

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

<b>Application No:</b>	DIS/2018/0135	<b>Grid Ref:</b>	321162.98 243370.67
<b>Community Council:</b>	Clyro Community	<b>Valid Date:</b>	<b>Officer:</b> 12/07/2018 Thomas Goodman
<b>Applicant:</b>	Powys County Council, Spa Road East, County Hall, Llandrindod Wells, Powys, LD1 5LG		
<b>Location:</b>	Clyro Primary School, Clyro, Hereford R3 5LE		
<b>Proposal:</b>	Application to discharge conditions 3, 14, 17 and 24 from planning approval P/2016/0802		
<b>Application Type:</b>	Application for Approval of Details Reserved by Condition.		

### The reason for Committee determination

Powys County Council is the applicant.

### Site Location and Description

The proposed development is not located within a settlement development boundary and therefore for the purposes of this application is considered as development within the open countryside as defined by the Powys Local Development Plan (2018). To the east is the A438 and to the north is the U1413, to the south and west is agricultural land.

Consent is sought to discharge conditions 3, 14, 17 and 24. The conditions read as follows:

Condition 3 states:

*Prior to the construction of the building hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.*

Condition 14 states:

*Prior to the first installation of a lighting design scheme to take into consideration any impact on nocturnal wildlife 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 17 states:

*Prior to the commencement of development, a species list for the landscape planting (including compensation for the loss of two category A mature Oak trees) shall be submitted*

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

Condition 24 states:

*Prior to the first use of the new school all on site infrastructure including car parking spaces, access road and turning areas shall be fully completed to the written satisfaction of the local planning authority.*

## **Consultee Response**

### PCC Highways

I can confirm that all on site infrastructure has been completed and condition 24 can now be discharged.

### PCC Ecologist

Thank you for consulting me with regards to application DIS/2018/0135 submitted to discharge conditions 14 and 17 of planning approval P/2016/0802 at in relation to Construction of a new primary school and associated works at Clyro Primary School , Clyro, Hereford.

Condition 14 requires that:

Prior to the first installation of a lighting design scheme to take into consideration any impact on nocturnal wildlife 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 17 requires that:

Prior to the commencement of development, a species list for the landscape planting (including compensation for the loss of two category A mature Oak trees) shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

- Landscape Proposals Drawing no. 2017/.97 Rev C produced by Corscadden Associates dated 18th November 2017
- Electrical Engineering Services External Services Layout Drawing no. E6131-C-EXT-01 Rev C3 produced by McCann and Partners Consulting Engineers dated Oct 2017

Having reviewed the information submitted I consider that sufficient detail has been provided and the information and measures identified are appropriate and sufficient to comply with the requirements of conditions 14 and 17.

I therefore consider that sufficient information has been submitted to enable discharge of conditions no. 14 and 17 of planning consent P/2016/0802.

## **Planning History**

P/2018/0137 – ADV: Display of 4 no. non-illuminated signs

DIS/2017/0099 – Discharge of conditions no. 3, 15, 19, 20 & 21

DIS/2017/0091 – Discharge of conditions: Conditions 9, 11 and 12 of P/2016/0802

DIS/2017/0088 – Discharge of conditions no. 4, 5, 6 and 23

DEM/2016/0007 – Demolition of existing primary school

P/2016/0802 – Construction of a new primary school and associated works

P/2012/1245 – Installation of a mobile classroom

NMA/2017/0005 – Application for non-material amendments to planning permission P/2016/0802 in respect of variation of condition 17 that involves rewording of the condition.

P/2008/1577 – Deemed: Conversion of window into double doors and external platform

P/2008/1402 – Full: Deemed: Siting of mobile unit for staff accommodation and external works

## **Principal Planning Constraints**

Historic Landscapes Register Outstanding

## **Principal Planning Policies**

### National planning policy

Planning Policy Wales (Edition 9, 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 – Employment Growth

SP7 – Safeguarding of Strategic Resources and Assets

DM2 – The Natural Environment

DM4 – Landscape

DM13 – Design and Resources

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

## **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.

### Officer Appraisal

The application seeks to discharge conditions 3, 14, 17 and 24 of the application P/2016/0802.

Condition 3 states:

*Prior to the construction of the building hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.*

It is noted that the majority of materials were discharged under the application reference number DIS/2017/0099. This application seeks consent for the use of C15 Dark Grey weatherboarding, this is being sought as the original approved weatherboarding is no longer available. It is considered that the use of these materials match those that have already been granted consent and will not look out of place, therefore complementing the existing character and appearance of the built environment.

It is therefore considered that the use of the materials proposed is acceptable and complies with policy DM13 of the Powys Local Development Plan (2018).

Condition 14 states:

*Prior to the first installation of a lighting design scheme to take into consideration any impact on nocturnal wildlife 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 17 states:

*Prior to the commencement of development, a species list for the landscape planting (including compensation for the loss of two category A mature Oak trees) shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.*

Powys County Council's Ecologist has been consulted on the proposed development and stated that the information submitted by the application to discharge these conditions consists of a Landscape Proposals Drawing and an Electrical Engineering Services External Services Layout Drawing.

The Ecologist having reviewed this information considers that sufficient detail has been provided and the measures identified are appropriate and sufficient to comply with the requirements of conditions 14 and 17.

Condition 24 states:

*Prior to the first use of the new school all on site infrastructure including car parking spaces, access road and turning areas shall be fully completed to the written satisfaction of the local planning authority.*

Powys County Council's Highway Authority has been consulted on the proposed development and has stated that all on site infrastructure has been completed and condition 24 can now be discharged.

## **RECOMMENDATION**

It is considered that sufficient information has been submitted in support of this application to discharge conditions 3, 14, 17 and 24 of the P/2016/0802 application. The recommendation is therefore one of approval to discharge the conditions as sought by the planning application.

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Case Officer: Thomas Goodman- Planning Officer  
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