

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 14 JUNE 2018

PRESENT

County Councillor E M Jones (Chair)

County Councillors L V Corfield, L George, H Hulme, M J Jones, K Laurie-Parry, H Lewis, I McIntosh, D R Price, D Selby, K S Silk, E Vaughan, D H Williams, J Williams and R Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillors F H Jump, K Lewis, G Pugh, J Wilkinson and G I S Williams.

2.	MINUTES OF THE PREVIOUS MEETING
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 24 May, 2018.

Planning

3.	DECLARATIONS OF INTEREST
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(a) County Councillor D. Price declared a prejudicial interest in application P/2018/0103 because the applicant is a friend.

County Councillor K Laurie-Parry declared a prejudicial interest in application P/2014/0009 because she leases land from Radnorshire Wildlife Trust, which is an objector to the application.

(b) The Committee noted that no Member requested that a record be made of their membership of a Community Council where discussion had taken place of matters for the consideration of this Committee.

(c) The Committee noted that no Member (who is a member of the Committee) would be acting as 'local representative' in respect of any application on the agenda.

(d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application on the agenda.

4.	PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
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The Committee considered the report of the Head of Regeneration, Property and Commissioning (copies filed with the signed minutes).

4.1. Updates

The Members confirmed that they had received and had time to read the update circulated the previous day and prior to the meeting.

County Councillor K Laurie-Parry having declared a prejudicial interest left the meeting room for the next application.

4.2. P/2014/0009 New Broiler Unit, Banc Gwyn, Llawrllan Hill, St Harmon, Rhayader, Powys, LD6 5NG

Grid Ref:	300294.42 272355.33
Valid Date:	06/01/2014
Officer:	Tamsin Law
Community Council:	St Harmon Community Council
Applicant:	Mr Carl Thomas, Beili Ddol Farm, Rhayader, Powys, LD6 5NS
Location:	New Broiler Unit, Banc Gwyn, Llawrllan Hill, St Harmon, Rhayader, Powys, LD6 5NG
Proposal:	Full: Erection of 2 broiler units, link control room, boiler building, feed bins, hard standing and access improvements
Application Type:	Application for Full Planning Permission

Councillor G. Davies spoke on behalf of St Harmon Community Council.

Mrs J. Loveridge spoke against the application.

Mr I. Pick spoke as the agent.

The Committee noted that this was an EIA development.

In response to questions regarding the highways issues raised by the objectors the Highways Authority advised that usage of the road was low and that the five new passing bays were recommended. The Highway Authority noted that the agent, on behalf of the applicant, had offered a further two passing bays and these were acceptable to the Authority.

The Principal Planning Officer in response to questions advised that Natural Resources Wales [NRW], the Ecologist and other consultees would consider the cumulative impact of this development with existing units and any future applications. The Professional Lead Development Management advised that the Committee had to consider the landscape visual impact and the fact that the proposed development was not located with other farm buildings. In response to questions regarding farm diversification he advised that the expansion of existing

rural enterprises should be given weight under TAN 23 and was supported by the Local Development Plan [LDP].

The Highways Authority advised that the passing bays could be developed using the current verges. The Principal Planning Officer confirmed that the conditions required a Manure Management Plan and that any manure kept on site should be covered.

In response to questions the Solicitor advised that it was legally correct for the Committee to accept the expert opinions of NRW and the Ecologist.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the Update report which is filed with the signed minutes and that the condition relating to the passing bays be amended to seven from five, as offered by the applicant.	As officers recommendation as set out in the report which is filed with the signed minutes. In the interests of highways safety.

County Councillor K Laurie-Parry having declared a prejudicial interest left the meeting room for the next application.

4.3. P/2017/0764 Bryn Titli Wind Farm, North of Rhayader, South of Llangurig, Powys

Grid Ref:	294795.69 274076.13
Valid Date:	17/07/2017
Officer:	Holly Hobbs
Community Council:	St Harmon Community Council
Applicant:	Zephyr Investments Ltd, 11th Floor, 200 Aldergate Street, London, EC1A 4HD
Location:	Bryn Titli Wind Farm, North of Rhayader, South of Llangurig, Powys
Proposal:	Section 73 application for variation of condition no. 6 and condition no's. 11-18 of planning permission R4297/D
Application Type:	Application for Removal or Variation of a Condition

The Principal Planning Officer advised that if the Committee was minded to approve the application the conditions were those contained in the update report.

In response to questions regarding the noise levels the Environmental Health Officer advised that the proposed noise level conditions related to those recommended by the Authority's noise consultant and differed from those proposed by the applicant. He confirmed that the noise levels for the day time operation should also cover the night operation.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

County Councillor J Williams arrived at the meeting.

