that they are safe, cohesive and resilient.

5.4 A key planning principle of PPW concerns growing our economy in a sustainable manner. The planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. Communities, national and local government, businesses, and the third sector must work together to take a long-term view, integrating and aligning priorities through greater collaboration to achieve sustainable economic benefits for all in line with the well-being goals

5.5 This needs to be considered within the wider context of PPW which also seeks to establish the following key principles

- Making best use of resources
- Facilitating accessible and healthy environments
- Creating & sustaining communities
- Maximising environmental protection and limiting environmental impact

5.6 The following chapters of PPW are most relevant to this application

Chapter 4: Active and Social Places

5.7 Planning authorities should provide a framework for well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities. These policies should set standards of provision, so that local deficiencies can be identified and met through the planning process, and set out policies to avoid or resolve conflict between different activities

5.8 Planning authorities should encourage the multiple use of open space and facilities, where appropriate, to increase their effective use

Chapter 5: Productive and Enterprising Places

- 5.9 Productive and Enterprising Places are those which promote our economic, social, environmental and cultural well-being by providing well-connected employment and sustainable economic development, including tourism and the needs of the rural economy
- 5.10 For planning purposes the Welsh Government defines **economic development** as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.
- 5.11 The planning system encourages **tourism** where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. Here development should be sympathetic in nature and scale to the local environment.
- 5.12 PPW is clear that a strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas. Whilst the protection of the open countryside should be maintained wherever possible, the expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts. Planning authorities should also adopt a positive approach to diversification projects in rural areas.

Technical Advice Notes (TAN) Wales

- 5.13 Planning Policy Wales is supported by a suite of Technical Advice Notes (TANs). The following TAN documents are applicable to this application:

Technical Advice Note (TAN) 5 -Nature, Conservation and Planning

This TAN provides, amongst other guidance, advice about protecting and enhancing biodiversity. The application brings forward a considerable suite of biodiversity enhancements which include installation of 15 dormouse boxes, 20 bird boxes, 10 bat boxes, a mammal ledge to the existing culvert and hibernacula. Further enhancements are referenced elsewhere in this document.

Technical Advice Note (TAN) 6 -Planning for Sustainable Rural Communities

The purpose of this TAN is to provide guidance in supporting the delivery of sustainable rural communities. The motocross track is existing and has been a tourism destination in Disserth for nearly 30 years. The application seeks to consolidate the enterprise so as to contribute to sustaining the rural economy and rural services offered by the area.

Technical Advice Note (TAN) 11 - Noise

This TAN advises on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of business. The existing enterprise at Rhydylawd generates noise and through the vehicle of this application it is proposed to reduce and control noise nuisance through a Noise Management plan and enforceable conditions.

Technical Advice Note (TAN) 12 - Design

The main thrust of this TAN is to promote sustainability through good design. The design of both the ancillary building and the log pods have been driven by the rural vernacular in terms

of materials, massing and scale. The pods will be constructed using OSM techniques which is highly sustainable not only in prediction but also in the performance of buildings in use.

Technical Advice Note (TAN) 13 - Tourism

The preamble to this TAN notes that 'Tourism contributes a range of different, but interdependent activities and operations which overlap with sport, entertainment, the arts and other recreation and leisure activities. It makes a major contribution to the Welsh economy, provides employment in a wide variety of occupations and can bring benefits to local economies in urban and rural areas.' This application will grow the existing tourism opportunity at Rhydblwd in an organised and managed way. It will employ local people and contribute to the local economy.

Technical Advice Note (TAN) 15 - Development and Flood Risk

This TAN gives guidance on managing flood risk. The application site is well away from any watercourses that flood and a surface water management scheme is proposed so that the application does not increase flood risk elsewhere.

Technical Advice Note (TAN) 16 - Sport, Recreation, Open Space

The purpose of this TAN is to inform the planning system in making provision for sport and recreational facilities as well as protect existing facilities in urban and rural areas in Wales. There are existing sporting activities in the form of motocross being carried out weekly at Rhydblwd and this application seeks to manage them so they are sustainable in perpetuity.

Technical Advice Note (TAN) 18 - Transport

This TAN sets out Welsh Government objectives around an integrated and sustainable development approach to transport in Wales. The application brings forward local highways improvements in the form of passing spaces and junction improvements.

