



Town and Country Planning Act 1990

Application RAD/2007/0520 for Full Planning Permission

Powys County Council
Engineering Laboratory
Waterloo Road
Llandrindod Wells
Powys

Applicant:

In pursuance of its powers under the above-mentioned Act and Order Powys County Council (hereinafter called "the Council") as local planning authority hereby gives you notice that **FULL PLANNING PERMISSION** is **GRANTED** for the following development, namely:-

PR664300 Full: Change of use of land from 'employment use' to B2 'general industrial' - Recycling Centre and provision of hardstanding to relocate the town public recycling bins
SO 06 SE Site adj. to ATS Depot Waterloo Road Llandrindod Wells

In accordance with the application and plan submitted to the Council on 26/11/2007 subject to the conditions specified hereunder:-

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. Prior to the siting of any recycling containers on the application site, fences, in accordance with the details shown on drawing number H14 received by the Local Planning Authority, shall be erected to a height of two metres above ground level around the curtilage of the site excluding the site entrance to the written approval of the Local Planning Authority. These fences shall be treated in a manner approved in writing by the Local Planning Authority and shall remain in situ in perpetuity.
3. Recycling containers shall only be collected from the site or delivered to the site between the hours of 0800 hours and 1700 hours on weekdays and 0800 hours and 1300 hours on Saturdays. There shall be no collections or deliveries of recycling containers on Sundays.
4. Any entrance gates shall be set back at least 15.00 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway.

5. The gradient of the access shall not exceed 1 in 30 for the first 15.0 metres measured from edge of the adjoining carriageway along the centre line of the access.
6. Within 5 days from the commencement of the development the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 33.0 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway and 10.0 metres distant from the edge of the adjoining carriageway and 10.0 metres in each direction. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction thereafter.
7. Within 5 days from the commencement of the development the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 15 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
8. Prior to the operational use of the recycling facility, provision shall be made within the curtilage of the site for the parking of not less than 1 HGV excluding any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking areas shall be retained thereafter and the turning areas shall be maintained at all times free from obstruction.
9. Within 5 days from the commencement of the development provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.45 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site may park within the site and both enter and leave the site in a forward gear.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. In the interests of visual and residential amenity.

3. In the interests of amenity of nearby residents.

4,5,6,7,8,9

In the interests of highway safety.

Notes

This development will need separate prior approval under the Building Regulations before it may proceed - if you have not already done so please contact Building Regulations tel.no. 01874 622353

Your attention is drawn to the attached Environment Agency Wales Standard Advice Note for Developers.

The date on which this permission is **GRANTED** is 03/04/2008.



Gareth W. Thomas
Head of Planning Services
Pennaeth Gwasanaethau Cynllunio

Notes

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he/she may appeal to the National Assembly in accordance with Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. Appeals must be made on a form obtainable from the Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ. The National Assembly has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The National Assembly is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order. It does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by it.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the National Assembly, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the National Assembly on appeal or on a reference of the application to it. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. Failure to adhere to the details of the approved proposals for development contained in this application or to comply with any conditions or limitations subject to which this permission was granted will constitute a breach of planning control which may result in the local planning authority serving an enforcement notice requiring the breach to be remedied under Section 172 of the Town and Country Planning Act 1990.

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IMPORTANT – Please read carefully the notes below

Failure to comply could make the development hereby permitted unauthorised.

- 1) This consent is granted in strict accordance with the approved plans:
 - a) **ANY VARIATION** from the approved plans after commencement of the development, irrelevant as to the degree of variation, will be constituted as unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform the Case Officer immediately of any proposed variation from the approved plans and you or they will be informed as to the best method to resolve the matter.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond:
 - a) If there is a condition that requires work to be carried out or matters to be approved prior to the commencement of the development this is called a "condition precedent".
 - b) If a "condition precedent" is not complied with, the whole of the development will be unauthorised, you may be liable to enforcement action
 - c) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the breach is the submission of a new application.
 - d) If any other type of condition is breached then you will be liable to a Breach of Condition Notice.