



## DELEGATED DECISION

### Powys County Council Constitution Schedule 13 Responsibility for Functions

<b>Application Number:</b>	19/1590/OUT	<b>Grid Ref:</b>	E: 302124 N: 231200
<b>Community Council:</b>	Yscir Community	<b>Valid Date:</b>	24.10.2019
<b>Case Officer:</b>	Catherine James		

**Applicant:** Mr and Miss L and R Gould and Witcomb

**Location:** Land Adjoining 68 Degrees West Glamping Site, Cradoc, Brecon, Powys, LD3 9LP

**Proposal:** Outline application for the proposed detached utility building to service existing campsite (for provision of office/reception, secure storage of grounds maintenance machinery, maintenance equipment, indoor games room, WC, Laundry and kitchen

**Application Type:** Outline planning

### Consultee Responses

Consultee	Received
Ward Councillor	7th Nov 2019
I'd like to confirm that I have no objections to this application going ahead.	

Community Council	12th Nov 2019
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The Community Council has raised a number of concerns with this application, principally the construction of a house and a work building that will look like a house, in the countryside.

The application states the site cannot be seen from a public road, bridleway or footpath. This is incorrect. A footpath runs along the boundary, past the entrance to the site and more importantly, the site is clearly visible from the road running beneath Pen y Crug to the B4520. If two more large buildings are built near the toilet block, this will detract from the overall character and appearance of the area. The caravan site has been operational for many years but the glamping development is far more recent. It is believed that 2 of the log pods have been operational since Spring/ Summer 2018, with a further 3 pods in 2019. Much of the case for a full time worker is based on the need to change the water in up to 13 hot tubs. Currently there are 3 hot tubs, probably installed in 2019. According to TAN 6, a need for a full time worker needs to have been established for 3 years. This is not the case.

Furthermore, Yscir Community Council is not aware that planning permission has been sought for the hot tubs. They are not indicated on any of the plans. The Council is concerned about the usage of water; up to 39 changes of water per week, according to the design and access statement, with the greatest use being in summer months when there could be water shortages. Water shortages are increasingly common and it is not an environmentally sound proposal to have 13 hot tubs, catering for up to 100 people. The original 2017 application was for 20 log pods, 10 caravan pitches and 10 tent pitches although the foul drainage calculations were based on half these numbers. It is not clear that the foul drainage has been updated to include the hot tubs. The Brecon Beacons National Park promotes itself as a Dark Skies area. The light pollution from the site will not help this.

The design and access statement states that 'the site is well related to public transport and all facilities can be access by cycle and public transport'. This, too, is incorrect. There is no public transport to or from this site. It is a 3 mile uphill cycle ride from Brecon so very few visitors are likely to access the site by cycle.

Yscir Community Council hopes that these objections will be taken into consideration when this planning application is considered.

Wales & West Utilities - Plant Protection  
Team

Environmental Protection

18th Nov 2019

19/1590/OUT | Outline application for erection of a building for use as office/reception, storage of grounds maintenance equipment, games room, WC, laundry & kitchen in connection with campsite together with erection of rural enterprise dwelling for manager, formation of vehicular access, landscaping and all associated works | Land Adjoining 68 Degrees West Glamping Site Cradoc Brecon Powys LD3 9LP

It is noted that it is the intention to connect the above building and dwelling to an existing package treatment plant, therefore, further information would be required in respect of forwarding details of the existing plant including the tank's capacity and confirmation that it is sufficient to cope with the additional demand created by the above application.

Environmental Protection

20th Nov 2019

No further information is required.

PCC-Ecologist

19th Dec 2019

Thank you for consulting me with regards to planning application 19/1590/OUT which concerns an application for the erection of a building for use as office/reception, storage of grounds maintenance equipment, games room, WC, laundry & kitchen in connection with campsite together with erection of rural enterprise dwelling for manager, formation of vehicular access, landscaping and all associated works at land adjoining 68 Degrees West Glamping Site, Cradoc, Brecon.

I have reviewed the proposed plans, aerial images as well as local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 188 records of protected and priority species within 500m of the proposed development with no records found for the site itself. Species recorded within 500m of the proposed development include bat species; lesser horseshoe, brown long-

eared, pipistrelle and myotis, great crested newt, tawny owl, tree sparrow and red kite.