Technical Advice Note (TAN) 23 - Economic Development

The objective of this TAN is to recognise the economic aspects of development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. The application will bring forward an oversight and management of the existing rural enterprise which in turn will attract employment and collateral benefits for local businesses and services.

6.0 OVERVIEW OF LOCAL PLANNING POLICY

- 6.1 The statutory 'development plan' for this site is provided by the Powys Local Development Plan (LDP) 2011-26 which was adopted in April 2018. The LDP takes into account legislative changes introduced by the Planning (Wales) Act 2015 and has regard to the requirements of Planning Policy Wales and accompanying TANs and the Well-Being of Future Generations Act 2015 in terms of ensuring sustainable communities that are safe, cohesive and resilient. The overarching vision for the Powys LDP to help deliver is the Powys Corporate Plan entitled *Powys 2025* and which is set out as following:

“Powys is a county of considerable variety extending from the South Wales Valleys to the Berwyn Mountains in the north, and from the Cambrian Mountains in the west to the English border in the east.

As the ‘green heart of Wales’, Powys will be a place of vibrant and resilient communities providing sustainable development and economic opportunities set in a healthy, safe environment, whilst celebrating, protecting, enhancing and sustainably managing its natural resources, native wildlife and habitats, heritage, outstanding landscapes and distinctive characteristics.

Powys’ towns and larger villages will be vibrant and accessible service centres. They will be the focus for integrating housing, economic and service development to meet their own needs and those of their surrounding communities”.

“Powys’ rural areas will be a working countryside of sustainable communities supported by a thriving and diverse rural economy of small businesses”.

Key LDP themes, objectives and policies

- 6.2 The LDP’s main principles of land-use planning in Powys are introduced in Chapter 3 of that document namely as:

As the ‘green heart of Wales’, Powys will be a place of vibrant and resilient communities providing sustainable development and economic opportunities set in a healthy, safe environment, whilst celebrating, protecting, enhancing and sustainably managing its natural resources, native wildlife and habitats, heritage, outstanding landscapes and distinctive characteristics.

- 6.3 There are key principles of the LDP which complement five themes set out in the strategic Our Vision of Powys 2026 document and which can be summarised thus
- 6.3.1 Planning for growth in sustainable places;
 - 6.3.2 Supporting the Powys economy;
 - 6.3.3 Supporting infrastructure and services;
 - 6.3.4 Guardianship of natural, built and historic assets;
 - 6.3.5 Supporting healthy communities

- 6.4 Each of these five themes is supported by a number of objectives, the most applicable of which in terms of this application are:

Theme 2 – Supporting the Powys Economy

LDP Objective 6 – Vibrant Economy

To support a diverse, robust and vibrant economy for Powys, including a strong rural economy, which is sustainable and responsive to change.

Theme 2 –

LDP Objective 7 – Key Economic Sectors

To maintain and strengthen key economic sectors within Powys including sustainable year-round tourism opportunities, agriculture and the rural economy.

Theme 4 – Guardianship of Natural, Built and Historic Assets

LDP Objective 11 – Natural Heritage

To conserve and protect Powys' land, air and water resources important for environmental quality, geodiversity and biodiversity where possible to ensure development enhances them.

Theme 5 – Supporting Healthy Communities

LDP Objective 14 – Healthy Lifestyles

To encourage active healthy lifestyles by enabling access to open spaces, areas for recreation and amenity including allotments or growing spaces, and to ensure development provides opportunities for walking, cycling, open and play spaces where required.

- 6.5 The significant LDP planning policy concerns "Planning for Tourism". The high quality, beauty and variety of the Powys landscape, combined with its history and culture, create an area of great attractiveness which has huge potential for high value tourism. Tourism is one of the County's main employment sectors. It is an important component of the rural economy and can help to provide new jobs and it is therefore desirable to support appropriate tourism related developments in principle, whilst sustaining the outstanding natural beauty. One of the Objectives of the LDP is to sustainably develop Powys' tourism economy.

