

## Planning, Taxi Licensing and Rights of Way Committee Report

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|---------------------------|---|--------------------|---|
| <b>Application No:</b>    | DIS/2018/0068   | <b>Grid Ref:</b>   | 309310.69 306336.61                         |
| <b>Community Council:</b> | Llanfair Caereinion   | <b>Valid Date:</b> | <b>Officer:</b><br>05/04/2018 Sara Robinson |
| <b>Applicant:</b>         | S M & G D Jones, Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU |                    |   |
| <b>Location:</b>          | Land at Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU          |                    |   |
| <b>Proposal:</b>          | Discharge of conditions no's 5, 19 & 22 of planning consent P/2017/1071             |                    |   |
| <b>Application Type:</b>  | Application for Approval of Details Reserved by Condition.                          |                    |   |

### The reason for Committee determination

The applicant is a County Councillor

### Site Location and Description

The application site is located within an area of open countryside, approximately 0.5 miles from the settlement of Llanfair Caereinion. The proposed unit would be located to the south-east of the existing buildings on the farm and is bound by agricultural land to the north, east, south and west.

This application is for the discharge of conditions 5, 19 & 22 of planning permission P/2017/1071 for the Erection of a poultry unit, silos, formation of vehicular access and roadway together with all associated works.

Condition 5 states;

*“Prior to any other works commencing on the development site, detailed engineering drawings for a widening and visibility improvement along the Class II B4385 and Class III C2130 and associated works as shown on drawing number RPP/GD-JOB40-03 Rev A, shall be submitted to and approved in writing by the Local Planning Authority.”*

Condition 19 states;

*“Prior to any works being commenced on the development site the applicant shall construct one passing bay, in a location to be agreed in writing by the Local Planning Authority. The passing bay shall be constructed up to adoptable standard prior to any works being commenced on the development site.”*

Condition 22 states;

*“Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

## **Consultee Response**

### PCC Highways

With the recent submission of the amended specification for the highway works, I can now confirm that the conditions can now be discharged.

### PCC Ecology

Thank you for consulting me with regards to application DIS/2018/0066 submitted to discharge condition no. 22 of planning approval P/2017/1071 in relation to the Erection of a poultry unit, silos, formation of vehicular access and roadway together with associated works Land at Rhiwhiriaeth Isal Llanfair Caereinion Welshpool.

Condition 22 requires that:

*Prior to the commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.*

I have reviewed the information the information submitted by the applicant to discharge these conditions which consists of:

- Planning Statement – Discharge of Conditions produced by Roger Parry & Partners LLP which provides details regarding tree and hedgerow protection in relation to the approved development.

Having reviewed the information submitted I consider that sufficient detail has been provided and the measures identified and the information submitted is appropriate and sufficient to comply with the requirements of condition 22.

I therefore consider that sufficient information has been submitted to enable discharge of condition no. 22 of planning consent P/2017/1071.

## **Planning History**

P/2017/1071 – Full: Erection of a poultry unit, silos, formation of vehicular access and roadway together with all associated works - Conditional Consent

## **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

## **Officer Appraisal**

### Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### PCC – Highways

The Local Highway Authority has been consulted regarding the application and noted the details submitted with this discharge of condition application are considered acceptable and meet with the Highway Authority specification and standards.

### PCC Ecology

The PCC Ecologist has been consulted regarding the discharge of condition 22 of planning permission P/2017/1071 and has reviewed the information submitted by the applicant to discharge the condition which consists of:

- Tree and Hedgerow Protection Plan

The Ecologist reviewed the information submitted and considered that sufficient detail has been provided and the measures identified and the information submitted is appropriate and sufficient to comply with the requirements of condition 22.

It is therefore considered that sufficient information has been submitted to enable the discharge of condition 22 of planning consent P/2017/1071.

## **RECOMMENDATION**

In light of the above, it is therefore considered that sufficient information has been submitted to enable the discharge of the relevant parts of condition 5, 19 & 22 of planning consent P/2017/1071.