

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 24 MAY 2018

PRESENT

County Councillor K Lewis (Chair)

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

1. APOLOGIES

Apologies for absence was received from County Councillor L George, who was on other Council business. County Councillors F. Jump and J. Wilkinson were appointed to the Committee last Thursday and had not yet received the required training to enable them to participate in the Committee.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meetings held on 3 and 17 May, 2018.

Rights of Way

3. DECLARATIONS OF INTEREST

County Councillor E. M. Jones declared a personal interest in Item 5 - Abandonment of diversion Order and Opposed diversion & extinguishment Orders: Determination by Welsh Government, as local member he was involved at one stage in order to progress the diversion of the bridleway.

County Councillors K Laurie-Parry and R Williams advised that they would leave the meeting during the morning to attend other Council business.

4. APPLICATIONS TO CORRECT THE REGISTERS OF COMMON LAND AND TOWN OR VILLAGE GREENS - METHOD OF DETERMINING APPLICATIONS

The Committee considered the report regarding the process for considering applications to correct the Registers of Common Land and Town and Village Greens.

The Committee was advised that Members do not have an "official role" as "local members" in such applications. Officers advised that a protocol would be developed to advise Members how they should act in respect of such applications. This protocol would be circulated to all Councillors and training provided as appropriate.

County Councillor R Williams left the meeting to attend other Council business.

RESOLVED	Reason for decision
That the proposals detailed under points 20, 21(a) to (c), 22 and 23 in the officer's report be adopted.	To determine applications and proposals made under sections 19 and 22 and Schedule 2 of the Commons Act 2006, where they are not referred to the Planning Inspectorate.

County Councillor K Laurie-Parry left the meeting to attend other Council business.

County Councillor E. M. Jones having declared an interest left the meeting room for the next item.

5.	ABANDONMENT OF DIVERSION ORDER AND OPPOSED DIVERSION & EXTINGUISHMENT ORDERS: DETERMINATION BY WELSH GOVERNMENT
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The Committee considered the Abandonment of diversion Order and Opposed diversion & extinguishment Orders: Determination by Welsh Government in respect of Diversion Order 2016 – Part of bridleway GD1457; Diversion Order 2017- Part of bridleways GD1457 & GD1461; Extinguishment Order 2017 – Part of Footpath GD1441 at Mill Cottage and Llan-y-felin, Gladestry (Community of Gladestry).

RESOLVED	Reason for decision
1. That the file be sent, along with an officer's report in support of the Orders, to the Welsh Government, so that the diversion Order made in 2017 (as at appendix C of the officer's report) may be modified by the Planning Inspectorate on their behalf. 2. That the diversion Order made in 2016 for bridleway GD1457 (part), as shown in appendix A [of the officer's report] be formally abandoned and not confirmed.	1. To modify the diversion order. 2. To formally abandoned and not confirm the diversion order.

County Councillor E. M. Jones resumed his seat in the Committee.

Planning

6.	DECLARATIONS OF INTEREST
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(a) There were no declarations of interest. However, later in the meeting County Councillor K Silk declared a personal interest in application P/2017/1437 as she knew an individual who was speaking as an objector.

(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 County Councillor A Jones (who is not a member of the Committee) would be speaking as the 'local representative' in respect of application P/2017/1096.

7. 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).

7.1 Updates

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

7.2 P/2017/1437 Land at Dol y Garreg, Llanwrthwl, Llandrindod Wells, Powys LD1 6NW

Grid Ref:	296020.15 265782.38
Valid Date:	08/12/2017
Officer:	Karen Probert
Community Council:	Llanwrthwl Community Council
Applicant:	Mrs N Wozencraft, N Wozencraft and Son, Swyn y Glyn, Rhayader, Powys LD6 5AW
Location:	Land at Dol y Garreg, Llanwrthwl, Llandrindod Wells, Powys LD1 6NW
Proposal:	Full : Erection of a pullet rearing unit, feed silos and all associated works
Application Type:	Application for Full Planning Permission

County Councillor K Silk sought advice from the Solicitor regarding the fact that she knew one of the objectors. The Solicitor advised that if this was a close acquaintance the member should consider public perception. County Councillor K. Silk declared a personal interest as she knew an objector but decided that this was not a prejudicial interest.