- 6.6 Powys Local Development Plan Policy TD1 which stages:

Development proposals for tourist accommodation, facilities and attractions including extensions to existing development, will be permitted as follows:

1. *Within settlements, where commensurate in scale and size to the settlement.*
2. *In the **open countryside**, where compatible in terms of location, siting, design and scale and well-integrated into the landscape so that it would not detract from the overall character and appearance of the area and in particular where:*
 - i. *It is part of a farm diversification scheme; or*
 - ii. *It re-uses a suitable rural building in accordance with TAN 6; or*
 - iii. ***It compliments and existing tourist development or asset, without causing unacceptable adverse harm to the enjoyment of that development or asset; or***
 - iv. *It is not permanent in its nature*
3. *Accommodation shall not be used for permanent residential accommodation*

- 6.7 Tourist accommodation includes serviced visitor accommodation, hotels, self-catering visitor accommodation, static caravans, chalets, cabins, touring caravans and camping. Tourist facilities and attractions include non-accommodation related tourism development
- 6.8 New tourist development is encouraged because of its contribution to the economy in terms of visitor spending, supporting local business and employment generation. However, the Council seeks to ensure that developments are sustainable and do not have an unacceptably adverse impact and effect upon the character and appearance of an area, the natural and historic environment or existing amenities, assets or designations. Non-permanent developments may, for example, include dark skies observatories or eco-friendly woodland camping sites
- 6.9 Developments that include year-round facilities, such as all-weather recreation facilities, that can be utilised by local people are encouraged.

Tourism development in the open countryside that supports an existing tourist facility, attraction or asset but is also sympathetic to the natural environment and rural landscape will be supported. Examples of appropriate developments include sympathetic additions or alterations to accommodation or facilities that seek to enhance quality, or developments on or adjoining tourist assets, provided the enjoyment and setting of the asset is safeguarded. Log cabin and chalet style developments that are sensitively designed and located to blend into the landscape and include substantial landscaping will be supported.

- 6.10 In this regard the Powys LDP reflects the following national planning policy guidelines:

PPW, Chapter 4 – Active and Social Places
 PPW, Chapter 5 – Productive and Enterprising Places
 TAN 6 – Agriculture and Rural Development
 TAN 13 – Tourism
 TAN 16 – Sport, Recreation and Open Space

- 6.11 Other relevant Development Management policies that have been considered in preparation of this application and which we have sought to address as part of this Statement and outlined in the Design and Access and Supporting Statement information and have previously attached the support of the LPA in their determination of 19/0643/FUL include:

DM2 – The Natural Environment

Development proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site.

DM13 – Design and Resources

Development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources.

- 6.12 Furthermore we undertook a Pre-Application Consultation (PAC) exercise in October 2018 in order to engage with the community and to test various design options, many of which have been informed by the responses to consultation and by reports such as Transport Statement, Ecological Assessment Survey, Noise Impact Assessment, Porosity

Test and Hydrological Survey. These have all now been updated, revised and developed and appended to this application.

- 6.13 In addition to this, we also submitted revised information to the LPA under their pre-application protocol after its refusal of application 19/0643/FUL. A response from the LPA to this submission is dated November 09 2022, referenced 21/0107/PRE and appended to the application pack (Appendix 5).

A summary of the response from the LPA to pre-application submission 21/0107/ PRE is as below:

The LPA confirmed the following LDP policies were considered key to the development, and we highlight below each policy our response, in italics, showing how the application is now compliant:

SP7 – Safeguarding of Strategic Resources and Assets

The pre-application advice from the LPA is silent in specific response to this policy but we confirm there are no strategic resources or assets in the vicinity of the application site so the submission is compliant with this policy.

DM2 – The Natural Environment

The pre-application advice from the LPA is silent in specific response to this policy.

That noted, this policy was referred to under Reason 2 for refusal of application 19/0643/FUL in respect of phosphate input into the River Wye SAC. We therefore reiterate the conclusions as set out in previous sections of this Statement that the removal of the existing foul water receptacle and its replacement with 2 no. new receptacles and infrastructure will lower the phosphate input by a maximum of 5043g per annum or a minimum of 1604g per annum.

*With both of these figures taken into account the application brings forward **phosphate betterment**. This application is therefore compliant with this policy.*

DM4 – Landscape

The LPA noted that 'Policy DM4 of the Powys Local Development Plan states that for proposals in the open countryside such as this one, they must not individually or cumulatively, have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. All proposals should therefore be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape.

Circumstances with regard to landscape considerations are not considered to have changed since the delegated report for planning application 19/0643/FUL and therefore it is not considered necessary to reiterate the position here. The Pre-application Planning Statement submitted as part of this enquiry demonstrates that the position regarding this is understood. Nevertheless, as outlined above, a comprehensive landscaping scheme will be required as part of any subsequent planning application submitted in order to demonstrate the proposed development can be fully integrated into the local landscape and that it is at an appropriate scale.'