No statutory or non-statutory designated sites were identified within 500m of the proposed development.

### Great Crested Newts - European Protected Species

I note that there are records of great crested newt approximately 237m from the proposed development. From reviewing the information available there appears to be a pond within 100m north west of the proposed developments in addition to a number of other ponds in the surrounding area.

Therefore, consideration has been given to the potential for the proposed development to impact great crested newts - great crested newts being a European protected species.

Given the proximity of the proposed works to known records of great crested newts and the potential for features impacted by the proposed development to provide dispersal opportunities for great crested newts it is considered that there is insufficient information with regards to potential impacts to Great Crested Newts, a European protected species, to determine this application. Further information is required to be submitted prior to determination of the application as indicated in the Pre-planning advice sent on the 8th of May 2019.

Great crested newts are European protected species the animals and their resting and breeding habitats are fully protected under European law, where impacts to EPS are identified, the LPA have to apply the three tests of the Habitats Regulations to ensure that there will be no adverse impact on the favourable conservation status of the EPS. In order for the LPA to satisfy this requirement, full details of the potential impacts and proposed mitigation, are required to be submitted for approval prior to determination.

The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Appropriate surveys in line with national guidelines will need to be undertaken by a suitably qualified and licensed ecologist at the correct time of year. Further details regarding likely survey effort and timings can be found at <https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects#survey-effort-required>.

The applicant should note that where it is identified that aquatic surveys are required to confirm presence/absence of great crested newts then the recommended survey season for Great Crested Newts is between March and June, therefore the next optimal time will be March-June 2019 to obtain pond survey data in order to determine the likely hood of the development to impact on great crested newts - if present. If it is determined that terrestrial surveys would be appropriate then these can be undertaken between March and October.

Alternatively it could be assumed that great crested newts are present at the development site and the proposed developments will impact terrestrial habitat suitable to support great crested newts. Given the size of possible suitable habitat for newts on the development site - the ecologist undertaking the assessment of the development should give consideration as to whether the proposed development could be undertaken in a manner that would avoid the risk of impacts to great crested newts - if this approach is deemed appropriate then a Reasonable Avoidance Method Statement (RAMS) could be submitted to demonstrate that works can be undertaken without need for a full survey , this information will need to produced by a suitably qualified and experienced ecologist and provide specific details as to how the works would be carried out to ensure no impacts to local great crested newt populations.

This information is required to be submitted prior to determination of the application, until this information is submitted it is considered that the application currently fails to demonstrate that it would comply with the requirements of the Conservation of Habitats and Species Regulations 2017 and Powys LDP policy DM2.

Welsh Water

8th Nov 2019

We refer to your planning consultation relating to the above site, and we can provide the

following comments in respect to the proposed development.

We can confirm we have no comments to make regarding this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

PCC-(S) Highways

12th Nov 2019

Does not wish to comment on the application

PCC-Countryside Services Manager

12th Nov 2019

The applicant is advised that public footpath 5 runs adjacent to the development and the Service therefore provides the following advice regarding the footpath should the development receive planning permission.

- o Development over, or illegal interference with, a public right of way, is a criminal offence and enforcement action will be taken against a developer who ignores the presence of affected public rights of way. This includes temporary obstructions such as rubble mounds, building materials, parked vehicles etc.
- o Landscaping & Surfacing - Advice will need to be sought before interfering or surfacing a public right of way.
- o New fencing or boundaries - The developer will need to seek a licence for a new structure if intending to create a boundary across a public footpath or bridleway. We cannot authorise a structure across a Restricted Byway or Byway Open to All Traffic.
- o Temporary closures - The developer can seek a temporary closure of a public right

of way from the council if they feel the public may be at risk during development.

o Legal Diversion - If development directly affects a public right of way, the developer will need to seek advice and apply for a legal diversion from the Council. No development can take place on a public right of way until a legal order is confirmed and the process may take at least 6 months. For more information please discuss with Countryside Services at the earliest available opportunity.

Brecon Beacons National Park

3rd Dec 2019

Proposal: "Outline application for erection of a building for use as office/reception, storage of grounds maintenance equipment, games room, WC, laundry & kitchen in connection with campsite together with erection of rural enterprise dwelling for manager, formation of vehicular access, landscaping and all associated works" (Ref: 19/1590/OUT)

Address: Land Adjoining 68 Degrees West Glamping Site, Cradoc, Brecon Powys LD3 9LP.

