



Planning, Design & Access Statement

Montgomery Canal Restoration – works to facilitate the future navigation of the Montgomery Canal

The construction of a nature reserve on land adjacent to the River Vyrnwy together with associated enabling works including construction access, compound and landscaping

April 2025

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1.0 Introduction

This Planning Statement has been prepared on behalf of Glandŵr Cymru (Canal & River Trust in Wales, hereafter “the Trust”), in support of an application for planning permission for development of the following description:

“The construction of a nature reserve on land adjacent to the River Vyrnwy together with associated enabling works including construction access, compound and landscaping.”

The Trust is working in partnership with Powys County Council to restore the Montgomery Canal after successfully securing funding through the UK Government’s Levelling Up Fund.

This funding package, supports the creation of habitat for *Luronium Natans* away from the main canal channel in order to provide for the potential boat movements associated with the full restoration and connection to the main canal network. The first of these new habitats to be delivered through the LUF funding is an offline reserve at Wern for which planning permission has been granted.

The Montgomery Canal is home to a significant population of *Luronium*, a protected species of floating aquatic plant, which led to the designation of the length of the canal as a SSSI and the section within Wales as a SAC. In order to facilitate the restoration of the Canal and accommodate an associated increase in boat movements, an objective supported by all members of the Montgomery Canal Partnership, it is necessary to incorporate measures to protect *Luronium* into the restoration project. The provision of offline reserves provides additional habitat to support a sustainable restoration which preserves the key biodiversity features of the canal. The principles for the restoration are set out in the Montgomery Canal: Conservation Management Strategy (2005, updated 2016) which was produced by the Montgomery Canal Partnership which includes Powys County Council.

The Vyrnwy reserve is different to that at Wern and others already provided along the canal, in that it is not connected to the canal, but forms part of a river restoration project. It provides a more natural habitat, restoring the river environment and is the first of its type along the canal.

2.0 Application Documents

The following documents comprise the present application. These documents have been compiled with reference to the national validation requirements published by the Welsh Government and the pre-planning application advice received from Powys Council (Reference 23/0104/PRE, dated 30 June 2023).

- Application Form and Ownership Certificate
- Planning Statement (this document)
- Red Line Boundary, Reference 10048826-ARC-EWE-R1-DR-CE-00301 Rev P01 (Arcadis, dated 20/12/2024)
- General Arrangement, Reference DR-2023-0212 Rev 2 (Dynamic Rivers, dated 14/02/2025)
- Bunds General Arrangement, Reference 10048826-ARC-EWE-R1-DR-CE-00302 Rev P01 (Arcadis, dated 17/03/2025)
- Bund A General Arrangement, Reference 10048826-ARC-EWE-R1-DR-CE-00303 Rev P01 (Arcadis, dated 17/03/2025)
- Bund B General Arrangement, Reference 10048826-ARC-EWE-R1-DR-CE-00304 Rev P01 (Arcadis, dated 17/03/2025)
- Bund A Sections 1 of 2, Reference 10048826-ARC-EWE-R1-DR-CE-00305 Rev P01 (Arcadis, dated 17/03/2025)
- Bund A Sections 2 of 2, Reference 10048826-ARC-EWE-R1-DR-CE-00306 Rev P01 (Arcadis, dated 17/03/2025)
- Bund B Sections, Reference 10048826-ARC-EWE-R1-DR-CE-00307 Rev P01 (Arcadis, dated 17/03/2025)
- Drawings as follows (Dynamic Rivers):
 - Sheet 1 – Overview Map Rev 3 (dated 14/02/2025)
 - Sheet 2 – Levels Map Rev 3 dated 14/02/2025
 - Sheet 3 – Services Map Rev 2 dated 14/02/2025
 - Sheet 4 – Vegetated Island and Overall Backwater Rev 2 dated 14/02/2025
 - Sheet 5 – Backwater Channel Design Rev 2 dated 27/11
 - Sheet 6 – Backwater Channel Design Rev 1 dated 27/11
 - Sheet 7 – Chute Channel Design Rev 3 dated 14/02/2025
 - Sheet 8 – Ditch Infill 1 Sections Rev 1 dated 14/02/2025
- Archaeology & Heritage Assessment (Border Archaeology, November 2023)
- Archaeological Desk Based Assessment (Border Archaeology, February 2024 updated December 2024)
- Ecological Impact Assessment (Habitat Works, April 2025)
- PEA report (Habitat Works), dated October 2023
- Update Preliminary Ecological Appraisal (Habitat Works, March 2025)

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- Bat Activity Surveys (Habitat Works, March 2025)
- Further Protected Species Surveys (Habitat Works, March 2025)
- Toolbox Talks & Biosecurity Rias Assessment (CRT)
- Shadow Habitat Regulations Assessment (Penny Anderson Associates, March 2025)
- Transport Statement, Reference 10048826-ARC-XXX-XX-TR-TP-00005 Rev P03 (Arcadis, March 2025)
- Outline Method Statement (Dynamic Rivers, dated 27/12/2024)
- Landscape and Visual Assessment (FPCR)
- Green Infrastructure Plan (FPCR)
- Flood Consequences Assessment including surface water drainage information (Dynamic Rivers)
- Construction Environmental Management Plan (CRT)
- Construction Traffic management Plan (CRT)
- Green Infrastructure Statement (FPCR)
- Biodiversity Net Benefits Report (FPCR)
- Drainage Strategy Report (Arcadis)
- Arboricultural Impact Assessment & Method Statement (Ecus)

3.0 Site Description

The Site comprises approximately 14.5 ha of agricultural land located between the River Vyrnwy (to the north) and the Montgomery Canal (to the south). The land is currently in agricultural use, laid to pasture.

The nearest property is Pentreheylin Farm is located immediately to the East of the Montgomery Canal with access from the B4398 across bridge 98. A second access over bridge 97 connects the land around Pentreheylin Farm to the B4398, although this is a less well used route and not the main access point. The farm comprises a large main residential property with a range of barns and outbuildings associated with the property.

The Montgomery canal is on an embankment along most of this stretch from the Vyrnwy aqueduct to the North. The land falls away sharply from the canal in an easterly direction and then levels out to the flood plain towards the river Vyrnwy. There is evidence of historic earthworks in the form of ridge and furrow, but also part of the historic occupation of Pentreheylin Farm in the form of a raised area to the East of the current group of buildings.

The canal towpath is a public right of way, carrying the Offas Dyke Path, a long distance route, through the area. There are no public rights of way in the application site. The towpath is separated from the land to the East by a mix of hedgerow and trees, which provide filtering of views across the site. The river Vyrnwy also has extensive vegetation and trees along its banks.

The site itself contains scattered trees and groups, often related to historic field boundaries. One larger group occupies an area towards the southern part of the site.

One building is found on the site. A modern portal frame agricultural building occupies a position immediately to the South of the small woodland, towards the South Eastern part of the site.

