



Application No: 21/1979/REM

**POWYS COUNTY COUNCIL**

**Local Government Act 1994**

**Town & Country Planning Act 1990**

**To: Professional Lead Development Management (North)**

With reference to the planning application relating to the following proposed development:

Name of Applicant: Mr. Stephen Bowen

Location of Development: Lansdowne House, Chapel Street, Welshpool.

Description of Development: Section 73 application to remove conditions 5 and 6 from planning permission 19/0099/FUL in relation to highway details.

The County Council as Highway Authority for the County Unclassified Highway, U4406

**Wish the following recommendations/Observations be applied  
Recommendations/Observations**

The applicant has been in discussion with our Traffic Section with regard to the off-site works, and it has been agreed with Highways Development Control that some elements of the previously agreed development are no longer required as described below.

**Condition 5**

*As attached to 19/0099/FUL the condition reads “No other development shall commence until detailed highway engineering drawings covering the highway access onto Bowling Green Lane, the parking areas onto Bowling Green Lane, Chapel Street and Powell’s Lane, the provision of a 20mph Zone, traffic calming measures and appropriate signing along Bowling Green Lane and Chapel Street, have been submitted to and approved in writing by the Local Planning Authority.”*

The HA clarify that through discussion of the proposed highway legal agreement, that it has been agreed with the applicant that the traffic calming and provision of a 20mph zone are no longer required. Therefore, the HA do not object to these elements being removed from Condition 5, and we recommend that the condition is reworded as follows.

(Condition 5) - No other development shall commence until detailed highway engineering drawings covering the highway access onto Bowling Green Lane, the parking areas onto Bowling Green Lane, Chapel Street and Powell's Lane, and appropriate signing along Bowling Green Lane and Chapel Street, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of construction.

### **Condition 6**

In light that the HA do not object to the rewording of Condition 5 as attached to 19/0099/FUL, and we have suggested a new condition, it then follows that the HA support the rewording of Condition 6. We, therefore, suggest that Condition 6 is reworded as follows.

(Condition 6) - Prior to the first occupation of any dwelling the applicant shall construct the offsite highway works and parking areas to the written satisfaction of the Local Planning Authority (condition 5).

### **Advisory Notes**

The developer shall pay the reasonable costs incurred by Powys County Council for the procurement and implementation of the requisite Traffic Regulation Order, in addition to the manufacture and erection of all associated signage. Further information relating to Traffic Regulation Orders can be found in Section E of the CSS Wales Common Standards Guide 2020.

All off-site highway works shall be subject to an agreement (supported by a road bond) under Section 278 of the Highways Act 1980. The design and detail required as part of a Section 278 Agreement shall be prepared by the applicant and approved by Powys County Council. Implementation of the approved scheme shall be at the expense of the developer. Further information relating to Section 278 requirements can be found in Section E of the CSS Wales Common Standards Guide 2020.

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

1. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
2. The need to inform and obtain the consent of Statutory Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
3. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Further advice on the above highway matters can be obtained from:-

<http://www.powys.gov.uk/en/roads-transport-parking/>

[street.works@powys.gov.uk](mailto:street.works@powys.gov.uk)

Street Works  
Powys County Hall  
Spa Road East  
Llandrindod Wells  
Powys  
LD1 5LG  
0845 6027035

Signed \_\_\_\_\_

**Simon Crew**  
**For Highways, Transport and Recycling**

Date: 16<sup>th</sup> December 2021