

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 18/1019/DIS
Grid Ref: E: 315775
N: 294250
Community Council: Abermule and Llandyssil
Valid Date: 23.11.2018

Applicant: Powys County Council

Location: Abermule Business Park, Abermule, Montgomery, Powys,

Proposal: Discharge of conditions 8 and 12 of planning approval P/2018/0587

Application Type: Discharge of Condition

The reason for Committee determination

The application is submitted by Powys County Council.

Consultee Responses

Contaminated Land

A review of the following has been undertaken:

- Arcadis 'Consultancy Services Brief/Enquiry – Phase 2 Preliminary Ground Investigation – Abermule Business Park' (ref: 10337824) 8th October 2018.
- Arcadis email 'RE: 2395 Abermule Business Park – Additional Asbestos Results' 9/11/2018.

Based on the information provided, in the above referenced sources, the following is advised:

The proposed scope of works appears sufficient to support a robust quantitative risk assessment of the potential pollutant linkages identified in Table 6.4 'Potential Contaminant Linkages' of the Arcadis 'Phase 1 Geo-Environmental Desk Study for Powys County Council' report (ref: 0001-UA006590-26-UP32R-01), dated December 2017.

A copy of the finalised 'Proposed Exploratory Hole Location Plan' will be required to confirm the proposed borehole and trial pit locations.

Furthermore, the intrusive site investigation should be undertaken in accordance with current guidance and best practice such as BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites – Code of Practice' and BS8576:2013 'Guidance on

Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds (VOCs)¹.

Representations

In accordance with Development Management Procedure Order (2012) (as amended), no third party consultation required.

Planning History

App Ref	Description	Decision	Date
P/2018/0587	Hybrid application comprising of a full application for a proposed recycling bulking facility and associated works and an outline application for the erection of business units (B1/B2/B8) and all associated works	Approve	2nd Aug 2018

Principal Planning Constraints

Contaminated Land

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 9, November 2016)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN13	Tourism		National Policy
TAN15	Development and Flood Risk		National Policy
TAN18	Transport		National Policy
TAN20	Planning and the Welsh Language		National Policy

TAN21	Waste	National Policy
TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP2	Employment Growth	Local Development Plan 2011-2026
SP5	Settlement Hierarchy	Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM5	Development and Flood Risk	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM10	Contaminated and Unstable Land	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
DM15	Waste Within Developments	Local Development Plan 2011-2026

DM16	Protection of Existing Employment Sites	Local Development Plan 2011-2026
E1	Employment Proposals on Allocated Employment Sites	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
W1	Location of Waste Development	Local Development Plan 2011-2026
W2	Waste Management Proposals	Local Development Plan 2011-2026

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

Site Location and Description

The application site is located partially within and outside the development boundary of Abermule as defined by the Powys Local Development Plan 2018. The application site is accessed through an existing access from the B4386 which leads from the A483 trunk road to Abermule. The site is bound to the north by the B4386, the east and south by a railway line and the west by agricultural land and the A483.

Planning permission was granted for the construction of a recycling bulking facility to allow the bulking of paper, cardboard, cans, glass and plastic bottles under planning reference P/2018/0587. The hybrid application also granted planning permission in outline for the construction of 6 units for B1 (Business), B2 (General Industrial) and B8 (Storage or distribution) on the site. The current submission seeks to approve the site investigation methodology required by condition 8 of the full planning permission and condition 12 attached to the outline consent.

Contaminated Land

Condition 8 (full) and condition 12 (outline) read as follows;

'No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins. The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.'

This application is accompanied by;

- Arcadis 'Consultancy Services Brief/Enquiry – Phase 2 Preliminary Ground Investigation – Abermule Business Park' (ref: 10337824) 8th October 2018.
- Arcadis email 'RE: 2395 Abermule Business Park – Additional Asbestos Results' 9/11/2018.

Following review of the submitted methodology, the Council's Contaminated Land Officer has confirmed that the proposed scope of works is acceptable. On the basis of the comments received, Officers are satisfied that sufficient information has been submitted to partially discharge the respective planning conditions in accordance with relevant planning policies.

RECOMMENDATION

In light of the Contaminated Land Officers comments, it is recommended that the conditions are partially discharged.