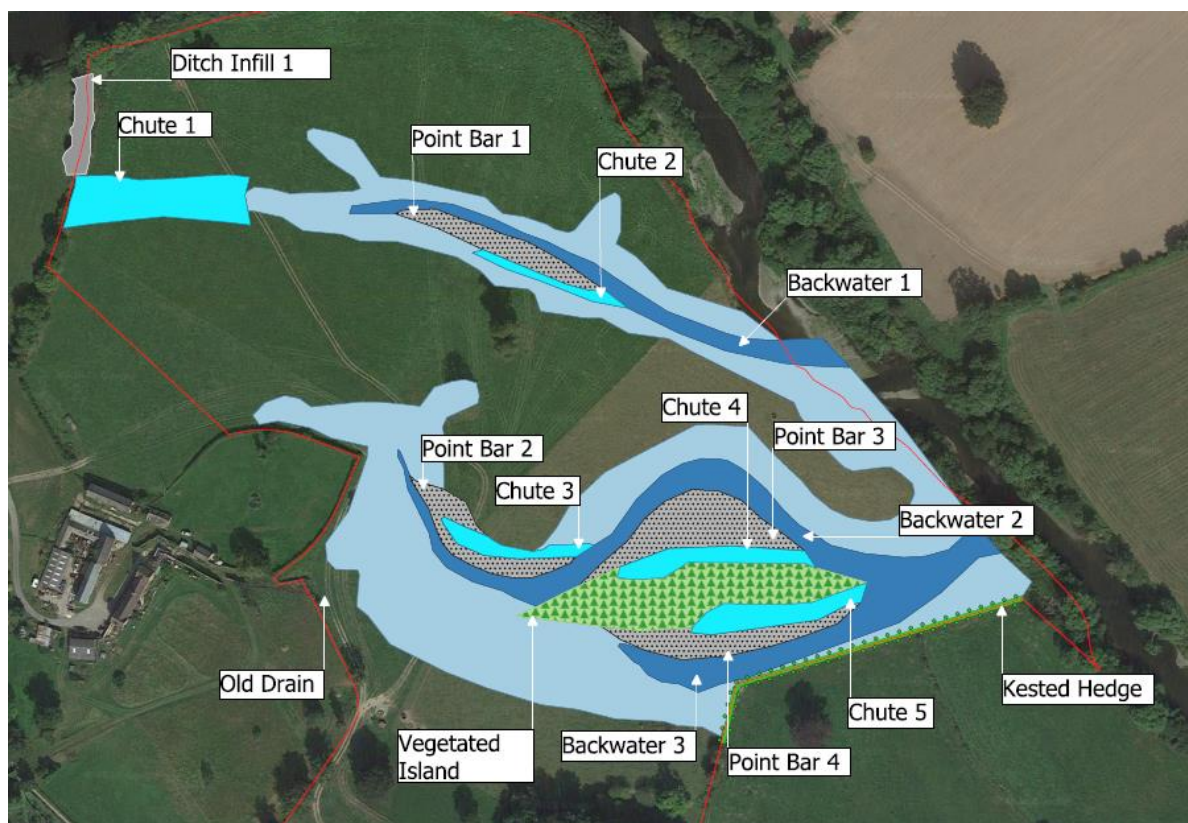
The land to the South West rises steeply beyond the B4398 to an area of high ground, which looks out over the application site and beyond.

4.0 The Proposal

The proposed development comprises the construction of a nature reserve to provide a sustainable, long-term freshwater habitat with favourable conditions to support rare and protected submerged aquatic plant species, primarily *Luronium natans* (also known as floating water-plantain), as well as marginal wetland plants and associated invertebrates.

The proposals comprise the following:

- Excavation of two backwater features, with the southern feature having two backwater branches.
- Within the backwater channels, creation of bar features with chute channels, and a vegetated island within the southern feature.
- Partial infilling of an existing ditch at the western boundary, so that water flow is pushed east into the floodplain and into the backwater features
- Planting of a kested hedge along the north-eastern Site boundary, providing a benefit to terrestrial ecology. The raised ground associated with the kested hedge holds some flow on the Vyrnwy site during flood flows and prevents this from passing downstream onto adjacent land.
- Some of the arisings from excavations will be used to form landscaped bunds and to provide additional stability to the canal embankment in the southern portion of the Site, outside of the floodplain.



The total area of new habitat available will be approximately 4ha. Water depth in the northern backwater ranges between 0.7m to 1m at this flow magnitude and the southern backwater would be inundated to between 0.35m to 0.8m depth.

The proposed solution would provide various wet and semi-wet areas, that will continue to evolve post-construction following sequences of erosion and deposition as well as vegetation establishment across the features.

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The land is currently of relatively low ecological value due to it comprising largely improved grassland. The creation of a dynamic system connected to the River Vyrnwy provides an opportunity to provide habitat for *Luronium natans* but also to deliver far wider habitat enhancements, recreating a wetland system connected to the river, replacing the relatively ecologically sterile grassland.

Rather than providing a large, open water body, the need for intensive management to prevent ecological succession is greatly reduced. The graded water depths allow for the establishment of the emergent fringe on the periphery, without it becoming dominant across the whole reserve as siltation increases over time. This creates a sustainable, long-term freshwater habitat in which favourable conditions exist for rare and protected submerged aquatic species, alongside a biodiverse assemblage of emergent fringe and associated invertebrate species.

Construction access

The works area will be accessed via Parson's Lane off the A483, with temporary site compounds, parking and storage on land within the Site.

5.0 Relevant Planning History

The most relevant planning history relates to screening under the EIA Regulations (currently pending consideration) for the development proposed as part of the immediate application.

There is also a recent consent for an agricultural building within the red line boundary of the immediate application. While that building is within the red line, it is fully compatible with the proposed development.

Reference	Address	Description	Status
25/0141/SO	Land Adjacent Montgomery Canal NE Of Pentreheylin Hall Newbridge Llanymynech Powys	Screening Opinion under EIA regulations for construction of a nature reserve together with associated enabling works including construction access, compound and landscaping	Pending consideration
P/2017/0800	Land Formerly Of Pentreheylin Hall Four Crosses Llanymynech Powys SY22 6PG	Full: Erection of an agricultural building and all associated works	Approved 27 Sep 2017
DIS/2017/0069	Land At Llys Rhysnant Llandysilio Llanymynech Powys SY22 6RA	Application to discharge planning condition no's 5,12,13 & 16 attached to planning permission P/2016/0088 (details of access to towpath: details of lighting; species protection methods during construction and biosecurity risk assessment)	Approved 3 May 2017
P/2016/0088	Land At Llys Rhysnant Llandysilio Llanymynech Powys SY22 6RA	Construction of sewage treatment works (to replace existing) comprising 3 facultative ponds and all associated infrastructure, access road, landscaping and 1.8m security fencing	Approved 4 May 2016

6.0 Relevant Planning Policy

The Planning and Compulsory Purchase Act 2004 Section 38(6) provides that applications for planning permission must be made in accordance with the development plan, unless material considerations indicate

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otherwise. *The Town and Country Planning Act 1990 Section 70 (2)* provides that in dealing with an application for planning permission, the authority shall have regard to the provisions of the development plan so far as material to the application, and any other material considerations.