County Councillor D Price having declared a prejudicial interest left the meeting room for the next application.

4.4. P/2018/0103 Land Opp The Walk, Beulah, Llanwrtyd Wells, Powys

Grid Ref: 291873.94 251225.81

Valid Date: 25/01/2018

Officer: Thomas Goodman

Community Council: Treflys Community Council

Applicant: Mr G Walker, H & W Developments, 9 Broad St, Builth Wells, Powys, LD2 3DT

Location: Land Opp The Walk, Beulah, Llanwrtyd Wells, Powys

Proposal: Reserved matters in respect of approved planning permission P/2015/0039

Application Type: Application for Approval of Reserved Matters

In response to questions the Planning Officer advised that this was an allocated site in the Unitary Development Plan [UDP].

Questions were raised about the provision of community play area. The Chair adjourned the meeting to allow the Planning Officer to speak to a representative of the Community Council. On reconvening the meeting, the Professional Lead Development Management advised that he had to declare an interest because as he knew the member of the public to whom the Planning Officer had just spoken. The Planning Officer advised the currently was a play area but that the Community Council may be considering its future use. The Principal Planning Officer advised that the outline planning permission had been agreed in 2005 under different planning policies and the Committee could not reconsider this issue. The Principal Planning Officer advised that when the Section 73

application to extend the planning permission was agreed, there was an oversight by the Planning Officer dealing with the application at that time and a S106 agreement regarding affordable housing was not included in the permission.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

County Councillor D Price returned to the meeting room.

4.5. P/2018/0370 Carreghofa Primary School, Llanymynech, Powys, SY22 6PA

Grid Ref: 326056.73 320693.8

Valid Date: 05/04/2018

Officer: Sara Robinson

Community Council: Carreghofa Community Council

Applicant: Powys County Council

Location: Carreghofa Primary School, Llanymynech, Powys, SY22 6PA

Proposal: Full: Erection of an extension, alterations and all associated works

Application Type: Application for Full Planning Permission

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

The Professional Lead Development Management was asked to review the plans provided with the Committee reports.

4.6. DIS/2018/0068 Land at Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU

Grid Ref: 309310.69 306336.61

Valid Date: 05/04/2018

Officer: Sara Robinson

Community Council: Llanfair Caereinion Community Council

Applicant: S M & G D Jones, Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU

Location: Land at Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU

Proposal: Discharge of conditions no's 5, 19 & 22 of planning consent P/2017/1071

Application Type: Application for Approval of Details Reserved by Condition

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

4.7. AGRI/2018/0024 Fronhowey, Painscastle, Builth Wells, LD2 3JJ

Grid Ref: 315527.3 246484.71

Valid Date: 17/05/2018

Officer: Thomas Goodman

Community Council: Painscastle Community Council

Applicant: Powys County Council

Location: Fronhowey, Painscastle, Builth Wells, LD2 3JJ

Proposal: AGRI: Application for prior notification of proposed agricultural building

Application Type: Application for prior Notification of Agricultural or Forestry development

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officers recommendation as set out in the report which is filed with the signed minutes.

5.	DECISIONS OF THE HEAD OF REGENERATION AND REGULATORY SERVICES ON DELEGATED APPLICATIONS
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The Committee received for information a list of decisions made by the Head of Regeneration and Regulatory Services during the period between 16 May, 2018 and 7 June, 2018.

The Committee noted that P/2017/0549 [page 162] was not a delegated decision but one that had been considered by the Committee.

6.	APPEAL DECISIONS
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The Committee received a copy of the Planning Inspectorate's letters regarding the appeals in respect of the following applications:

- P/2017/0551 - Land opposite South Bank, Middletown, SY21 8DF
- P/2017/0464 - Land adjacent to Middletown, Welshpool, Powys
- P/2017/0458 - Ash Cottage, Bleddfa, Knighton, LD7 1PA
- P/2017/1279 - Dyffryn, Breidden Way, Guilsfield, Welshpool, SY21 9PU

The Committee noted that the Inspector had dismissed all the appeals.

The Committee also received the Planning Inspectorate's letter regarding the appeals in respect P/201/0119 - Wyeside Caravan Park, A470 from Wye View Terrace Rhayader to Junction with C1216 at Marteg Bridge, Rhayader LD6 5LB and noted that the Inspector had upheld the appeal. The Professional Lead Development Management advised that they were awaiting the Planning Inspector's decision regarding costs.

The Solicitor advised that an Enforcement Notice had been made against Brown's Buses and as this had not been complied with the Authority had been proactive in taking legal action. Brown Buses had pleaded guilty and had now engaged a planning consultant.

Rights of Way

County Councillor E M Jones (Chair)