

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 20/0300/DIS

Grid Ref: E: 309008
N: 306394

Community Council: Llanfair Caereinion
Community

Valid Date: 25.02.2020

Applicant: G Jones

Location: Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, SY21 0DU.

Proposal: Application to discharge conditions 5, 7, 8, 12 and 13 of planning approval 19/0524/FUL

Application Type: Discharge of Condition

The reason for Committee determination

The applicant is a County Councillor for Powys County Council.

Consultee Responses

Consultee

Received

CPAT

10th Mar 2020

Thank you for forwarding a copy of the exclusion area fencing plan to protect the nearby enclosure earthwork.

I can confirm that the exclusion area is approved and this condition can therefore be discharged.

PCC-Ecologist

10th Apr 2020

Thank you for consulting me with regards to application 20/0300/DIS submitted to discharge conditions 5, 12 and 13 of planning approval 19/0524/FUL which concerns Erection of a poultry unit, associated silos and associated works at Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys.

Condition 5 requires that:

Notwithstanding the approved plans, prior to the commencement of development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a scaled plan identifying the location of planting, species, sizes and planting numbers together with an implementation and maintenance strategy. Thereafter, the development shall be undertaken strictly in accordance with the detailed landscaping scheme as approved.

Condition 12 requires that:

Notwithstanding the approved plans, prior to first beneficial use of the poultry unit hereby approved, a detailed Woodland Management Plan as outlined in Section 4. of the Ammonia Mitigation Scheme produced by Roger Parry & Partners LLP and Section 6.2 of the Extended Phase One Habitat Survey - Land at Rhiw Hiraeth Llanfair Caereinion Report produced by Arbor Vitae Environment dated September 2018 shall be submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall include a timetable for implementation, initial aftercare and long term management and maintenance measures to benefit biodiversity. The development shall thereafter be undertaken strictly in accordance with the details as approved and maintained thereafter.

Condition 13 requires that:

Prior to first beneficial use of the poultry unit hereby approved, a detailed Ranging Area Hedgerow Protection scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a written specification clearly describing measures that will be implemented to protect the hedgerows within the identified ranging area together with an implementation strategy. The development shall thereafter be undertaken strictly in accordance with the details as approved.

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

- o Landscaping Plan drawing no. GD-GJ/01 Rev B produced by Roger Parry & Partners LLP dated 10th May 2019
- o Ranging Area Hedgerow Protection Plan (unreferenced, undated)
- o Woodland Management Plan - Rhiw Hiraeth Isaf produced by Arbor Vitae Environment dated February 2020

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 conditions 5, 12 & 13.

I therefore consider that sufficient information has been submitted to enable discharge of condition 5, 12 & 13 from planning permission 19/0524/FUL.

Planning History

App Ref	Description	Decision	Date
P/2017/1071	Full: Erection of a poultry unit, silos, formation of vehicular access and roadway together with all associated works	Consent	15th Dec 2017
DIS/2018/006 8	Discharge of conditions no's 5, 19 & 22 of planning consent P/2017/1071	Approve	15th Jun 2018
19/0524/FUL	Erection of a poultry unit, associated silos and associated works	Approve	13th Sep 2019

Principal Planning Constraints

Archaeological Remains

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Community		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN15	Development and Flood Risk		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy

TAN24	The Historic Environment	National Policy
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
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
E6	Farm Diversification	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	
SPG	Landscape	Local Development Plan

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

Consent is sought for the formal discharge of Conditions 5, 7, 8, 12 and 13 of planning consent 19/0524/FUL which granted consent for erection of a poultry unit, associated silos and associated works at Rhiwhiriaeth Isaf, Llanfair Caereinion.

The Conditions to be discharged are as follows:

Condition 5

Notwithstanding the approved plans, prior to the commencement of development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a scaled plan identifying the location of planting, species, sizes and planting numbers together with an implementation and maintenance strategy. Thereafter, the development shall be undertaken strictly in accordance with the detailed landscaping scheme as approved.

Condition 7

No development shall commence until details of existing and proposed ground levels together with finished floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Condition 8

The development hereby permitted shall not begin until an appropriate fenced area, surrounding the Rhiwhiriaeth Isaf archaeological remains on the east side, has been marked out in accordance with a specification submitted to and approved in writing by the Local Planning Authority. Throughout the course of the development no works shall be undertaken within the area surrounded by fencing without the consent of the Local Planning Authority.

Condition 12

Notwithstanding the approved plans, prior to first beneficial use of the poultry unit hereby approved, a detailed Woodland Management Plan as outlined in Section 4. of the Ammonia Mitigation Scheme produced by Roger Parry & Partners LLP and Section 6.2 of the Extended Phase One Habitat Survey – Land at Rhiw Hiraeth Llanfair Caereinion Report produced by Arbor Vitae Environment dated September 2018 shall be submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall include a timetable for implementation, initial aftercare and long term management and maintenance measures to benefit biodiversity. The development shall thereafter be undertaken strictly in accordance with the details as approved and maintained thereafter.

Condition 13

Prior to first beneficial use of the poultry unit hereby approved, a detailed Ranging Area Hedgerow Protection scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a written specification clearly describing measures that will be implemented to protect the hedgerows within the identified ranging area together with an implementation strategy. The development shall thereafter be undertaken strictly in accordance with the details as approved.

Ecology

The Powys Ecologist has been consulted and notes the submission of the following documents:

- o Landscaping Plan drawing no. GD-GJ/01 Rev B produced by Roger Parry & Partners LLP dated 10th May 2019
- o Ranging Area Hedgerow Protection Plan (unreferenced, undated)
- o Woodland Management Plan - Rhiw Hiriaeth Isaf produced by Arbor Vitae Environment dated February 2020

Having reviewed the submitted information, the Powys Ecologist has confirmed they consider that sufficient detail has been provided and the information and measures identified are appropriate and sufficient to comply with the requirements of conditions 5, 12 & 13.

It is therefore considered that sufficient information has been submitted to enable the discharge of conditions 5, 12 & 13.

Archaeology Remains

Condition 8 required a fenced area to be provided surrounding the Rhiwhiriaeth Isaf archaeological remains to the east of the application site.

CPAT have been consulted and have confirmed that the exclusion area as shown on drawing GD-MZ316-01 is sufficient to ensure the protection of the archaeological remains.

It is therefore considered that sufficient information has been submitted for the discharge of Condition 8.

Topography

Condition 7 required for existing and proposed ground levels to be submitted prior to the commencement of development.

It is noted given the location of the proposed building that there will be at one point across the site whereby a height of approximately 7metres of material is to be removed. This will ensure that the proposed building will be sited at the same level of the existing poultry unit on site. Whilst therefore it is acknowledged that a significant height in this one location is to be removed, it is noted that the material extracted will also be used to build up levels in other areas across the site to ensure a flat plateau for the proposed building.

These proposed ground levels will ensure that the height of the proposed building is at the same level as the existing building which will reduce landscape and visual impact dramatically for the proposed building. The long-range views from the west of the site will therefore see the grouping of the two buildings with the proposed siting directly to the rear of the existing.

It is therefore considered that the proposed ground levels as shown on drawing GD-MZ316-04 would ensure a building that is appropriately sited within the landscape and to the rear of the existing unit, reducing landscape and visual impact.

The information submitted is therefore considered to be acceptable in the discharge of Condition 7.

Recommendation

In line with the above consideration and the information received it is therefore considered that sufficient information has been submitted and it is recommended that Conditions 5, 7, 8, 12 and 13 of planning consent 19/0524/FUL are formally discharged.