The development plan for Monmouthshire comprises the following documents:

- Future Wales: The National Plan 2040 (February 2021)
- Powys Local Development Plan (“LDP”) (2011-2026)
- Local Development Plan Policies Map

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It has development plan status and is the highest tier of development plan. Strategic and Local Development Plans are required to be in conformity with Future Wales and must be kept up to date to ensure they and Future Wales work together effectively. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

The Powys Local Development Plan (2011-2026) was adopted by Powys County Council on the 17th of April 2018. The adopted LDP supersedes and replaces the earlier Powys Unitary Development Plan (2001-2016).

Material Considerations include the following:

- Planning Policy Wales (Edition 12, February 2024)
- Relevant Technical Advice Notes (TANs), which supplement Planning Policy Wales

Planning Policy Wales sets out the land use planning policies of the Welsh Government, and is supplemented by a series of Technical Advice Notes (TAN), Welsh Government Circulars, and policy clarification letters. Together, these documents comprise the national planning policy framework for Wales.

Principle of Development

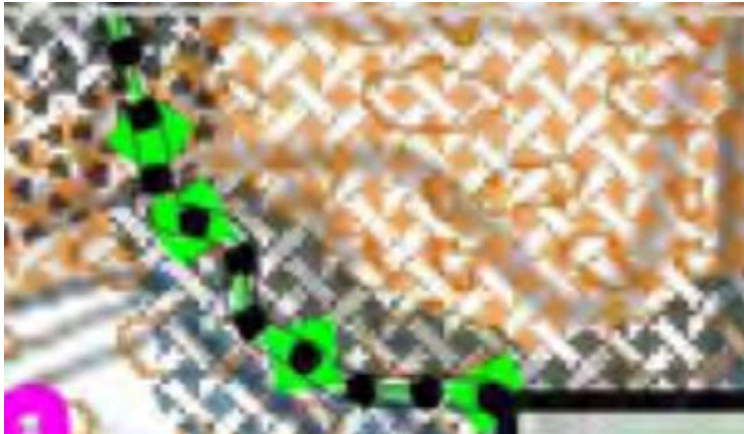


Figure 1 - Excerpt from the Powys Local Development Plan Proposals Map (Map Pr 02) showing the approximate location of the site. The black hatched line denotes the Montgomery Canal (Policy TD3), the green diamond hatched line denotes the Offa's Dyke Path National Trail (Policy SP7) which follows the canal towpath here, the blue hatching denotes a Sand and Gravel Category 1 Resource Safeguarding Area (Policies SP7, DM8) and the orange hatching denotes a Sand and Gravel Category 2 Resource Safeguarding Area (Policies SP7, DM8).

TD3 – Montgomery Canal and Associated Development

The proposed development forms part of the restoration of the Montgomery Canal and the principles of the provision of new habitat for the *Luronium* population which was first proposed in the Montgomery Canal: Conservation Management Strategy (2005, updated 2016) which sets out the principles for the restoration of the canal. This document was produced by the Montgomery Canal Partnership which includes as members the Trust, Powys County Council, and other key stakeholders.

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Powys Local Development Plan Policy TD3 (Montgomery Canal and Associated Development) provides that development proposals that support the restoration of the Montgomery Canal and preserve and enhance the role of the canal as a multifunctional resource will be supported.

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Natural environment

Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets)

DM2 – The Natural Environment

Special Area of Conservation / Site of Special Scientific Interest

The Montgomery Canal is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The canal is designated as a SAC/SSSI for its unique aquatic plant life, in particular floating water-plantain (*Luronium natans*).

LDP Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets) identifies “Land designated at international, European and/or national level for environmental protection” as a strategic resource/asset in Powys. SP7 provides that development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

LDP Policy DM2 (The Natural Environment) provides that development proposals which would impact on designated natural assets will only be permitted where they do not unacceptably adversely affect the asset. European sites (including SACs) are afforded the highest levels of protection.

In relation to SACs, Policy DM2 provides that “*Development proposals likely to have a significant effect on a European site, when considered alone or in combination with other proposals or plans, will only be permitted where it can be demonstrated that:*

- a) The proposal is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purposes; or*
- b) The proposal will not adversely affect the integrity of the site.”.*

In relation to SSSIs, Policy DM2 provides that development proposals likely to have an adverse effect on the conservation value of nationally protected sites (including SSSIs) will only be permitted in specific circumstances.

Protected species

The proposals do not directly connect to the SAC/SSSI and it is consequently unlikely that any elements of the work will impact these. The Trust has undertaken extensive ecological survey work to identify any potential impacts and the application is also supported by a shadow HRA which set out the likely environmental effects of the proposals.

The application is supported by a Preliminary Ecological Appraisal Report, Bat Activity Survey report and Further Protected Species survey report. In addition a series of toolbox talk documents, CEMP and biosecurity risk assessment are included, which provide protection during the construction phase of the development. The planning assessment section of this report addresses the results of these surveys and specific impacts of the development on protected species.

Net Benefit for Biodiversity and the step-wise approach

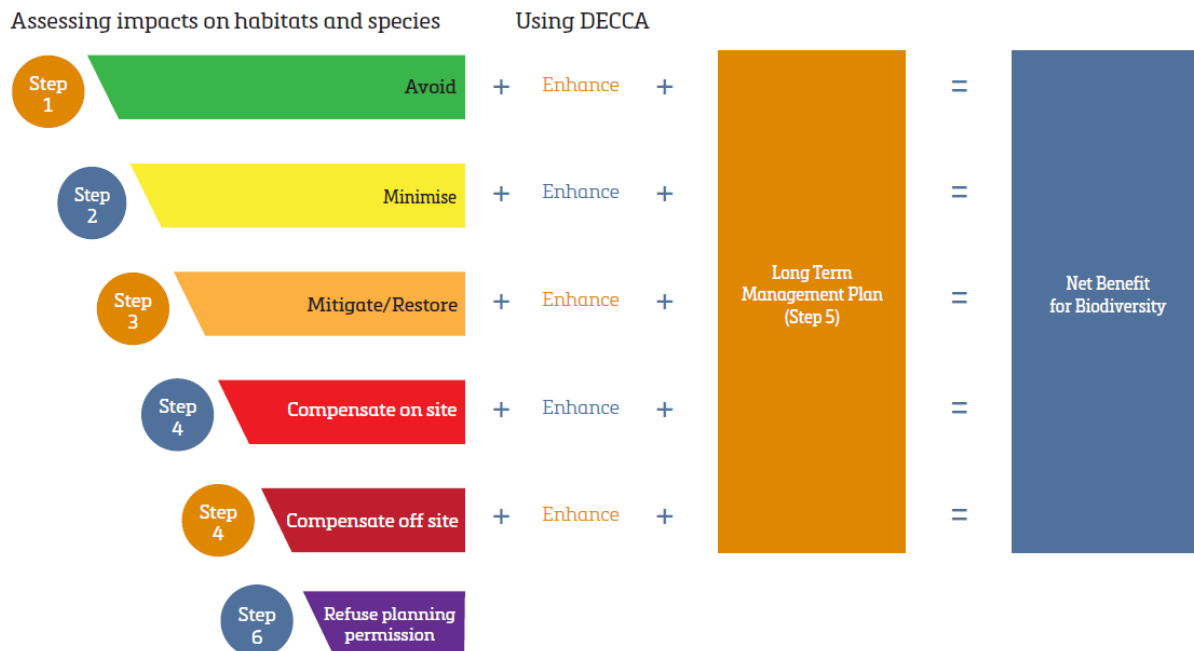
The Environment (Wales) Act 2016 places a duty (the Section 6 Duty) on public authorities to “...*maintain and enhance biodiversity in the exercise of functions... and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.*”.

