

REPORT BY THE HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICES

**SUGGESTED PLANNING CONDITIONS REPORT: APPLICATION REFERENCE NUMBER
09/2022/1080**

Land opposite Porth y Waen, Aberwheeler

1. PURPOSE OF THIS REPORT:

1.1 Members will recall that, at the May 2023 meeting of Planning Committee, it was resolved to grant planning permission for the above planning application. As this was contrary to the Officer recommendation to refuse, Members also requested that Officers draft a set of planning conditions and allow Planning Committee to agree them before any decision is issued.

1.2 The application related to the change of use of agricultural land to form community amenity land, formation of new vehicular access and parking and associated works at land opposite Porth y Waen, Aberwheeler.

1.3 A copy of the original report to Planning Committee is attached as Appendix A.

1.4 This report seeks Members approval on the conditions to be imposed on the planning consent.

2. PROPOSED CONDITIONS:

2.1 Having regard to the nature and scale of the development, advice of statutory consultees and the resolution of Planning Committee, Officers would propose the following conditions and advisory notes should be imposed on the planning consent:

1. The development to which this permission relates shall be begun no later than 21st June 2028.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

(i) Location Plan (Drawing No. 0988/LP) - Received 20 April 2023

(ii) Existing and Proposed Site Plan (Drawing No. 0988/1 Rev A) - Received 20 April 2023

(iii) Details of Vehicular / Pedestrian Access (Drawing No. 0988/SD1) - Received 20 December 2022

(iv) Use of Land Statement (Ref 0988/S) - Received 12 January 2023

(v) Ecological Appraisal (PJ Ecological Solutions, dated December 2022) - Received 19 April 2023

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

PRECOMMENCEMENT CONDITION

3. Notwithstanding the hereby approved plans, prior to the commencement of development or site clearance, a detailed hard and soft landscaping scheme designed to deliver a net benefit for biodiversity, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting.
- (c) proposed materials to be used on the new access and parking area, paths and other hard surfaced areas.
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform.
- (e) the timing of the implementation of the planting and landscaping scheme.
- (f) details of minor artefacts and structures (e.g. furniture, gates, refuse or other storage units, signs, etc.) associated with the public open space.

The development shall proceed strictly in accordance with those details as approved.

Reason: In order to maintain and enhance biodiversity

PRECOMMENCEMENT CONDITION

4. Notwithstanding the hereby approved plans and documents, prior to the commencement of development or site clearance, a detailed Landscape Management Plan detailing how the vegetation on the site will be managed and maintained shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed strictly in accordance with those details as approved.

Reason: In order to maintain and enhance biodiversity and in the interests of visual amenity

5. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing

Reason: In order to maintain and enhance biodiversity and in the interests of visual amenity

6. Notwithstanding the hereby approved plans, no external lighting shall be permitted to be installed within the site until the written approval of the Local Planning Authority has been obtained to details of the proposals, which shall be designed to avoid negative impacts on nocturnal wildlife. The approved measures shall be implemented in full and retained at all times thereafter.

Reason: In the interest of the amenities of occupiers of nearby properties, to protect nocturnal wildlife.

PRECOMMENCEMENT CONDITION

7. Notwithstanding the hereby approved plans and documents, prior to the commencement of development, full details of a pedestrian access gate suitable for disabled persons into the existing playing field on the northern boundary and from the road on the south boundary shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring adequate connectivity with the existing area of Public Open Space

PRECOMMENCEMENT CONDITION

8. Notwithstanding the hereby approved plans and documents, prior to the commencement of development, a car parking management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how accessible car parking shall be managed on site including site security and arrangements for overspill parking during

community events. Any plan subsequently approved shall be implemented in full unless otherwise agreed in writing by the Local planning Authority.

Reason: In the interests of highway safety and visual amenity.

9. No more than 6 formal car parking spaces as detailed on the proposed site plan (Drawing No. 0988/1 Rev A) shall be permitted on the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and visual amenity.

3. RESOLUTION:

3.1 To approve the conditions and advisory notes set out in Section 2 above for inclusion on the Decision Notice.

EMLYN JONES HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTYSIDE SERVICE