

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

**Application Number:** 19/0616/DIS

**Grid Ref:** E: 306713  
N: 248536

**Community Council:** Duhonw Community

**Valid Date:** 03.04.2019

**Applicant:** Powys County Council

**Location:** Ysgiog Field 200 Meters North Of Henallt Cottages, Builth Wells, Powys, LD2 3YP,

**Proposal:** Discharge of conditions no.5 and no.6 of planning approval P/2018/0514

**Application Type:** Discharge of Condition

### The reason for Committee determination

The applicant is Powys County Council.

### Consultee Responses

#### Consultee

#### Received

PCC-Ecologist

9<sup>th</sup> May 2019

Thank you for consulting me with regards to application 19/0616/DIS submitted to discharge condition 5 of planning approval P/2018/0514 which concerns change of use of land from agricultural use for use as a temporary stopping site (two weeks every year for a duration of five years) for Gypsies and Travellers attending the annual Royal Welsh Agricultural Show at Ysgiog Field, Builth Wells, Powys.

Condition 5 requires that:

Prior to first use/construction of the site each year a Biosecurity Risk Assessment, including measures or actions that aim to prevent INNS being introduced / dispersed from the site for the duration of construction and operational phases of the scheme, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall thereafter be implemented in full prior to the first use of the site and maintained thereafter for the full period of occupation of the site.

I have reviewed the information submitted to as part of the application this includes the following documents:

- Biosecurity Risk Assessment produced by CWIC Engineering Design Service dated 29th March 2019

Having reviewed the submitted information, I consider that sufficient detail has been provided and the information and measures identified are appropriate and sufficient to comply with the requirements of condition 5.

I therefore consider that sufficient information has been submitted to enable discharge of condition 5 from planning permission P/2018/0514.

PCC-Emergency Planning Officer

12th Apr 2019

Emergency planning have no comments to make on this application. It is noted a comprehensive evacuation plan attached.

Please note that whilst the PCC Emergency Planning Dept (together with other professional partners including NRW and the Emergency Services) provide advice and guidance on Site or Property Flood this should not be seen as 'Rubber Stamping' or 'Sanctioning' these plans, as this is the legal responsibility of the Site / Property Owner and not the Local Authority.

As always please contact me or one of my EPO colleagues should you require any further clarification on the above.

### **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
P/2018/0514	Full: Change of use of land from agricultural use for use as a temporary stopping site (two weeks every year for a duration of five years) for Gypsies and Travellers attending the annual Royal Welsh Agricultural Show.	Conditional Consent	07/12/2018
P/2013/1206	Change of use of field from agricultural use to a temporary stopping place for Gypsy-Travellers for a two week period to include the time of the Royal Welsh Show annually for five years.	Conditional Consent	20/02/2014

P/2012/0291	Change of use of field from agricultural use to a temporary stopping place for Gypsy-Traveller for a two week period to include the time of the Royal Welsh Show annually for five years.	Conditional Consent	25/04/2012
P/2011/0298	Change of use from agricultural use for a two week period to a temporary stopping place for Gypsy-Traveller to include the period of the Royal Welsh Agricultural Show.	Conditional Consent	20/05/2011
P/2010/0254	Change of use (2 week period) to temporary stopping place for Gypsy-Traveller to include the period of the Royal Welsh Agricultural Show.	Conditional Consent	16/06/2010
B/03/0054	Touring Gypsy-Traveller caravan site for period 12-24 July covering duration of Royal Welsh Agricultural Show.	Conditional Consent	11/06/2003
B/99/0130	Touring (Gypsy-Traveller) caravan site for two weeks including 1999 Royal Welsh Show (10-24 July) at OS Parcel 7354	Conditional Consent	22/06/1999

### **Principal Planning Constraints**

C2 Floodzone  
Next to SSSI / SAC  
Listed Milestone at Henallt  
Listed Milestone near Glanwye Lodge

## **Principal Planning Policies**

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN 5	Nature, Conservation and Planning	2009	National Policy
TAN 15	Development and Flood Risk	2004	National Policy
DM2	The Natural Environment		Local Development Plan 2011-2026
DM5	Development and Flood Risk		Local Development Plan 2011-2026
H10	Gypsy and Traveller Sites and Caravans		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**

### 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.

## Site Location and Description

The application site is in the Community Council area of Duhonw and falls outside of any village or settlement development boundary and therefore for the purposes of this application is development within the open countryside as defined by the Powys Local Development Plan (2018). The site comprises an agricultural field which is used as a temporary stopping site for Gypsies and Travellers attending the annual Royal Welsh Agricultural Show. The application site is bound by the A470 Trunk Road to the north and west elevations, with the River Wye running to the east of the site and further agricultural land located to the south.

This application is to discharge conditions no. 5 and no. 6 of planning approval P/2018/0514 which gave permission for the Change of use of land from agricultural use for use as a temporary stopping site (two weeks every year for a duration of five years) for Gypsies and Travellers attending the annual Royal Welsh Agricultural Show.

### Condition 5

*“Prior to first use/construction of the site each year a Biosecurity Risk Assessment, including measures or actions that aim to prevent INNS being introduced / dispersed from the site for the duration of construction and operational phases of the scheme, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall thereafter be implemented in full prior to the first use of the site and maintained thereafter for the full period of occupation of the site”.*

In order to discharge this condition, a Biodiversity Risk Assessment produced by CWIC Engineering Design Service dated 29<sup>th</sup> March 2019 was submitted. The PCC Ecologist reviewed the submitted information and considered that sufficient detail has been provided and the information and measures identified are appropriate and sufficient to comply with the requirements of the condition.

In light of the above, it is considered that sufficient information has been submitted to enable the discharge of condition 5 from planning permission P/2018/0514.

### Condition 6

*“Prior to the first commencement of the development hereby permitted a flood evacuation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall thereafter be implemented in full for every future occupation of the site”.*

In order to discharge this condition, a Flood Evacuation Plan dated February 2019 was submitted. PCC Emergency Planning Department reviewed the submitted information and raised no concerns or objections to the plan being implemented. Whilst it is noted that Emergency Planning cannot approve Flood Evacuation Plans, they can provide advice and guidance on their adequacy. Given they have no comments to make it is considered that the plan is acceptable.

In light of the above, it is considered that sufficient information has been submitted to enable the discharge of condition 6 from planning permission P/2018/0514.

**RECOMMENDATION – Approve**

In light of the above, it is considered that sufficient information has been submitted to enable the discharge of conditions 5 & 6 of planning application P/2018/0514.

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Case Officer: Rhys Evans, Planning Officer  
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