Planning Policy Wales provides that “...*development should not cause any significant loss of habitats or populations of species... and it must provide a net benefit for biodiversity...*” (Paragraph 6.4.5).

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PPW defines net benefit for biodiversity as the concept that “...development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site.” (Paragraph 6.4.5). The biodiversity benefit delivered must be “...over and above that required to mitigate or compensate for any negative impact.” (Paragraph 6.4.11).

The step-wise approach is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity.



The biodiversity net benefit assessment which accompanies the planning application demonstrates that the development will provide a positive enhancement to biodiversity of the application site.

The proposals will create a diverse range of habitats on the Site, which will likely benefit a range of protected species. The Site will also be managed in the long-term for the purpose of wildlife conservation, and therefore provide valuable habitats for the foreseeable future. This is a river restoration development which will provide significant environmental benefits in addition to the provision of additional habitat for *Luronium*.

External Lighting

LDP Policy DM7 (Dark Skies and External Lighting) provides that development proposals involving external lighting will only be permitted when a lighting scheme has been provided that demonstrates that the lighting will not cause unacceptable levels of light pollution, adverse effects on the visibility of the night sky, a nuisance or hazard to highways users and local residents, or an unacceptable disturbance to protected species.

No external lighting is proposed during the operational phase of development and Policy DM7 is therefore not engaged by the proposals.

Trees, hedgerows and woodlands

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DM2 – The Natural Environment

DM4 – Landscape

The proposed pond will require the removal of some trees and hedgerows. LDP Policies DM2 and DM4 are therefore engaged.

LDP Policy DM2 (The Natural Environment) provides that development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value.

Policy DM4 (Landscape) provides that proposals which are likely to have a significant impact on the landscape and/or visual amenity will require a Landscape and Visual Impact Assessment to be undertaken. The application is supported by an LVA which examines potential visual impacts of the proposals.

PPW states that “Where trees, woodland and hedgerows are present, their retention, protection and integration should be identified within planning applications.” (Paragraph 6.4.40).

“Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits.” (Paragraph 6.4.42).

The removal of trees is essential to deliver the objectives of the canal restoration and associated public benefits and with the proposed new planting, the development will provide a substantial enhancement in tree cover and biodiversity across the site.

Flooding and Drainage

Policy DM5 – Development and Flood Risk

Policy DM6 – Flood Prevention Measures and Land Drainage

The development site is located within Flood Zone 3 for flooding from rivers and the sea, and small parts of the site are also within Flood Zones 2 and 3 for flooding from surface water and small watercourses. Development Plan policies relating to flood risk and drainage are therefore engaged.

LDP Policy DM5 (Development and Flood Risk) provides that development proposals must be located away from tidal or fluvial flood plains “unless it can be demonstrated that the site is justified in line with national guidance and an appropriate detailed technical assessment has been undertaken to ensure that the development is designed to reduce / avoid the threat and alleviate the consequences of flooding over its lifetime.”.

Policy DM6 (Flood Prevention Measures and Land Drainage) provides that proposals “In areas at risk of flooding... opportunities to improve existing flood risk by using Sustainable Drainage Systems (SuDS), wetlands or other agreed and appropriate measures are investigated and implemented wherever possible.”.

Policy DM6 further provides that proposals within a floodplain must identify and implement “Opportunities to make space for water by undertaking restoration and enhancement as part of the development...”.

The proposed development will create wetland habitat within an area at high risk of flooding, and will create additional water storage capacity. It is therefore considered that the proposals are in accordance with Policies DM5 and DM6.

Pre-application advice has also been sought from NRW and additional clarification has been provided within the submission to address the comments which were received.

The construction area associated with the proposed development is greater than 100 m², and therefore SAB approval will be required prior to any construction works commencing onsite.

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Landscape and visual impact

Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets)

DM4 – Landscape

The site lies within National Landscape Character Area (NLCA) 17 'Montgomeryshire Hills and Vales' and is within Landscape Character Area (LCA) 8 'Severn Farmlands'. Due to the size of the site area and the nature of the proposed development, policies relating to landscape and visual impact are engaged.

Powys Local Development Plan Strategic Policy SP7 ([Safeguarding of Strategic Resources and Assets](#)) identifies *"The valued characteristics and qualities of the landscape throughout Powys"* as a strategic resource/asset in Powys. SP7 provides that development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

The site is located outside of any settlement in the open countryside as shown on the policies map accompanying the Powys Local Development Plan (2011-2026). LDP Policy DM4 ([Landscape](#)) provides that proposals for new development outside of settlements must not have an unacceptable adverse impact on the valued characteristics and qualities of the Powys landscape.

The application is supported by an LVA which examines potential visual impacts of the proposals.

Historic environment

The proposed development is not located within a Conservation Area, and there are no listed buildings within the development site or immediately adjacent. However, there are a number of designated heritage assets nearby, the settings of which may be affected by the proposed development. Development plan policies on the historic environment are therefore engaged.

Powys Local Development Plan Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets) identifies *"Historic environment designations, including Conservation Areas and their settings"* as a strategic resource/asset in Powys. SP7 provides that development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

Planning Policy Wales provides that *"there should be a general presumption in favour of the preservation or enhancement of a listed building and its setting..."* (Paragraph 6.1.10).

Technical Advice Note 24 – The Historic Environment – was published in May 2017. It sets out the following six Conservation Principles, which should be used to assess the potential impacts of a development proposal on the significance of any historic asset:

1. Historic assets will be managed to sustain their values.
2. Understanding the significance of historic assets is vital.
3. The historic environment is a shared resource.
4. Everyone will be able to participate in sustaining the historic environment.
5. Decisions about change must be reasonable, transparent and consistent.
6. Documenting and learning from decisions is essential.

Highways

T1 – Travel, Traffic and Transport Infrastructure

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The proposed development does not involve any permanent alteration to the public highway and the pond does not provide parking or facilities for public access.

Powys Local Development Plan Policy T1 (Travel, Traffic and Transport Infrastructure) provides that proposals should incorporate safe and efficient flow of traffic for all transport users, and manage any impacts to the network and the local environment to acceptable levels.

A Transport Statement is submitted which sets out predicted trip generation during the construction and operational phases of the proposed development.

Design

DM13 – Design and Resources

LDP Policy DM13 (Design and Resources) provides that “*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.*”

Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- 1. 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.*
- 2. The development contributes towards the preservation of local distinctiveness and sense of place.*
- 3. Any development within or affecting the setting and/or significant views into and out of a Conservation Area has been designed in accordance with any relevant adopted Conservation Area Character Appraisals and Conservation Area Management Plans, or any other relevant detailed assessment or guidance adopted by the Council.*
- 4. The development does not have an unacceptable adverse impact on existing and established tourism assets and attractions.*
- 5. The layout of development creates attractive, safe places, supporting community safety and crime prevention.*
- ...*
- 7. It is inclusive to all, making full provision for people with disabilities.*
- 8. It incorporates adequate amenity land, together with appropriate landscaping and planting.*
- 9. The public rights of way network or other recreation assets listed in Policy SP7 (3) are enhanced and integrated within the layout of the development proposal; or appropriate mitigation measures are put in place where necessary.*
- 10. The development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.*

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.