The Authority welcomes feedback from agents and applicants on the quality of the service received. For further information, please visit [www.beacons-npa.gov.uk/planningsurvey](http://www.beacons-npa.gov.uk/planningsurvey) to fill in a brief online survey.

We write further to the above planning application which we understand has been submitted to Powys County Council for consideration. This planning application has been drawn to the National Park Authority's attention by Yscir Community Council.

We understand the site is located approximately 400m north of the boundary of the Brecon Beacons National Park Authority.

I set out below some background on the NPA's policy and legal context. The letter ends with our comments on the planning application with you for determination.

## Background

### Policy and legal context

Section 63 of the Environment Act (1995) sets out the statutory purposes of the National Park as follows:-

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and

- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Park

In accordance with section 62(2) of the Environment, any relevant Authority shall have regard to National Park purposes when performing any functions in relation to, or so as to affect, land in a National Park. Relevant Authorities include public bodies, government departments, local authorities and statutory undertakers.

The Special Qualities of the National Park may be significantly impacted by development proposals on the fringes of the National Park. The Brecon Beacons National Park Management Plan 2015-2020 defines the Special Qualities of the Brecon Beacons National Park as follows:

- A feeling of vitality and healthfulness that comes from enjoying the Park's fresh air, clean water, rural setting, open land and locally produced foods.
- A sense of place and cultural identity - "Welshness" - characterised by the use of the indigenous Welsh language, religious and spiritual connections, unique customs and events, traditional foods and crafts, relatively unspoilt historic towns, villages and family farms. The continued practices of traditional skills developed by local inhabitants to live and earn a living here, such as common land practices and grazing.
- A sense of discovery where people are able to explore the Park's hidden secrets and stories such as genealogical histories, prehistoric ritual sites, medieval rural settlements, early industrial sites, local myths, legends and geological treasures.
- The Park's sweeping grandeur and outstanding natural beauty observed across a variety of harmoniously connected landscapes, including marvellous gorges and waterfalls, classic karst geology with caves and sink holes, contrasting glacial landforms such as cliffs and broad valleys carved from old red sandstone and prominent hilltops with extensive views in all directions.
- A working, living "patchwork" of contrasting patterns, colours, and textures comprising of well-maintained farmed landscapes, open uplands, lakes and meandering rivers punctuated by small-scale woodlands, country lanes, hedgerows, stone walls and scattered settlements.
- Extensive and widespread access to the Park's diversity of wildlife and richness of semi-natural habitats, such as native woodlands, heathland and grassland, natural lakes and riparian habitats, ancient hedgerows, limestone pavement and blanket bogs including those of international and national importance.
- In the context of the UK, geographically rugged, remote and challenging landscapes.



- Enjoyable and accessible countryside with extensive, widespread and varied opportunities to pursue walking, cycling, fishing, water-based activities and other forms of sustainable recreation or relaxation.
- An intimate sense of community where small, pastoral towns and villages are comparatively safe, friendly, welcoming and retain a spirit of cooperation.

Planning Policy Wales (PPW) (Edition 10) acknowledges that statutory purposes of National Parks and references the "Sandford Principle", whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW also recognises that natural heritage issues are not confined by administrative boundaries and that the duty to have regard to National Park purposes applies to activities affecting these areas, whether those activities lie within or in the setting of the designated area.

Planning Application Comments It is understood that the outline planning application is for a building for use as office/reception, storage of grounds maintenance equipment, games room, WC, laundry & kitchen in connection with campsite together with erection of rural enterprise dwelling for manager, formation of vehicular access, landscaping and all associated works. The following drawings are available on-line:

- Existing Site Layout (Drawing: 1437/S/01 Rev C) (shows 5 caravan pitches, 10 tent pitches, 12 log pods and shower block on the site). No hot tubs are shown on the existing plan. Proposed elevations (Drawing: 1437/PLN/002 Rev I) (shows details of the utility building) Proposed site layout/ecology and biodiversity enhancement (Drawing: 1437/PLN/003 Rev I) (shows parameters for the managers cottage as well full details of the reception building)
- Proposed house type & utility barn (Drawing: 1437/PLN/001 Rev I) (shows elevations and footprint of utility building)

