Planning, Taxi Licensing and Rights of Way Committee Report

Community Llangurig Valid Date: Officer:

Council: 04/01/2017 Gemma Bufton

Applicant: Mr Radford, Bryn Blaen, Wind Farm Limited.

Location: Blaen y Glyn, Llangurig, Llanidloes, Powys, SY18 6SL.

Proposal: Discharge of conditions 9,33,39,41,42,43,44,45,46,47,48,49,50,51,56 &

60 of planning approval P/2014/1102.

Application

Type:

Application for Approval of Details Reserved by Condition.

The reason for Committee determination

This report forms an update to the previous report circulated to Members.

Consultee Response

PCC Ecologist

Further consultation response received 24/04/2017

Just to provide clarity with regards to the information submitted to discharge Condition 47 of planning permission P/2016/1102.

Having reviewed the information submitted regarding this condition I have advised that sufficient information has been submitted to enable the condition to be discharged.

Condition 47 Requires that -

No development shall commence until a two year Pre-Construction Curlew Survey has taken place.

The information submitted provided the results of 1 years' worth of survey for curlew undertaken in 2016 – whilst this does not strictly comply with the requirements of the wording of the condition the purpose of the surveys is to establish whether curlew breed at a site. The first year of survey effort confirmed that the site is used by curlew for breeding and an appropriate mitigation strategy has been identified and submitted to discharge condition 48.

Additional monitoring has been identified as being planned during 2017 to inform the implementation of the requirements set out in condition 49 – where an 800 metre buffer will be implemented from any identified curlew nests preventing construction activities during the breeding season until chicks have fledged or breeding has failed.

Whilst the information submitted does not strictly comply with the wording of the planning condition is considered that given curlew were confirmed as breeding during the first year of survey effort the need for a second year of survey to be completed before development could commence is somewhat unnecessary – 2 years of completed survey would be required if the applicant wished to demonstrate that there was no curlew breeding attempts on the site.

The confirmation and identification of locations of breeding attempts by curlew at the site during the survey completed so far combined with the detailed monitoring and mitigation strategy that has been identified as well as the requirements of condition 49 are considered to be appropriate and sufficient to protect breeding curlew and their breeding efforts during the construction of the windfarm

Recommendation

This updated report should be read in conjunction with the previous report. It is considered that sufficient information has therefore been submitted to discharge conditions 9, 33, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 56 & 60 of planning consent P/2014/1102.

Environmental information has been taken into consideration when determining this application (DIS/2016/0258).

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