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11. 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.

...”.

Planning Policy Wales provides that “*Good design is fundamental to creating sustainable places where people want to live, work and socialise.*” (Paragraph 3.3).

Technical Advice Note 12 – Design – was published in March 2016. It provides that design can promote sustainable means of travel by maximising:

- safe and clear connections
- the potential to cycle, walk and use public transport safely, and reducing the reliance on the car
- the connection to the existing transport infrastructure by integrating development with existing footpaths, cycle ways and public and private transport infrastructure
- the integration of different transport types whilst minimising the adverse effects on the network
- the ease of movement to, from and within the development for sustainable forms of transport by creating a safe and attractive environment
- the provision of on site facilities for sustainable forms of transport.

Public rights of way

SP7 – Safeguarding of Strategic Resources and Assets

The Offa’s Dyke Path follows the Montgomery Canal towpath to the south of the site, and then runs along Parson’s Lane to the east.

LDP Strategic Policy SP7 ([Safeguarding of Strategic Resources and Assets](#)) identifies “Recreational assets, including National trails and the PRoW network” as a strategic resource/asset in Powys. SP7 provides that development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

Planning Policy Wales Paragraph 5.5.5 provides that

“Long-distance routes, rights of way, disused railways, waterways and other green infrastructure are important tourism and recreation facilities, both in their own right and as a means of linking attractions.”

Mineral Safeguarding

Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets)

DM8 – Mineral Safeguarding

The site falls within Mineral Safeguarding Areas for Sand and Gravel, and therefore relevant LDP policies are engaged.

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Powys Local Development Plan Strategic Policy SP7 (Safeguarding of Strategic Resources and Assets) identifies “Mineral Resource Areas” as a strategic resource/asset in Powys. SP7 provides that development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

Policy DM8 (Mineral Safeguarding) provides that non-mineral development proposals within Mineral Safeguarding Areas will only be permitted where it can be demonstrated that:

1. The mineral resource is not of potential future value; or
2. The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or
3. The mineral can be extracted satisfactorily prior to the incompatible development taking place; or
4. Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or
5. There is an over-riding need in the public interest for the development; or
6. The development is householder development and / or of a very minor nature such as extensions to existing dwellings, and associated development within the curtilage of the property.

Planning Policy Wales states that “It is important that access to mineral resources... is safeguarded in order to prevent sterilisation by other forms of permanent development.” (Paragraph 5.14.7).

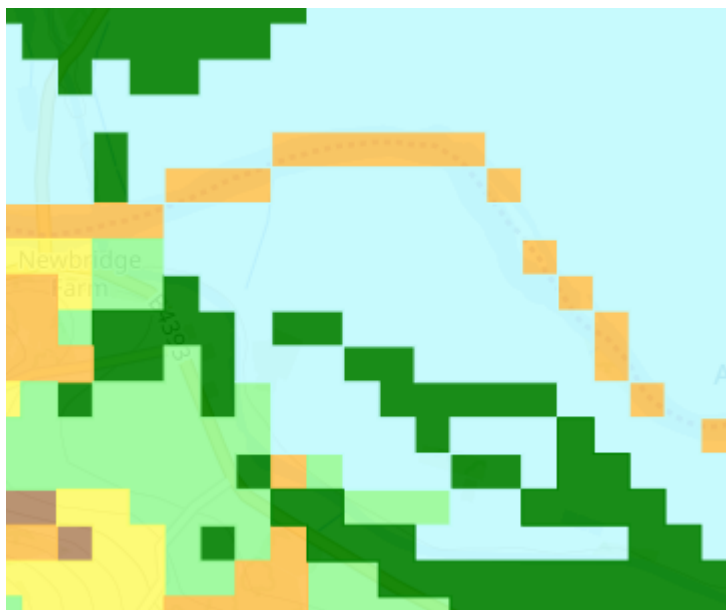
Agricultural land classification

PPW states that “*Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)*¹⁶ is the best and most versatile, and should be conserved as a finite resource for the future.” (Paragraph 3.58).

TAN6 Sustainable Rural Communities notes that the best and most versatile agricultural land falls into grades 1, 2 and sub-grade 3a and is the most flexible, productive and efficient in response to inputs (Paragraph 6.2.3).

TAN6 also notes that the Agricultural Land Classification map for Wales is produced for use in strategic planning and provides only a generalised indication of the distribution of land quality – it is not suitable for evaluating individual sites (Paragraph 6.2.4).

The majority of the application site is classified as grade 2 agricultural land, with small parts being classified as grade 3a.



Vyrnwy offline pond

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Waste

LDP Policy DM15 (Waste within Developments) provides that development proposals shall demonstrate how the production of waste will be minimised and how waste materials will be managed in a sustainable way in accordance with the waste hierarchy.

Green Infrastructure Statement

Planning Policy Wales defines green infrastructure as “the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places” (Paragraph 6.2.1). The Green Infrastructure Supplementary Planning Guidance (adopted April 2015) states that canals and their banks are green corridors, an example of a green infrastructure asset.

Planning Policy Wales provides that “A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal.” (Paragraph 6.2.12). It is further stated that “The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.”.

Paragraph 6.2.14 provides that “Development proposals should be informed by the priorities identified in green infrastructure assessments and locally based planning guidance.”. Where there is no green infrastructure assessment available, it is suggested that “The Building with Nature standards represent good practice and are an effective prompt for developers to improve the quality of their schemes and demonstrate the sustainable management of natural resources.”.

The Building with Nature standards define a benchmark of good green infrastructure and how to deliver it. The standards also help to reduce planning risk by ensuring development is aligned with current and emerging policy themes for climate change, nature recovery and people’s well-being.

7.0 Planning Assessment

Principle of Development

The proposed development forms part of the restoration of the Montgomery Canal and was first proposed in the Montgomery Canal: Conservation Management Strategy (2005, updated 2016) which sets out the principles for its restoration. This document was produced by the Montgomery Canal Partnership which includes as members the Trust, Powys County Council, and other key stakeholders.

Policy TD3 of the adopted Local Plan provides strong in principle support for proposals which assist with the restoration of the Canal. The creation of offline ponds forms an integral element of the restoration project as set out in the management strategy document.

The reserve at Vyrnwy will comprises excavations to create two backwater features on the River Vyrnwy. Rather than providing a large, open water body, the need for intensive management to prevent ecological succession is greatly reduced. The graded water depths allow for the establishment of the emergent fringe on the periphery, without it becoming dominant across the whole reserve as siltation increases over time. This creates a sustainable, long-term freshwater habitat in which favourable conditions exist for rare and protected submerged aquatic species, alongside a biodiverse assemblage of emergent fringe and associated invertebrate species.

The creation of the nature reserve at Vyrnwy forms part of the provision of additional habitat for *Luronium natans* which is the key species in the designation of the canal as a Special Area of Conservation (SAC) in Wales. Given the development relates directly to the restoration project as set out in the management strategy, there is strong in-principle support for the works in accordance with policy TD3 of the Local Plan. The works will also deliver far wider benefits to the natural environment, providing for a river restoration project, creating a natural wetland land floodplain habitat on an area currently laid to grassland.