The key consideration for the National Park Authority in this instance is the proposal's landscape and visual impact. No viewpoints/photomontages of the proposal from/towards the National Park has been included in the submission. Indeed the application detail does not mention of the proposal's location in relationship to the National Park boundary. On this basis it is not possible to provide you with an informed response. However given the characteristics of the proposal and its close proximity to the National Park Authority boundary the proposal would appear to be visible from a number of points from within the National Park and therefore the proposal may have a landscape and visual impact on the National Park. It is recommended that the Local Planning Authority seek further information from the applicant regarding this matter. This will also inform whether proposed landscaping is sufficient mitigation. We note some information regarding proposed lighting has been submitted, but this is not enough for us to be able to comment on the impact it

may have on the National Park's Dark Skies status. Please consult the National Park Authority should any further information be submitted on these matters. We will leave Powys County Council to consider the acceptability of the principle of development and whether the TAN6 tests are met in this instance.

PCC-Ecologist

26th May 2020

Thank you for consulting me with regards to the additional information submitted in relation to planning application 19/1590/OUT which concerns an outline application for the proposed detached utility building to service existing campsite (for provision of office/reception, secure storage of grounds maintenance machinery, maintenance equipment, indoor games room, WC, Laundry and kitchen at land adjoining 68 Degrees West Glamping Site, Cradoc, Brecon.

The additional information submitted has been provided in response to a request for further information to enable the LPA to assess the potential impacts of the proposed development to biodiversity.

I have reviewed the Phase 1/Preliminary Ecological Appraisal Survey & Great Crested Newt Reasonable Avoidance Measures Report produced by Europaeus Land Management Services dated April 2020. The report details the findings of a phase 1 habitat survey and protected fauna and habitat suitability assessment undertaken during early 2020.

The proposed development site was assessed for its potential to support a number of protected species including bats, nesting birds, badger, reptiles and amphibians.

No signs of protected species were noted during the site survey. The site was assessed as having negligible potential to support protected species however given the potential for mobile species to visit the site a number of precautionary avoidance measures have been outlined in appendix 2 and 3 of the ecology report.

Subject to the identified RAMS measures being implemented it is considered that the proposed development would not result in a negative impact to reptiles and amphibians on the proposed development site. It is therefore recommended that adherence to the submitted scheme is secured through an appropriately worded planning condition.

#### Wildlife Sensitive Lighting Plan

I have reviewed the proposed lighting illustrated on submitted plans. The measures proposed with regards to external lighting at the site are considered to be appropriate and

acceptable to minimise impacts to nocturnal wildlife at the site and in the wider environment and avoid conflicts with the identified mitigation measures.

It is recommended that adherence to the identified external lighting measures is secured through an appropriately worded planning condition.

#### Landscaping Planting Scheme

Drawing number 1437/PLN/003 revision J. illustrates landscape planting. The inclusion of hedgerow and wildflower planting is welcomed as in addition to providing screening hedgerow planting has potential to provide additional benefits for biodiversity in line with the requirements of Part 1 Section 6 of the Environment (Wales) Act 2016.

Whilst landscaping has been illustrated on proposed plans, limited details regarding the planting scheme and aftercare measures have been provided. Therefore it is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes, planting and aftercare schedules for both the embankment planting and proposed attenuation pond. It is therefore recommended that a detailed landscape planting scheme is secured through an appropriately worded condition.

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

The development shall be carried out strictly in accordance with the avoidance measures identified in Phase 1/Preliminary Ecological Appraisal Survey & Great Crested Newt Reasonable Avoidance Measures Report produced by Europaeus Land Management Services dated April 2020. The identified measures shall be adhered to and implemented in full and maintained thereafter.

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

External lighting at the site shall be undertaken strictly in accordance with the details identified drawing number 1437/PLN/003 revision J. The measures identified shall be adhered to and implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP DM2 and DM7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Notwithstanding the details submitted, prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained, with their location, species, size and condition. The development shall be carried out in accordance with the approved details.

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

In addition I recommend the inclusion of the following informative;

#### Protected Species

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: Tel: 0300 065 3000.