The following spoke against the application: Mr V Harris, Mrs P Knight, Mr A Fuest, Mrs H Parker and Mr R Tyler.

The following spoke in support of the application: Mrs N Wozencraft applicant, Mr G Price, Agent, Mr P Wozencraft, applicant's husband and Mr O Wozencraft, applicant's son.

In response to questions regarding an Environmental Impact Assessment [EIA], the Principal Planning Officer advised that the Planning Authority had requested an EIA and the applicant had made a screening direction to the Welsh Government. The latter directed that the development was not EIA development within the meaning of the 2017 Regulations.

The Planning Officer advised that a revised Manure Management Plan had been submitted and the manure would be removed every cycle and taken to an anaerobic digester. The Chair adjourned the meeting to enable the officers to check with the applicant the location of the anaerobic digester. On resumption the Committee was advised that this was located in Tregarron.

In response to questions regarding the water supply and drainage, officers advised that the water supply was dealt with by other regulators and could also be a civil matter.

In response to further comments about the advice of Natural Resources Wales [NRW] the Principal Planning Officer advised that NRW and Environmental Health had not objected to the proposed development. She advised that when considering the application the cumulative impact of ammonia and the impact of the proposed development on the landscape and biodiversity had been taken into consideration. The Committee was advised that COGAP guidelines would be used to manage the overspreading of manure on the land.

The Principal Planning Officer advised that the bund, landscaping and colour of the silos would lessen the impact of the proposed 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.

The Committee adjourned for lunch at 1240 hrs and reconvened at 1310 hrs.

County Councillors L Corfield and J. Williams left the meeting.

County Councillor K Laurie-Parry and R Williams returned to the meeting.

7.3 P/2017/0549 Glangwden, Trefeglwys, Caersws, Powys, SY17 5PX

Grid Ref: 296106.95 288790.36

Valid Date: 15/05/2017

Officer: Dunya Fourie

Community Council: Trefeglwys Community Council

Applicant: Mrs Fiona Jerman, CL & FE Jerman, Glangwden, Trefeglwys, Caersws, Powys, SY17 5PX.

Location: Glangwden, Trefeglwys, Caersws, Powys, SY17 5PX

Proposal: Full: Erection of a free range poultry unit (extension to existing unit), including feed silos and all associated works

Application Type: Application for Full Planning Permission

The Committee noted that this was an EIA development due to the cumulative number of birds in the area.

In response to a question, the Professional Lead Development Management advised that a covered manure management store had been approved in April 2018. The Planning Officer advised that NRW had considered the nitrogen levels and considered that the applicant had sufficient land to accommodate the level of manure for this proposed development and its other agricultural activities.

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 left the meeting.

7.4 P/2017/1096 Land at Gornal Farm, Four Crosses, Powys SY22 6RJ

Grid Ref: 327180.5 318311.55

Valid Date: 02/10/2017

Officer: Tamsin Law

Community Council: Llandysilio Community Council

Applicant: Mr P Davies P & S Davies, Gornal Farm, Four Crosses, Powys SY22 6RJ

Location: Land at Gornal Farm, Four Crosses, Powys SY22 6RJ

Proposal: Outline: Residential development for up to 20 dwellings, formation of a vehicular access, and all associated works

Application Type: Application for Outline Planning Permission

RESOLVED:	Reason for decision:
That the application be refused.	<p>1. The proposed development is considered to be unjustified development in the open countryside contrary to policies SP6 and H1 of the Powys Local Development Plan.</p> <p>2. Insufficient information has been provided to demonstrate that the development of a minerals safeguarding area is justified. The proposed development is therefore considered to be contrary to Policy DM8 and SP7 of the Powys Local Development Plan (2018), policy GP4 of the Unitary Development Plan (March 2010), Technical Advice Note 18 and Planning Policy Wales (9th Edition, 2016)</p> <p>3. Insufficient information has been provided to assess the impact of the proposed acoustic barrier on the Offa's Dyke Scheduled Ancient Monument. The proposed development is therefore contrary to Planning Policy Wales, TAN24 and LDP policy SP7.</p>

8.	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 26 April, 2018 and 16 May, 2018.

9.	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/2017/0708 Land at Ty'n y Bryn Farm,

Tregynon, Newtown. The Committee noted that the Inspector had upheld the appeal.

County Councillor K Lewis (Chair)