Natural environment

The Montgomery Canal is designated as a Site of Special Scientific Interest (SSSI) and a SAC. The canal is designated as a SAC/SSSI for its unique aquatic plant life, in particular floating water-plantain (*Luronium natans*). These designations place significant constraints on any development which may impact on them and the Trust has been mindful of the need to protect the ecology of the canal as part of the project. The application site falls outside of these designations and the reserve not connected to the canal channel. There will therefore be no direct impacts on these designations and species which the canal contains subject to appropriate protocols during construction activities to prevent any potential negative impacts on the adjacent waterway.

The delivery of the restoration project provides for the proper management of the canal. The current position will change over time if restoration is not delivered, with emergent vegetation gradually increasing in dominance, outcompeting sensitive species such as *L. natans*. The wider restoration will therefore have a positive effect on the condition of the SAC and SSSI, and canal in the future. The Trust fully recognises the sensitivity of the canal and the need to protect its biodiversity. Detailed ecological assessments have been undertaken of the reserve site but also the canal itself in order to ensure that impacts are fully understood and avoided or mitigated as necessary. The reserve site at Wern has been shown not to contain any sensitive ecological habitats and that good construction practices will protect the adjacent SAC and SSSI.

The dredging works which have been taking place as part of the LUF project have been important in the management of the canal and in preserving the ecosystems and species within it. Without dredging, species such as *Luronium* would be out-competed by other species and would eventually be lost from the canal. Whilst not part of this planning application, the dredging works demonstrate the Trust's commitment to managing the canal to ensure the protection of its biodiversity and protected species.

Protected species

The application is supported by an Ecological Impact Assessment which has been informed by a Preliminary Ecological Appraisal Report (PEAR), Bat Activity Survey report and Further Protected Species survey report.

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The following have been included in the scope of assessment for the proposals:

- Amphibians;
- Badgers;
- Bats;
- Birds;
- Invertebrates;
- Reptiles;
- Riparian Mammals and White-clawed Crayfish.

As recommended in the PEAR, further surveys were undertaken in relation to the following species:

- Bats
- Barn Owls
- Kingfisher
- Reptiles
- Riparian Mammals (otter and water vole).

The EclA states that Great Crested Newt are considered absent from the site and would not be impacted by the proposals. The presence of common amphibians on the site cannot be ruled out, and so it is recommended that best practice measures are implemented during the proposed works.

The EclA states that the main works fall outside the potential area of disturbance for the active main badger sett. It is recommended that an updated badger walkover survey is undertaken within three months of the beginning of the programme of works to ensure there are no newly created setts that would be directly impacted by the proposals. The EclA finds that the proposed development will enhance the site for badgers, with the proposed areas of meadow and hedgerow increasing the site's suitability for foraging, commuting and sett building.

The site is considered to have moderate suitability for foraging and commuting bats, being situated between two major commuting corridors in the local area – the River Vyrnwy and the Montgomery Canal. The site has two mature trees that have suitability for roosting bats – these features will be retained throughout the works. The creation of backwater ponds is considered to represent an improvement in the foraging value of the site to bats, which will likely see an increase in invertebrates associated with the central areas of the site.

The creation of the reserve will benefit local bird populations, with the created waterbodies, hedgerows and vegetated islands creating a variety of habitats that do not currently exist on the Site. This will create a range of new nesting and foraging habitats.

The partial loss of grassland is not considered likely to impact any notable populations of invertebrates. The creation of the ponds will provide additional aquatic habitats, creating a range of habitats and ecological niches that will likely lead to an increase in the number of species and the populations of invertebrates on the site.

As the site habitats are considered unlikely to support more than individual reptiles, the loss of habitats is considered unlikely to impact reptiles at greater than the site level. Recommendations are made for Best Practice Measures.

Otters are not considered to be resident on the site, however they have the potential to disperse onto areas of the site. It is recommended that Best Practice Measures are implemented to offer protection for otters.

In assessing any potential impacts on protected species and the natural environment more broadly, the CEMP, biosecurity risk assessment and toolbox talks set out the method of protecting the habitats and species during

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construction. Following establishment of the reserved, the scheme will provide very significant positive benefits in terms of habitat creation.

Invasive Species

The submitted PEAR identifies an abundance of Himalayan Balsam along the northern edge of the site. The report recommends that this species is removed from the zone of influence prior to any works taking place to prevent further spreading. This will form part of the project delivery, providing an additional benefit of the scheme.

Special Area of Conservation

The Montgomery Canal is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The canal is designated as a SAC/SSSI for its unique aquatic plant life, in particular floating water-plantain (*Luronium natans*).

A Shadow Habitats Regulations Assessment prepared by Penny Anderson Associates accompanies the planning application. The report finds that the development is not anticipated to have any direct effect on the SAC as it falls outside of the site boundary, but there is potential for indirect effects due to proximity to development. It is anticipated that the development would result in likely significant effects on the Montgomery Canal SAC, and the need for an Appropriate Assessment is triggered. These will be managed as set out in the CEMP, biosecurity risk assessment and toolbox talks.

The Appropriate Assessment finds that there are no indirect pollution risks in relation to the SAC because the works will take place below the crest level of the canal embankment, with no direct pathway from the works to the canal.

Himalayan Balsam is recorded within the site, and mitigation measures will be required to avoid the accidental spread of Himalayan Balsam into the SAC during the works.

Overall, with mitigation measures in place, the shadow HRA concludes that the development will not result in any adverse effects on the integrity of the qualifying feature of the Montgomery Canal SAC. Furthermore, it is anticipated that the development will increase the availability of suitable open water habitat for colonisation and spread of spread of *Luronium natans* as part of the wider LUF Montgomery Canal restoration project.

The proposed development is therefore in accordance with Policy DM2 in relation to European Sites.

Net Benefit for Biodiversity

The land is currently of relatively low ecological value due to it comprising largely improved grassland. The creation of a dynamic system connected to the River Vyrnwy provides an opportunity to provide habitat for *Luronium natans* but also to deliver far wider habitat enhancements, recreating a wetland system connected to the river, replacing the relatively ecologically sterile grassland.

As discussed above, the proposed development would also provide new habitats for badgers, birds and invertebrates.

The proposals would therefore provide substantial Biodiversity enhancements associated with a river restoration scheme. In considering the proposals therefore significant additional weight must be applied to the benefits which will be delivered in addition to support for the restoration of the canal.

Flooding

The site is shown to be located within Flood Zone C2 (an area without significant flood defence infrastructure, Figure 1.2) on the Development Advice Map and Defended Flood Zone 2 and 3 (Medium and High Probability, Figure 1.3) on the NRW Flood Map for Planning, therefore a FCA is required to support the proposed restoration works. The Flood Consequences Assessment which accompanies the planning submission provides a detailed assessment of the impact the proposals will have on flood risk.