## Public Responses

Three third party comments have been received expressing concern about conflict with the LDP, overdevelopment of the site, inadequate public transport, pollution, out of keeping with the area, water supply, impact on the National Park, not in accordance with TAN6 and safeguarding rights of way.

## Planning History

App Ref	Description	Decision	Date
P/2017/0584	Change of Use - Proposed extension to caravan site (to	Consent	06.10.2017

include caravans, tents, log pods, toilet/shower block and parking bays) & improved landscaping

### Principal Planning Constraints

Combined Pipes	pipeline buffer :0
Right of Way	next to site
Mineral Safeguarding Sand_Gravel Cat 2	other sandstone

### Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Community		National Policy
TAN12	Design		National Policy
TAN13	Tourism		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy
DM2	The Natural Environment		Local Development Plan 2011-2026

DM4	Landscape	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
TD1	Tourism Development	Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

### **Officer Appraisal**

#### Site Location and Description

The site is located in the community council area of Honddu Isaf and lies in open countryside as defined by the Powys Local Development Plan. The application site is approximately 540m north east of the settlement of Cradoc and is adjacent to Cradoc Golf Course. It accessed off the C0050 classified road to the north and uses an existing track. The site is a camping/glamping site that is part developed and has provision for caravans, tents and wooden camping pods.

Consent is sought in outline for the erection of a detached utility building to provide storage for maintenance equipment, WC, laundry, kitchen and games room. Matters relating to landscaping have been reserved for later consideration.

### Principle of Development

TAN 6 and TAN 23 set out the broad framework for the development of tourism facilities in a rural area. LDP policy TD1 states 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 complements an 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.

The proposed development is located in the open countryside and therefore must comply with part 2 of policy TD1 of the Powys Local Development Plan. In this instance the proposed development is part of an existing tourist facility and is considered to complement that enterprise.

Third party comments have been received about the development concerning inappropriateness, it being out of character, overdevelopment of the site and lack of public transport. The proposed development however, is related to an existing tourism development/facility that is still developing as the business grows. The development is intended to provide additional accommodation for services related to the business and is therefore considered to be appropriate and in accordance with local and national policy.

In light of the above it is therefore considered that the principle of the proposed development fundamentally complies with relevant planning policy subject to the following:

### Design, Character and Appearance

With respect to design specific reference is made to LDP policy DM13 (criterion 1). This policy indicates that development proposals will only be permitted where the development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.

The proposed building is approximately 12.6m long and 10.4m wide aligned north/south on the site at the eastern end. It is proposed to be a two storey building and will measure 3.9m to the eaves and 7.9m to the ridge of a double pitch roof. The building will be timber clad with some stone and render under a slate roof to reflect the existing shower/toilet building currently on site. It is acknowledged that the proposed building is relatively large compared to the existing building but the space is required to accommodate machinery storage and staff facilities. The building will be prominent on the site but this can be mitigated with appropriate landscaping. To protect the building as a utility building for functional purposes supporting the business and to prevent the inappropriate development of residential development in the open countryside it is recommended that an appropriate condition be attached restricting its use.

In the light of the above and subject to an appropriate condition, it is therefore considered that the proposed development fundamentally complies with relevant planning policy with regards to design, location, integration, scale and setting.

### Highways Safety and Movement

Policies DM13 (Criterion 10) and T1 of the Powys Local Development Plan 2018 requires that all development proposals should meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

The Highway Authority has been consulted and did not wish to comment. The site is located off an existing access and track and the proposed development is for maintenance purposes so will not result in additional traffic movements to and from the site.

In the light of the above it is therefore considered that the proposed development fundamentally complies with policies DM13 and T1.

### Residential Amenity

In considering the amenities enjoyed by the occupiers of neighbouring properties



consideration has been given LDP policy DM13 (criterion 11) to the Powys Residential Design Guide (October 2020).

The proposed development is located on an existing camping site and is adjacent to a golf course. There are no immediate residential neighbours the nearest being to the west some 430m away. It is not anticipated therefore that the development will result in any loss of privacy or overlooking or loss of any other residential amenity.

In the light of the above it is therefore considered that the proposed development fundamentally complies with policy DM13.