A landscaping plan has been submitted as part of the application pack and therefore this submission is fully compliant with this policy.

DM5 – Development and Flood Risk

The pre-application advice from the LPA is silent in specific response to this policy but we confirm that the site is outside of any flood risk zone and foul and surface water management proposals are submitted as part of this application pack illustrating that the development does not increase flood risk elsewhere. The application is therefore fully compliant with this policy.

DM6 – Flood Prevention Measures and Land Drainage

The pre-application advice from the LPA is silent in specific response to this policy but we confirm that all sustainable drainage opportunities have been taken advantage of and that a SAB application is currently under consideration by the local authority. The Land Drainage officer, in his consideration of application 19/0643/FUL recommended approval subject to conditions.

The application is re- submitted with identical details as previously, so we expect the LPA to be consistent with its consideration of this application. This application is compliant with this policy.

DM7 – Dark Skies and External Lighting

The consultee response via the pre- application submission was that ‘a wildlife sensitive lighting plan could be secured through a planning condition.’

A detailed plan is submitted as part of the application pack and therefore the application is compliant with this policy

DM13 – Design and Resources

The focus of the response from the LPA is on Criterion 11 of this policy which states:

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

It is noted that a Noise Impact Assessment, Noise Management Plan and a EHO Response Questions document has been submitted and this is welcomed.

The planning officer goes on to state:

I note with concern that the proposals appear to state that the opening hours confirmed by permitted development or the certificate of lawfulness should not be subject to a noise management plan. If any proposal for an extension of operating hours is to be considered acceptable then noise management should apply to the whole site for the whole time it can operate.’

A complete assessment of the noise profile of the existing and proposed site has been submitted. This includes the whole site and concludes that with the restrictions that are offered with this application as to noise management that there will no unacceptable impact on amenities enjoyed by occupants or users of nearby properties. Indeed, there will be a noise reduction offered under the auspices of the control mechanisms appended to this submission so the application is compliant with this policy.

T1 – Travel, Traffic and Transport Infrastructure

The LHA confirmed its advice that “[we have] considered the content of the Transport Note submitted as part of this pre-application advice application, the content of the which is largely

the same as information submitted and agreed as part of a previous planning application at the site (19/0643/FUL), however the accompanying drawings do differ to those agreed previously and therefore should be updated should a full application be submitted in the future.

“Reference Material
Manual for Streets 1 & 2
TAN 18
The Powys Local Development Plan (2011-2026) Policy T1
CSS Wales Parking Standards
Design Manual for Roads & Bridges (DMRB)
All Wales Common Standards for Residential, Industrial & Commercial Estate Roads”

The Transport Statement (TS) and drawings have been updated and submitted as part of the application pack. The TS concludes that the impact of the development proposals on the surrounding transportation network should be considered negligible and not detrimental. Both the LHA and Welsh Government supported the previous application with conditions so we expect the LPA to be consistent with its consideration of this application. This application is compliant with this policy.

TD1 – tourism

The LPA confirmed that ‘The proposal includes the provision of six holiday lodges and the existing motorcycle track could be deemed to be a tourist attraction. The proposal can therefore be considered under criterion 2iii.’

Criterion 2iii states iii. [the application should] complement an existing tourist development or asset, without causing unacceptable adverse harm to the enjoyment of that development or asset;

Given the additional information now submitted regarding noise, transport, design and foul water management, the application does not cause adverse harm and indeed brings forward a suite of social, economic and environmental benefits. The application is compliant with this policy.

Landscape Supplementary Planning Guidance (2019)

A landscaping plan has been submitted as part of the application pack and therefore this submission is fully compliant with this guidance.

Biodiversity and Geodiversity Supplementary Planning Guidance (2018)

A biodiversity plan has been submitted as part of the application pack and therefore this submission is fully compliant with this guidance.

The LPA concludes that ‘Having carefully considered the proposed development, it is considered that the principle of the proposed development, that is, the erection of an ancillary building and six holiday lodges, installation of foul water drainage, and improvements to existing highways infrastructure at an existing motorcycle track may be acceptable site and would be supported subject to all material planning considerations as outlined above.’

We therefore confirm that all material considerations to which the LPA refers in pre-application submission 21/0107/PRE have been satisfied and should command the support of the LPA in its determination of this application.