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The development is essentially split into two parts. Firstly, the creation of the wetland habitat within the low lying areas which are identified as being at risk of flooding. The second is the deposit of material arising from the excavation works on the area of higher ground on the southern part of the site, adjacent to the Montgomery Canal. The retention of material on site provides structural benefits to the canal embankment as well as reducing the amount of waste generated and requiring disposal offsite. The approach provides for significant sustainability benefits. The material will be located fully outside of any areas at risk of flooding and will not therefore impact flood storage and fully accords with relevant local policies and national guidance on the matter.

Careful attention has been paid to the works within the areas which are recognised as being at risk of flooding. There are clear policies relating to development in such locations. The project seeks to provide a natural restoration of the land adjacent to the River Vyrnwy. It is recognised that this represents an unusual scheme, in proposing the restoration of the river environment, through intervention into the land adjoining the river. It is however important to recognise that the interventions are limited to increasing flood storage, through the creation of new and expanded areas available for flood water to be accommodated. The project will see the creation of high quality new habitat which has been lost along the river, substantially boosting biodiversity, particularly that lined to the river and wetland areas. The project will provide far greater benefits than simply a habitat for *Luronium*.

The works required will increase flood storage and will not impede flows or impact the way the river flows through the area. The detailed design undertaken by Dynamic Rivers and supported by the Flood Consequences Assessment demonstrate the level of detail which has supported the design process. The proposals clearly represent water compatible development with no mitigation required to make the scheme resilient to future flooding as public access is not provided as part of the proposals.

The proposals represent flood plain restoration and involve a net export of material from the site and as a consequence the proposals will not adversely impact flood risk elsewhere. The modelling work which supports the development provides technical confirmation that the works proposed would not impact flood risk elsewhere. This work has been updated and further details added following comments received from Natural Resources Wales (NRW) following pre application engagement.

The proposals as designed fully accord with the requirements set out in policies DM5 and DM6 of the development plan and the up to date national guidance of TAN 15. The development will provide a positive enhancement of the flood plain with no adverse flood risk consequences.

Landscape and visual impact

A Landscape and Visual Appraisal (LVA) report is submitted, which sets out the assessment undertaken of the likely landscape and visual effects of the proposed development. This assessment The LVA concludes that the proposed wetland reserve could be successfully accommodated within the local landscape and the landscape proposals would result in some limited and localised beneficial effects once complete and the landscaping established

The LVA demonstrates that the proposals represent an appropriate and sensitive addition to the area, which will not harm the local landscape or that of local receptors. It is evident from the evidence presented that the proposed new reserve and associated landscape works will have a very limited impact on the wider environment. The proposed development is therefore considered to be in accordance with LDP Strategic Policy SP7, Policy DM4 and with the aims of Planning Policy Wales in relation to Landscape.

Historic environment

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The submitted archaeological desk-based assessment concludes that there is moderate potential for encountering evidence of prehistoric, medieval and post-medieval activity on the site. There is low potential for encountering archaeological features associated with Romano-British activity. The overall archaeological potential of the site is therefore assessed as moderate, and it is recommended that a programme of site investigation and recording should be undertaken to determine the extent, depth and significance of any buried archaeological features and deposits within the site.

In considering the steps necessary to address the archaeological potential of the site, it is firstly necessary to recognise that the majority of the site is not impacted by any development works, and that the excavations are focused on a relatively limited area. Any investigations should therefore be focused around the areas of development and also archaeological potential. The Trust accepts that some form further investigation and possibly mitigation will be necessary. Further investigations are ongoing in order to look to determine more clearly the archaeological potential of the site and to provide greater focus to any intrusive investigation which may be necessary.

In progressing this matter, it is important to fully recognise the relevant legislative and policy position on the issue of archaeological potential, and the need for further work to be proportionate and reasonable based on the potential identified. The Trust is committed to ongoing discussion with Heneb over the matter in order to reach agreement on the scale and timing of further works. Additional work is ongoing with a Geophysical survey of the site being undertaken which will assist in focusing any areas of archaeological potential. The scope of any further work can be addressed through a suitably worded condition attached to a planning permission, although the Trust is hopeful to progress the details further, in advance of a decision.

The development site falls outside any heritage designations and contains no listed buildings. The submitted Archaeology & Heritage Assessment notes a small number of listed buildings outside of the development site, the significance of which could be affected by the proposed development. The impact of the proposals on the Grade-II* Listed 'Aqueduct carrying Montgomeryshire Canal over River Vyrnwy' is assessed as negligible, the proposed reserve being visible in the distance from the canal towpath as it crosses the aqueduct. The impact on the Grade-II Listed Bridge 98 and Pentryheylin Bridge (No. 97) is also assessed as negligible, the proposed reserve being visible in the distance by anyone using the bridges to cross the canal.

The proposed development will result in a localised landscape change from boggy meadow to wetland reserve, with some bund features being created from the excavated material. No buildings or structures are proposed. The physical changes will be minimal, and the general riverine/rural nature of the landscape will not change.

The proposed development is therefore considered to be in accordance with LDP Strategic Policy SP7 and with the aims of Planning Policy Wales in relation to protecting the historic environment.

Highways

A Transport Statement is submitted which sets out the character of the existing local highway network, before undertaking an assessment of the impact of the proposed development during both construction and operational phases.

Operation

The proposed development will not create an accessible public nature reserve. The scheme includes no public parking. There will be provision of a path from the towpath onto the landscape bunds in order to provide the opportunity for the public to gain views across the site. There will be no parking or other facilities provided and the paths provide an extension to the towpath and not wider access across the site to the river.

During the operational phase of development, there would be only a very limited increase in traffic through occasional maintenance vehicles requiring access. The operation of the site would therefore have a negligible impact on the local highway network.

Construction

The construction process will require significant earth movement. The scheme has been designed to retain as much material on site as possible and utilise this as part of the landscaping scheme. This will therefore reduce large vehicle movements as far as possible.

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During the construction phase of development, there would be approximately 80 additional vehicles movements per days (40 arrivals and 40 departures). Compared with current daily traffic flows on the A483, this would result in a temporary uplift in 0.8% vehicles per day on the local road network.

It is proposed that construction access is taken via a temporary access track from Parson's Lane (just off the A483). The access track would be approximately 675 metres long and would partly use an existing farm track. A Construction Traffic Management Plan accompanies the planning submission, which provides further details of how the construction activities will be managed to ensure they are compatible with the site context and safety of road users.

Overall, proposed development will generate no residual transport related impacts on the local highway network and surrounding area for both construction and operational activities. The proposals therefore fully accord with policy T1 of the Local Plan.

Design

The proposed development involves the excavation of two backwater features, a vegetated island, and planting of a kested hedge. Some of the arisings from excavations will be used to form landscaped bunds and to provide additional stability to the canal embankment.

This allows approximately 50% of the excavated material to be retained on site, which significantly reduces the number of lorry movements associated with the development and also the need for material to travel further afield either to landfill or for reuse, significantly enhancing the sustainability of the development proposed.

The proposed works will create an attractive addition to the landscape, which will significantly enhance the biodiversity of the site. The completed development will assimilate quickly into the rural landscape within which it is located.

The proposed development has been carefully designed with substantial landscaping to sit comfortably within its rural setting and complies fully with the requirements of policy DM13 of the Local Plan.