### Landscape Impact

Policy DM4 of the Powys Local Development Plan, states that development proposals “must not, individually or cumulatively, have an unacceptable adverse effect, on the valued characteristics and qualities of the Powys landscape.”

With regard to Landmap the site lies within the Ysgir Valley Aspect Area and is described as:

“Gently sloping valleys dominated by pastoral landscape with hedges and deciduous tree belts and copses, occasional conifer blocks are apparent. The valley runs from Mynydd Eppynt to the Usk valley and has a few small settlements and scattered farms. The river has strong riparian vegetation. The area is tranquil and settled and typical of an upland valley landscape, but without dramatic topography or backcloth. The valley topography allows views from various viewpoints particularly down from the valley sides. The area appears well managed although hedgerows in places are deteriorating. The area is without distinctive landmarks with exception of Coed Fenni- fach which is prominent adjacent to the Usk valley in the south.”

It is classified as being of being of moderate visual and sensory value. Other evaluations are:

Geological Landscape – Brecon Usk Valley - moderate  
Landscape Habitats – Honddu Valley – moderate  
Historic Landscape - Pen-y-Crug – not available  
Cultural Landscape – Ysgir Valley- moderate

The moderate visual and sensory classification is noted together with the other classifications. The proposed development however, is on an existing tourist facility site and does not represent brand new development. The ground at the rear of the site rises uphill which will reduce the impact of the new building.

The Brecon Beacons National Park Authority have been consulted on the application and have expressed concern about its impact on the landscape and visual impact from within the National Park. Consideration has been given to this and in particular its position in

respect to the wider Park. A landscaping scheme is in place for the wider site but this has not yet had time to mature. Additional landscaping at the application site would mitigate any impact and it is recommended that a condition be attached to secure an appropriate landscaping scheme.

Subject therefore, to the attachment of an appropriate condition to secure additional landscaping, it is considered that the proposed development broadly accords with policy DM4.

### Biodiversity

With respect to biodiversity, specific reference is made to LDP policy DM2 and the Biodiversity and Geodiversity Supplementary Planning Guidance 2018 (SPG) which seeks to maintain biodiversity and safeguard protected important sites. In addition, under Part 1 Section 6 of the Environment (Wales) Act 2016 Local Authorities are required to maintain and enhance biodiversity through all of its functions – this includes the planning process.

The Ecologist reviewed the proposed plans and identified 188 records of protected and priority species within 500m of the proposed development - no records were for the site itself.

No statutory or non-statutory designated sites were identified within 500m of the proposed development.

The Phase 1/Preliminary Ecological Appraisal Survey & Great Crested Newt Reasonable Avoidance Measures Report was reviewed - no signs of protected species were noted during the site survey. The site was assessed as having negligible potential to support protected species however given the potential for mobile species to visit the site a number of precautionary avoidance measures have been outlined.

Subject to the identified RAMS measures being implemented it is considered that the proposed development would not result in a negative impact to reptiles and amphibians on the proposed development site. It is therefore recommended that adherence to the submitted scheme is secured through an appropriately worded planning condition.

The measures proposed with regards to external lighting at the site are considered to be appropriate and acceptable to minimise impacts to nocturnal wildlife at the site and in the wider environment and avoid conflicts with the identified mitigation measures. It is recommended that adherence to the identified external lighting measures is secured through an appropriately worded planning condition.

With regard to landscaping, whilst landscaping has been illustrated on proposed plans, limited details regarding the planting scheme and aftercare measures have been provided. Therefore it is recommended that details of any landscaping proposed are submitted in a detailed Landscape Planting Scheme including proposed species mixes,

planting and aftercare schedules for both the embankment planting and proposed attenuation pond. It is therefore recommended that a detailed landscape planting scheme is secured through an appropriately worded condition.

In the light of the above, and subject to the attachment of appropriate conditions, it is considered, therefore, that the proposed development complies with policy DM2.

### Safeguarding of Strategic Resources and Assets

Policy SP7 of the Powys LDP seeks to safeguard strategic resources and assets to protect them for the future well-being of the County. This includes mineral resource areas and public rights of Way.

The application site is located within a Category 2 mineral safeguarding area for sand and gravel. It is considered however, that this additional building on the existing tourist site will not result in the permanent sterilisation of the mineral asset or prevent the acquisition of the mineral in this location.

