

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

**Application No:** DIS/2018/0005

**Grid Ref:** 323589.04  
307013.7

**Community Council:** Welshpool

**Valid Date:** 08/01/2018  
**Officer:** Luke Jones

**Applicant:** Powys County Council

**Location:** Leighton Arches Gypsy and Traveller Site, Leighton Road, Welshpool, Powys, SY21 8FJ

**Proposal:** Discharge of conditions no. 6, 8, 9, 10, 11 & 12 of planning approval P/2016/1240

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

### The reason for Committee determination

As the applicant is Powys County Council

### Site Location and Description

The application site is located within the community council area of Welshpool. The application site is located to the south eastern edge of Welshpool and is accessed off the B4381. The application site is known as Leighton Arches (formerly the Withy Beds) and currently accommodates 12 caravans for use by the Gypsy and Traveller community.

The application is for the discharge of conditions no. 6, 8, 9, 10, 11 & 12 of planning approval P/2016/1240 at Leighton Arches Gypsy and Traveller Site, Leighton Road, Welshpool, Powys.

Condition 6 requires that:

*“No development shall commence until a scheme for the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before any pitches are occupied.”*

Condition 8 requires that:

*“Prior to commencement of development, a detailed Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

Condition 9 requires that:

*“Prior to commencement of development, a detailed Japanese Knotweed Control Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

Condition 10 requires that:

*“A lighting design scheme to take any impacts on nocturnal wildlife into consideration (particularly the hedgerows at the site boundaries) shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

Condition 11 requires that:

*“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.”*

Condition 12 requires that:

*“Prior to commencement of development a Pollution Prevention Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

## **Consultee Response**

### PCC Ecology

Thank you for consulting me with regards to application DIS/2018/0005 submitted to discharge conditions no. 8, 9, 10, 11 & 12 of planning approval P/2016/1240 at Leighton Arches Gypsy and Traveller Site, Leighton Road, Welshpool, Powys.

Condition 8 requires that:

*Prior to commencement of development, a detailed Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.*

Condition 9 requires that:

*Prior to commencement of development, a detailed Japanese Knotweed Control Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.*

Condition 10 requires that:

*A lighting design scheme to take any impacts on nocturnal wildlife into consideration (particularly the hedgerows at the site boundaries) shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.*

Condition 11 requires that:

*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.*

Condition 12 requires that

*“Prior to commencement of development a Pollution Prevention Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.”*

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

- Japanese Knotweed Control Plan
- Biodiversity Enhancement Plan
- Pollution Prevention Plan
- Lighting Design and Tree and Hedgerow Protection Plan

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 conditions 8, 9, 10, 11 & 12.

I therefore consider that sufficient information has been submitted to enable discharge of conditions 8, 9, 10, 11 & 12 of planning consent P/2016/1240.

#### Land Drainage

The submitted surface water drainage comments/details are deemed acceptable. I would recommend that Condition 6 can be discharged.

#### **Planning History**

P/2010/0718 - Erection of 5 semi-detached replacement amenity buildings, construction of 10 replacement caravan pitches, formation of a new vehicular access, together with construction of hardstanding for the provision of parking /turning areas & associated works, Conditional Consent

P/2016/1240 - Extension to existing gypsy and traveller site to incorporate two additional pitches, an amenity building and parking together with the relocation of an existing field access, Conditional Consent

#### **Principal Planning Constraints**

Flood Zone  
B58 Public Right of Way  
B4381 County Highway

#### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

## **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 Ecology

The PCC Ecologist has been consulted regarding the discharge of conditions 8, 9, 10, 11 and 12 of planning permission P/2016/1240.

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 conditions 8, 9, 10, 11 & 12.

It is therefore considered that sufficient information has been submitted to enable discharge of conditions 8, 9, 10, 11 & 12 of planning consent P/2016/1240.

### PCC Land Drainage

The PCC Land Drainage officer has been consulted regarding the discharge of condition 6 and noted the submitted surface water drainage comments/details are deemed acceptable and is therefore recommended that Condition 6 is discharged.

It is therefore considered that sufficient detail has been submitted to enable the discharge of condition 6 of planning permission P/2016/1240.

## **RECOMMENDATION**

It is considered that sufficient information has been submitted to enable the discharge of conditions 6,8,9,10,11 and 12 of planning consent P/2016/1240 as sought by this application.