7.0 EVALUATION OF APPLICATION AGAINST PLANNING FRAMEWORK AND CONCLUSION

- 7.1 The application site forms a logical extension to an established sport and leisure facility and which offers an exciting opportunity to boost both recreation and tourism amenities, contributing to the local economy in terms of visitor numbers and increased employment. The proposal and the ways in which it is proposed to mitigate any extension to business operations through sensitive location, landscaping and sustainable construction will preserve and enhance the environment, infrastructure and the local community.
- 7.2 Having regard to Planning Policy Wales (PPW) and attendant Technical Advice Notes (TAN) referred to in earlier sections of this Statement it is clear that this proposal contributes to a healthy and diverse rural economy by safeguarding and expanding the tourism offer while helping to sustain strong, healthy and vibrant local communities. Furthermore, it complements the Welsh Government policy for Creating An Active Wales (2010) and helps the Powys LDP to realise the vision for Powys 2025 in respect of rural communities (see Paragraph 6.1 above).
- 7.3 The LDP is in alignment with the Council's Economic Development Strategy. Increasing visitor numbers to Powys is one of the objectives of the Economic Development Strategy alongside increasing Powys' population of working age people. The LDP therefore supports and enables appropriate tourism development and employment opportunities, thereby contributing to increased visitor numbers and the attractiveness of the County as a place to visit or to live and work.
- 7.4 For example, as well as investing in excess of £1.5 million capital expenditure in developing facilities the applicant proposed to employ:
- A full-time manager
 - A full-time mechanic
 - At least four riding instructors
 - Additionally, a catering and facilities team (maintenance, gardening, cleaning etc.) will be sourced either directly or by employing local contractors.
- 7.5 The LDP acknowledges that the high quality, beauty and variety of the Powys landscape, combined with its history and culture, create an area of great attractiveness which has huge potential for high value tourism. Tourism is seen as one of the County's main employment sectors, an important component of the rural economy and potential source of new jobs. The Local Planning Authority considers it desirable to support appropriate tourism related developments in principle, whilst sustaining the County's outstanding natural beauty. As we have sought to demonstrate in this Statement, the application proposes to deliver a tourism offer that is both apt and sustainable in terms of its expansion while at the same time safeguarding the local environment
- 7.6 One of the Objectives of the LDP is to sustainably develop Powys' tourism economy in accordance with relevant national planning guidance. PPW, Chapters 4 and 5; TAN 6: Sustainable Rural Development, TAN 16: Sport, Recreation and Open Space and TAN 23: Economic Development are particularly relevant in terms of supporting of expansion and diversification of such facilities.

PPW Chapter 4: Active and Social Places

- 7.8 The proposal would provide suitably located, good quality and well-managed/ maintained sports and recreation facilities that both protects and enhances an existing local facility

PPW Chapter 5 – Productive and Enterprising Places

- 7.9 The application promotes economic, social, environmental and cultural well-being by providing well-connected employment and sustainable tourism development thereby boosting the rural economy whilst having regard to conservation and the requirements of the local community

TAN 16 – Sport, Recreation and Open Space

- 7.10 The proposal is suited to the facilitation of regulated practice and usage by virtue of existing activity and the anticipated likely demand for this enhanced recreation activity. It ensures that:

- Motor vehicles are segregated from other users
- Adequate access and parking arrangements will be provided for participants and spectators, including those who are disabled, and for emergency vehicles
- Sites and buildings will be screened and located so as to minimise visual impact and noise generated
- Existing landscape features will be incorporated
- Hours of operation can be controlled
- The impact of activity on the surrounding area can be minimised
- The site is located a way from residential areas and on a site already developed and used for this purpose
- The site does not have particular historic, scientific, nature conservation, landscape or agricultural importance notwithstanding that every effort will be made to ensure that development and operations will be carried out in a way which respects and where possibly enhances natural features and local biodiversity.

TAN 23 – Economic Development

- 7.11 The application contributes to diversification of the rural economy in a way which offers local employment opportunities ranging from site management to maintenance, catering, cleaning, whether directly or through contracting with other facilitating highways improvements.

- 7.12 In terms of local planning policy then we have sought to demonstrate that the proposal:

- Is compatible in terms of its location, siting, design and scale and is well integrated into the landscape so as not to detract from the overall character and appearance of the area. Moreover, it compliments an existing tourist development, without causing unacceptable adverse harm to the enjoyment of that asset (LDP Policy TD1).
- Demonstrates that every reasonable consideration has been given to protecting and where possible enhancing local biodiversity and geodiversity (LDP Policy DM2).
- Demonstrates good quality and sensitive design which shows full awareness of the amenity, it's surroundings and local context (LDP Policy DM12).
- Shows how the safe and efficient flow of traffic for all transport users has been taken into consideration, and that any impacts on the network and local environment will be managed to acceptable levels and mitigate any adverse impacts (LDP Policy T1).