Countryside Services have been consulted on the proximity of footpath 5 which runs adjacent to the site and have no objections to the development subject to the attachment of an appropriate informative that seeks to protect the right of way.

In the light of the above, and subject to the attachment of an appropriate informative, it is considered, therefore, that the proposed development complies with policy SP7.

### **Decision – conditional consent**

In the light of the above, it is considered that the proposed development fundamentally complies with relevant national and local planning policy and the recommendation is one of conditional consent.

### **Conditions**

1. Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall be carried out strictly in accordance with the plans approved on the date of this consent (drawing nos. Application Site Plan, 1437/PLN/001 rev J, 1437/PLN/002 rev J received 20.07.20 and 1437/PLN/003

rev J received 26.05.2020).

5. The development shall be carried out strictly in accordance with the avoidance measures identified in Phase 1/Preliminary Ecological Appraisal Survey & Great Crested Newt Reasonable Avoidance Measures Report produced by Europaeus Land Management Services dated April 2020. The identified measures shall be adhered to and implemented in full and maintained thereafter.
6. External lighting at the site shall be undertaken strictly in accordance with the details identified drawing number 1437/PLN/003 revision J. The measures identified shall be adhered to and implemented in full and maintained thereafter.
7. A detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority at the same time as the matter referred to in condition 1 above. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed together with an implementation and maintenance strategy.. Drawings must include accurate details of any existing trees and hedgerows to be retained, with their location, species, size and condition. The development shall be carried out in accordance with the approved details and maintained thereafter.
8. The development shall be used only for utility purposes relating to the management and maintenance of the camping site known as 68 Degrees West and shall not be used for holiday accommodation or as any person's sole or main place of residence.

## Reasons

1. To enable the Local Planning Authority to exercise proper control over the development in accordance with Section 92 of the Town and Country Planning Act 1990.
2. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
4. To ensure adherence to the plans as approved in the interests of clarity and a satisfactory development.
5. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
6. To comply with Powys County Council's LDP DM2 and DM7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
7. To comply with Powys County Council's LDP Policy DM4 in relation to ecological qualities of the landscape and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
8. To prevent the establishment of permanent dwellings in open countryside

locations in accordance with Powys Local Development Plan policy SP6, Technical Advice Note 6 (2010) and Planning Policy Wales (2018).

## Informatives

### Protected Species

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: Tel: 0300 065 3000.

### Public Rights of Way

The applicant is advised that public footpath 5 runs adjacent to the development and the Service therefore provides the following advice regarding the footpath should the development receive planning permission.

- **Development** over, or illegal interference with, a public right of way, is a criminal offence and enforcement action will be taken against a developer who ignores the presence of affected public rights of way. This includes temporary obstructions such as rubble mounds, building materials, parked vehicles etc.
- **Landscaping & Surfacing** - Advice will need to be sought before interfering or surfacing a public right of way.
- **New fencing or boundaries** – The developer will need to seek a licence for a new structure if intending to create a boundary across a public footpath or bridleway. We cannot authorise a structure across a Restricted Byway or Byway Open to All Traffic.
- **Temporary closures** – The developer can seek a temporary closure of a public right of way from the council if they feel the public may be at risk during development.
- **Legal Diversion** – If development directly affects a public right of way, the developer will need to seek advice and apply for a legal diversion from the Council. No development can take place on a public right of way until a legal order is confirmed and the process may take at least 6 months. For more information please discuss with Countryside Services at the earliest available opportunity.

### Sustainable drainage Approval Body

Having assessed the Planning Application Ref 19/1590/OUT, the SuDS Approval Body (SAB) deem that the construction area is greater than 100m<sup>2</sup> and therefore this proposed development will require SAB approval prior to any construction works commencing onsite.

Please contact the SAB Team on 01597 826000 or via email [sab@powys.gov.uk](mailto:sab@powys.gov.uk)

For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website

<https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>

If for any reason you believe your works are exempt from the requirement for SAB approval, we would be grateful if you would inform us so we can update our records accordingly.

The requirement for to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant un-necessary redesign costs.

Signed...Catherine James  
Senior Planning Officer

Date: 16.07.2020

Signed...H.Wilkinson.....Date: 30/07/2020  
Authorising Officer