

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 12 APRIL 2018

PRESENT

County Councillor D R Price (Chair)

County Councillors K Lewis, L V Corfield, L George, H Hulme, E M Jones, M J Jones, K Laurie-Parry, H Lewis, I McIntosh, P C Pritchard, G Pugh, D Selby, K S Silk, D A Thomas, E Vaughan, G I S Williams, D H Williams, J Williams and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillor P Roberts who was on other Council business.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 21 February, 2018 subject to the wording of the resolution in respect of P/2017/1268 [page 11 in the Supplementary Pack] being amended from “that the application be granted refused contrary to officer’s recommendation ...” to read as follows: “that the application be refused contrary to officer’s recommendation and that it be delegated to the Professional Lead to agree the wording of the reason for refusal in consultation with the Chair and Vice Chair.”

The Chair was authorised to sign as a correct record the minutes of the meetings held on 8 March and 15 March, 2018.

Planning

3. DECLARATIONS OF INTEREST

(a) County Councillor M.J. Jones declared a prejudicial interest in application P/2017/1298 because a relative was employed by the applicant’s agent.

County Councillor G. Pugh declared a prejudicial interest in application P/2018/0101 as it was his application.

(b) County Councillor G. Pugh requested that a record be made of his membership of Llandyssil Community Council where discussion had taken place of matters for the consideration of this Committee.

(c) County Councillor G Pugh (who is a member of the Committee) declared that he would be acting as ‘Local Representative’ in respect of application P/2018/0101.

(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

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 M.J. Jones having declared a prejudicial interest left the meeting room for the next item. County Councillor G. Pugh, acting as the "Local Representative" sat in the public area for the next item.

4.2 P/2017/1298 Black Hall, Llandyssil, Montgomery, Powys SY15 6HR

Grid Ref: 320356.94, 294049.12

Valid Date: 21/11/2017

Officer: Bryn Pryce

Community Council: Llandyssil Community Council

Applicant: R.B Jones & Son Mr & Mrs R Jones, Llwynobin, Montgomery, Powys SY15 6JA

Location: Black Hall, Llandyssil, Montgomery Powys SY15 6HR

Proposal: FULL: Expansion of existing free range egg complex encompassing the construction of an additional 32,000 free range poultry unit, erection of six feed silos, extension to hardstanding yard, alteration to private access road, new manure store and landscaping details

Application Type: Application for Full Planning Permission

Mr A Matthews spoke on behalf of objectors.
Mr I Price spoke as the applicant agent.

The Planning Officer advised that the Environmental Statement submitted on behalf of the Applicant had been taken into consideration when processing the application. He also advised that if the Committee was minded to approve the application the conditions were those detailed in the Update report. The Professional Lead Development Management advised that at Whitehall Farm there were two residential properties – the house and the barn which had been converted into a tourism facility and an attic flat which he was informed had not been implemented.

In response to questions the Highway Authority advised that the two passing bays were in addition to the two existing passing bays already constructed on the highway.

The Planning Officer, in response to questions, advised the Committee that the objectors' odour report had been forwarded to Environmental Health and Natural Resources Wales [NRW] and neither had raised objections to the application. He advised that in respect of the land that appeared to be wet in the roaming area, which was shown in his presentation, the Land Drainage Officer was content with the application subject to a condition being included regarding a surface water drainage scheme.

Comment was made about NRW stating that provided the site operates in accordance with the Manure Management Plan it was unlikely to cause pollution. It was considered that a statutory consultee should be more certain in its opinion. The Professional Lead Development Management advised that this was NRW's opinion and it considered that any risks could be managed if appropriate mitigation measures were put in place.

The Planning Officer advised that the proposed unit was approx. 140 metres from Black Hall and the proposed manure store was approx. 310 metres from the dwelling at Whitehall Farm and 270 metres to the Barn conversion at Whitehall Farm. In response to comments he advised that the application complied with Policies EC10 and ENV2. The top of the proposed manure store would be below the ridge of the hill and landscaping around it would mean that it would not in his opinion have a significant impact on the area.

The Committee noted that there would be a 10 metre buffer zone around the stream and ancient woodland to the west of the site. In response to questions the Professional Lead Development Management advised that information submitted by third parties was sent to statutory consultees for consideration.