Public rights of way

The submitted Transport Statement sets out (at section 3.5) the public rights of way in the vicinity of the proposed development.

The Offa's Dyke Path follows the Montgomery Canal towpath to the south of the site, and then runs along Parson's Lane to the east. Another Public Footpath connects to Offa's Dyke to the east of the development site.

Construction access will be taken along Parson's Lane, and it is envisaged that banks people will need to escort pedestrians along this section of the Offa's Dyke Path, at times during the construction works to ensure safety of users of the route. The scheme has been developed to keep the footpath open throughout the works and avoid the need for temporary closure or diversion for the public. The potential conflict between construction vehicles and the public can be satisfactorily managed

The proposed development would not have any permanent impact on long distance paths or rights of way, and would therefore be in accordance with local plan Policy SP7.

Mineral Safeguarding

The site falls within Mineral Safeguarding Areas for Sand and Gravel, and therefore relevant LDP policies are engaged.

The proposed development has a relatively small footprint in the context of the size of the Mineral Safeguarding Areas and would result in no material impact on the ability of minerals to be worked from the area in the future and there is no conflict therefore with the principles of local plan Policies SP7 and DM8. Furthermore, the land is required in connection with the restoration of the canal. The restoration is a long-term project which is supported by policy TD3 in the development plan. The restoration of the Montgomery Canal is being progressed through a partnership which includes Powys County Council, Shropshire Council,

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Montgomery Canal Society and the Canal & River Trust. It is a significant strategic project which aims to deliver significant economic benefits through recreation and tourism associated with the canal. There are clearly significant public benefits associated with its delivery and as such the relevant exception to mineral safeguarding is met (Policy DM8 (5)).

Agricultural land classification

National planning policy in Wales seeks to preserve the best agricultural land as a finite resource. According to the Agricultural Land Classification predictive map¹, the development site mostly occupies land identified as grade 2 and is therefore good quality agricultural land. Small parts of the site are identified as grade 3a, being good to moderate quality agricultural land.

The works will leave the majority of the site unaffected by the proposals and therefore potentially available for continued agricultural use going forward. The areas of wetland creation will remove areas from potential agricultural use, although the flood risk to the land does already impact this potential. Any reduction in the availability of agricultural land and potential conflict with policies which seek to protect this resource must be weighed the planning balance against the benefits of the proposals in terms of supporting the restoration of the Montgomery Canal and also providing flood plain reinstatement and biodiversity enhancements across the site. These very significant benefits associated with the scheme are considered to substantially outweigh any negative impacts of a reduction in agricultural land

Waste

LDP Policy DM15 (Waste within Developments) provides that development proposals shall demonstrate how the production of waste will be minimised and how waste materials will be managed in a sustainable way in accordance with the waste hierarchy.

Approximately 50% of material excavated to form the pond will be retained on site as part of the landscaping scheme. The design seeks to minimise waste generation and in particular the need to transport excavated material offsite for disposal. Incorporating excavated material into the extensive landscaped areas, supports biodiversity enhancement and habitat creation and substantially reduces the transport and disposal impacts of taking material offsite and is fully in accordance with policy DM15.

Green Infrastructure Statement

The development provides for substantial new planting across the site. The number of new specimens planted is substantially in excess of any which need to be removed to facilitate the development. The landscaping scheme which accompanies the application, fully details the planting which is proposed. Significant care has been taken to create a finished scheme which provides for increased tree and hedgerow cover and supports the creation of new habitats and biodiversity enhancements.

The proposals provide far wider benefits than the provision of additional habitat to support *Luronium*. The project is a flood plain restoration scheme which will deliver substantial habitat and biodiversity enhancements and fully accords with the requirements of green infrastructure provision.

¹ Available at <https://www.gov.wales/agricultural-land-classification-predictive-map>, accessed 14 April 2025.

8.0 Conclusion

The restoration of the Montgomery Canal is a long-term project in which Powys Council is a Partner, alongside Shropshire Council, Montgomery Canal Restoration Society and the Canal & River Trust. The principle of restoring the Montgomery Canal is supported in policy by Powys LDP Policy TD3 (Montgomery Canal and Associated Development). The creation of reserves along the length of the canal to provide additional habitat for *Luronium* for a key element of the of the Canal Conservation management Strategy which has been agreed by partners to the restoration project. The creation of the pond at Vyrnwy delivers additional habitat which the strategy seeks to provide and forms part of the wider delivery of the canal restoration project. It is therefore fully supported by policy TD3 of the Local Plan.

The Trust has taken great care to ensure that the application proposals are supported by detailed technical information to demonstrate compliance with the relevant local and national planning policies. The most important of these are the ecological surveys and assessments which accompany this submission. These include reports and surveys for protected species, ECIA, HRA, Green Infrastructure Statement, Biodiversity Net Benefit Assessment and AIA. The potential impact on the natural environment has been thoroughly assessed. It has been demonstrated in this Planning Statement and accompanying documents that the proposed development would not have a negative effect on the SAC or SSSI, in accordance with Policy DM2.

The proposals provide the potential to deliver far wider benefits in terms of habitat creation and biodiversity enhancement through a flood plain restoration project. The current site is not particularly biodiversity diverse and the proposals will allow the creation of extensive wetland habitat, to support *Luronium*, but also more general wetland habitat. Careful design and implementation can avoid impact on other species or habitats and the proposals provide a very substantial positive benefit to biodiversity of the area overall.

The proposal have no long term impacts on vehicle movements, with only limited maintenance access required to the site. Temporary construction access is required from A483 along Parsons Lane. The Transport Statement and CTMP set out the principles of how construction traffic will be managed safely. Particularly at the access off the trunk road and also how the public right of way affected can be kept safely open during the construction works.

The landscape assessment which accompanies the application demonstrates the very local impact of the proposals and that there would be no harm caused to the wider landscape beyond the immediate site. The new pond together with the substantial new planting which is proposed will a positive addition to the area, particularly when this becomes established. The proposed development is therefore considered to be in accordance with LDP Strategic Policy SP7, Policy DM4 and with the aims of Planning Policy Wales in relation to Landscape.

The proposed development has no impact on any listed buildings or other above ground historic features and is considered to be in accordance with LDP Strategic Policy SP7 and with the aims of Planning Policy Wales in relation to protecting the historic environment. There is archaeological potential identified for the site and the Trust is currently undertaking further work to focus any potential investigations. The potential does not impact the delivery of the project but will require agreement on the scale and timing of any further investigations. The Trust is continuing to liaise with Heneb over this matter.

The proposals provide for the flood plain restoration which will not have any reduction in flood water storage on the site or increase flood risk elsewhere. The proposals are supported by detailed technical assessment of flood risk and water flows which support the design. There are no flood risks associated with the development and a detailed design of a drainage system, utilising SUDs principles accompanies the application. The approach is considered to be fully in accord with policies DM5 and DM6.

Overall, this is a positive proposal which seeks to deliver a scheme supports the restoration of the Montgomery Canal. In accordance with policy TD3. The pond and associated landscaping will provide substantial opportunities for habitat creation and biodiversity enhancement and will form a positive feature in the area. The potential impacts have been fully assessed and no harm identified which cannot be suitably mitigated. The proposed development is fully in accordance with relevant policies within the development plan.