CONCLUSION

- 7.13 In this Planning Statement we conclude that through a logical extension to the current business offer, coupled with sensitive, environmentally conscious design and improvements to highways and site facilities, the application is able to satisfy national and local requirements in relation to tourism, leisure and recreation, design and access and a thorough regard for the natural environment.
- 7.14 Without planning permission the site will continue to be used as it has been historically without control, regulation or any improvements. As highlighted, this application provides a material benefit to the site and wider area offering significant improvement to how the site has historically been used and how it could be used. These benefits are listed at paragraph 7.17 and 18 below and demonstrate why the application should be granted to allow this site to be operated in a manner that brings about that material benefit.
- 7.15 Moreover, we submit that the proposal supports legislation and strategic policy objectives at both natural and local level and as referenced in this statement including:
- Well-Being of Future Generations Act (2015)
 - Creating an Active Wales (2010)
 - Powys 2025 – Our Vision for the Future (2018) (updated April 2021)
 - Economic Development Strategy for Powys County Council (2016)
- 7.16 This application is a re-submission of planning application reference 19/0643/FUL. ***The reasons for refusal of that application have been overcome and indeed bring forward betterment in regard to phosphate outputs and noise control.*** We are of the opinion that there are no technical obstacles to the LPA approving this application which has benefitted from formal feedback from the LPA via pre- application advice reference 21/0107/PRE which is included as Appendix 5 to this application. Policy issues identified by the LPA to that pre-application submission have been complied with.
- 7.17 In practical terms we submit that the proposed application brings forward the following material benefits:
- **Control**- the use and control of the site via a Noise Management Plan and conditions is offered as part of the application to bring forward and consolidate social, cultural, environmental and economic wellbeing benefits to accord with core tenets set down in the Well- being of Future Generations (Wales) Act 2015.
 - **Employment** – At least 6 full time posts will be created should this application be approved. Several part time posts will also be created.
 - **Tourism** – Through the efficient organisation of the site it will enhance its existing tourism offer as well as support other destinations in the county.
 - **Protection of Natural Assets** – With the introduction of new watercourse crossings this will protect the SSSI and SAC.
Biodiversity Enhancements – It is intended to erect a raft of improvements across the site in response to its specific ecological opportunity. The applicant also plans to plant many thousands of trees on the wider site as part of a parallel initiative.
 - **Highways Improvements** – Through the creation of additional passing spaces on the existing highways network and improvements to the site access points this will improve safety for all highways users.

- **Foul Water Improvements** – By replacing an existing unregulated foul water receptacle this will reduce phosphate loading and greatly improve the water quality on the site while preventing communication of foul water with the existing SSSI and SAC.

7.18 We submit that the proposed application brings forward the following material considerations:

- Enforceable control of the existing site through a Noise Management Plan as presented for discussion in the Appendix.
- By regularising the hours of use of land as a motocross scramble track above and beyond that which has already been established as lawful via the CLEUD reference PR5473/00 dated 25 March 1999 for the benefit of the residential amenity of the wider area and in particular taking into account those operating hours outside the key time sensitive hours of day.
- Complements and enhances an established tourism facility with considerable potential to boost leisure activity, visitor numbers and employment.
- Has been developed having due regard to the outcome of the Pre-Application Consultation exercise undertaken in October 2018, the previous planning application from February 2021 and pre-application advice from November 2021; this submission has been designed to accord with the direction received from those engagements.
- Makes best use of an existing facility without the need for expansion or encroachment into the open countryside.
- Will deliver highways improvements that will benefit the wider community.
- Is deliverable within the lifetime of the Local Development Plan 2011-26.
- Can be achieved in a sustainable manner with minimum impact to the local community, infrastructure and the natural environment while using off-site construction to minimise carbon footprint.
- Will contribute to a healthy and diverse local economy while preserving and where possible enhancing local characteristics and amenity and safeguarding strategic resources and assets.
- Can demonstrate exemplary, sympathetic yet innovative design in accordance with LDP Policies DM2 and DM13.

7.19 Based on the above we therefore request that the Local Planning Authority gives favourable consideration to this application.

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