

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: DIS/2017/0014 **Grid Ref:** 312839.86 238465.66

Community Council: Bronllys **Valid Date:** 27/01/2017 **Officer:** Gemma Bufton

Applicant: Powys County Council

Location: Archdeacon Griffiths Primary School, Llyswen, Brecon, Powys, LD3 0YB.

Proposal: Discharge of condition 4,5,6,14,15 & 20 of planning approval P/2016/0801.

Application Type: Application for Approval of Details Reserved by Condition.

The reason for Committee determination

The applicant is Powys County Council.

Site Location and Description

Planning consent was granted under planning application P/2016/0801 for the demolition of existing primary school and construction of a new primary school and all associated works at Archdeacon Griffiths Primary School, Llyswen.

Consent is now sought for the discharge of conditions 4, 5, 6, 14, 15 & 20 as attached to planning consent P/2016/0801. The Conditions state as follows:

Condition 4

Prior to the commencement of development a drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the first use of the development.

Condition 5

Prior to the commencement of development details of a grease trap to be fitted to prevent any grease entering the public sewerage system shall be submitted to and approved in writing by the Local Planning Authority. Development thereafter must be completed in full accordance with the details as approved

Condition 6

Prior to the commencement of development a Construction Method Statement and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The schemes should include details on the control of noise and dust during the demolition, landscaping and construction phases. Development thereafter shall be completed in full accordance with the details as approved.

Condition 14

Prior to the commencement of development, a detailed Hedgerow translocation method statement, Hedgerow Protection and Management Plan and Lighting Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Condition 15

The Pollution Prevention Plan, by Wilmot Dixon (V.1) shall be implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Condition 20

Prior to the commencement of any works on site a Construction Management Plan shall be submitted and approved in writing by the local planning authority. Development thereafter must be completed in full accordance with the details as approved.

Consultee Responses

National Resources Wales-

Condition 15 was listed amongst the conditions for which the discharge application has been made, hence my comments. If it does not require discharge, then we have no additional comments to make at this stage.

Powys Ecologist-

Thank you for consulting me with regards to the information submitted to discharge conditions 6, 14, 15 of planning approval P/2016/0801 at Archdeacon Griffiths Primary School, Llyswen, Brecon, Powys.

Condition 6 Requires that –

Prior to the commencement of development a Construction Method Statement and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The schemes should include details on the control of noise and dust during the demolition, landscaping and construction phases. Development thereafter shall be completed in full accordance with the details as approved.

Condition 14 Requires that –

Prior to the commencement of development, a detailed Hedgerow translocation method statement, Hedgerow Protection and Management Plan and Lighting Plan shall be submitted

to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

I have reviewed the information submitted by the applicant to discharge this condition which consists of:

- Hedgerow Translocation Method of Works, Protection and Management Strategy produced by Willmott Dixon
- Project Environment Plan – Full – For Medium – Very High Risk Projects by Willmott Dixon Document Reference GP-FM-EM-220 dated 18/05/2016

Having reviewed the information submitted with regards to these conditions I consider that the information submitted is sufficient and appropriate to comply with the ecology requirements of the condition.

I therefore consider that sufficient information has been submitted to enable discharge of condition 6, 14, of planning permission P/2016/0801

Condition 15 Requires that –

The Pollution Prevention Plan, by Wilmot Dixon (V.1) shall be implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

As this condition requires the implementation of the approved Pollution Prevention Plan during the construction of the development and as construction has not yet started at the site I would suggest that it is not appropriate to discharge this condition at this time

Land Drainage-

Having looked at the information provided by the applicant, the Land Drainage Section are happy that the condition can be discharged.

Principal Planning Policies

National Planning Policy

Planning Policy Wales (Edition 8, 2016)
Technical Advice Note 5: Nature, Conservation and Planning (2009)
Technical Advice Note 11: Noise (1997)
Technical Advice Note 12: Design (2016)
Technical Advice Note 15: Development and Flood Risk (2004)
Technical Advice Note 16: Sport, Recreation and Open Space (2009)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 23: Economic Development (2014)

Local Planning Policies

SP2- Strategic Settlement Hierarchy
SP3- Natural, Historic and Built Heritage
SP9- Local Community Services and Facilities

GP1 - Development Control
GP3- Design and Energy Conservation
GP4- Highway and Parking Requirements
ENV2- Safeguarding the Landscape
ENV3- Safeguarding Biodiversity and Natural Habitats
ENV4- Internationally Important Sites
ENV5- Nationally Important Sites
ENV6- Sites of Regional and Local Importance
ENV7- Protected Species
ENV14- Listed Buildings
ENV16-Landscapes, Parks and Gardens of Special Historic Interest
ENV17- Ancient Monuments and Archaeological Sites
CS4- Shared Use of Educational Premises for Community Purposes
CS5- Educational Developments
RL6 - Rights of Way and Access to the Countryside
DC1 - Access by Disabled Persons
DC10- Mains Sewage Treatment
DC13- Surface Water Drainage
DC14- Flood Prevention Measures
DC15- Development on Unstable or Contaminated Land
TR2-Tourist Attractions and Development Areas

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

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.

Discharge of Conditions

Condition 6, 14 and 15

The above conditions relate to the submission of a hedgerow translocation plan and the submission of Construction Method Statement and Environmental Management Plan.

The Powys Ecologist and Natural Resources Wales have been consulted and have confirmed that they have no objections to the discharging of conditions 6 and 14 based on the information as submitted. Both consultees however noted that Condition 15 is for compliance purposes only and therefore does not require to be formerly discharged.

Condition 4 and 5

The above conditions relate to the submission of drainage details. The Land Drainage team have been consulted and have confirmed that they have no objections to the discharging of the conditions.

Condition 20

The above condition relates to the submission of a Construction Management Plan. The Highway Authority were consulted and their comments are expected shortly. An update report addressing this issue will hopefully be provide prior to the Committee meeting date.

RECOMMENDATION

In light of the above it is therefore considered that conditions 4, 5, 6, 14 &15 can now be appropriately discharged.

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