The Chair adjourned the meeting to allow the Planning Officer to speak with the objectors. On reconvening the Planning Officer advised that noise and odour nuisance are addressed in his report and Environmental Health's response is based on seeing reports from third parties. He advised whether the applicant is adhering to the conditions of the previous approval cannot be considered and is open to investigation under other avenues.

In response to questions the Planning Officer confirmed that the dirty water storage tanks would be underground. The Professional Lead Development Management advised that in the event of a disease outbreak agencies such as Trading Standards and Environmental Health are likely to become involved in managing the risk.

The Professional Lead Development Management advised that if the Committee was minded to approve the application a landscape and phasing plan condition could be included, with delegation to him in consultation with the Chair & Vice Chair to agree the wording of the condition.

Concerns were raised that the application was justified under farm diversification but diversification into tourism had taken place at Whitehall Farm on which this application could impact.

In response to questions the Environmental Health Officer confirmed that the odour report produced by the applicant's expert complied with the latest guidance in SCAL – Agricultural Update [March 2014].

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 subject to a condition in respect of a landscape and phasing plan delegated to him in consultation with the Chair & Vice Chair.	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>In order to control the phasing of the landscaping in the interest of the amenity of the area.</p>

County Councillor M.J. Jones resumed his place in the Committee. County Councillor R. Williams arrived at the meeting. County Councillor K. Lewis left the meeting.

County Councillor G Pugh having declared an interest left the meeting room for the next application.

4.3 P/2018/0101 Upper Llegodig, Abermule, Montgomery, Powys, SY15 6JY

Grid Ref: 317135.66 296165.09

Valid Date: 18/01/2018

Officer: Gemma Bufton

Community Council: Llandyssil Community Council

Applicant: Mr Gareth Pugh, Upper Llegodig, Abermule, Montgomery, Powys, SY15 6JY

Location: Upper Llegodig, Abermule, Montgomery, Powys, SY15 6JY

Proposal: Full: Erection of an agricultural building 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.

County Councillor G. Pugh resumed his place in the Committee.

The Committee noted that the applicant's maps were now included with the agendas, but not all of these were helpful. Officers agreed to review the information provided with applications.

4.4 DIS/2018/0005 Leighton Arches Gypsy and Traveller Site, Leighton Road, Welshpool, Powys, SY21 8FJ

Grid Ref: 323589.04 307013.7

Valid Date: 08/01/2018

Officer: Luke Jones

Community Council: Welshpool Town Council

Applicant: Powys County Council

Location: Leighton Arches Gypsy and Traveller Site, Leighton Road, Welshpool, Powys, SY21 8FJ

Proposal: Discharge of conditions no. 6, 8, 9, 10, 11 & 12 of planning approval P/2016/1240

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.

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 8 March, 2018 and 4 April, 2018.

In response to questions regarding advising Councillors about enforcement cases in their areas, the Professional Lead Development Management advised that officers would consider this issue.

6.	APPEAL DECISION
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The Committee received a copy of the Planning Inspectorate's letter regarding the appeal in respect of application P/2017/0554 - Land west of Dolgar, Adfa,

Newtown, Powys. The Committee noted that the Inspector had dismissed the appeal.

Taxi and other licensing

7. MINUTES OF TAXI LICENSING SUB-COMMITTEE

The Chair presiding at the Taxi Review Panel held on 12 December, 2017 was authorised to sign the minutes as a correct record.

The Committee noted the date of future meetings. In response to comments raised about the length of meetings the Chair advised that he and the Vice Chair would liaise with officers to manage the workload as appropriate.

The Solicitor provided the following update to the Committee:

- Hendy windfarm Public Inquiry – this took place between 13 and 24 March, 2018. The Inspector's report would be available in seven weeks and be forwarded to the Welsh Government for decision.
- P/2017/0078 – Land at Glascwm – erection of a single dwelling – a Judicial Review had been sought and the papers had been sent to a barrister for advice.
- Upper Pengarth windturbine – a Judicial Review had quashed the previous approval and the application would be considered at the next meeting.

**County Councillor D R Price
Chair**