

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL ON THURSDAY, 27 FEBRUARY 2020**

PRESENT

County Councillor K Lewis (Chair)

County Councillors E M Jones, L George, G Jones, M J Jones, F H Jump, 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 were received from County Councillors L V Corfield, D R Jones and P C Pritchard.

**2. MINUTES OF THE PREVIOUS MEETING**

The Chair was authorised to sign as a correct record the minutes of the meeting held on 6 February, 2020.

**Planning**

**3. DECLARATIONS OF INTEREST**

- (a) County Councillor D Price declared a prejudicial interest in application 19/2015/FUL because the applicant undertakes contracting work on his farm business.
- (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 L Roberts (who is not a member of the Committee) would be speaking as the 'local representative' in respect of an application on the agenda.

**4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE**

The Committee considered the report of the Head of Property, Planning and Public Protection (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.

4.2 P/2017/1089 Lower Trederwen Farm, Trederwen Lane, Arddleen, Llanymynech, Powys SY22 6PY

**Grid Ref:** E: 326751 N: 315870

**Valid Date:** 04/10/2017

**Community Council:** Llandrinio and Arddleen Community Council

**Applicant:** Ms Mountford

**Location:** Lower Trederwen Farm, Trederwen Lane, Arddleen, Llanymynech, Powys SY22 6PY

**Proposal:** Erection of an intensive poultry unit, biomass building and all associated works

**Application Type:** Full Application

County Councillor L Roberts spoke as the local representative.  
Mrs S Wright spoke on behalf of local objectors.  
Mr R Corbett spoke as the agent.

The Planning Officer advised that the update report contained information regarding flood risk and ammonia modelling. In respect of the latter the development would use air scrubbers as a more efficient technology for the reduction in ammonia concentrations. The Planning Officer also advised that the manure management plan had been considered and accepted. He stated that the proposed development would cause no harm to the listed buildings or their settings in the area.

Clarification was sought on the amount of land available for spreading manure. The Chair agreed a short adjournment, to seek clarification from the agent. On resumption of the meeting, the Planning Officer advised that 194 hectares was available for the spread of manure. He advised that the original manure management plan [2018] referred to an incorrect figure and advised that there was an error in the officer's report which had been corrected to state 194 hectares. The Committee noted that the excess manure would be taken to two anaerobic digesters.

In response to questions, the Planning Officer advised that the Routing Management Plan indicated that access/egress would be via the A483 highway. The Committee noted that the main farm was on the mains water supply and the proposed development would also be connected to this. The Planning Officer advised that the Manure Management Plan identified buffer zones around known private water supplies, where manure would not be spread.

In response to questions regarding the fact that part of the application site was in the C2 flood zone, the Planning Officer advised that the access road was the only part of the proposed development in this area. He advised that Welsh Government guidance stated that no highly vulnerable development should be permitted in a C2 flood zone and the access track and poultry unit was considered to be a less vulnerable development.

It was moved and duly seconded to approve the application as recommended by the officer in the update report.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the update report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the update report which is filed with the signed minutes.</b>

County Councillor H Williams asked that his vote against the application be recorded.

County Councillor G Jones joined the meeting.

4.3 19/0361/FUL Brecon Waste Transfer Site, Cwrt Y Plyfin, Llan-y-Wern, Brecon, Powys, LD3 0TT

<b>Grid Ref:</b>	309072 231583
<b>Valid Date:</b>	25/02/2019
<b>Community Council:</b>	Felin-Fach Community Council
<b>Applicant:</b>	Mr Simon Kendrick, c/o Agent (Agent Miss Llinos Hallett, Asbri Planning Ltd, Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS)
<b>Location:</b>	Brecon Waste Transfer Site, Cwrt Y Plyfin, Llan-y-Wern, Brecon, Powys, LD3 0TT
<b>Proposal:</b>	Demolition of existing structures and the proposed development of offices/welfare unit, a bulking facility, a storage shed, sump and silo for food waste, an area of hardstanding and associated car parking spaces for staff and operational vehicles.
<b>Application Type:</b>	Full application

In response to a question the Highways Authority advised that the junction to the A470 was within the jurisdiction of the Trunk Road Agency. The Committee noted that the Welsh Government had not issued a direction in respect of the proposed development.

It was moved and duly seconded to approve the application as recommended by the officer.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

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

4.4 19/2015/FUL Noyadd Farm, Cilmery, Builth Wells, Powys, LD2 3NT

**Grid Ref:** E: 301266 N: 251845

**Valid Date:** 03/12/2019

**Community Council:** Cilmery Community Council

**Applicant:** Mr Christopher Richards

**Location:** Noyadd Farm, Cilmery, Builth Wells, Powys, LD2 3NT

**Proposal:** Extend existing slurry store and construction of building to enclose slurry store including cover over open yard area

**Application Type:** Full application

The Planning Officer advised that, notwithstanding the wording of the application, the application was to extend the covering of the slurry pit and not extending the slurry pit.

It was moved and duly seconded to approve the application as recommended by the officer.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

County Councillor D Price returned to the meeting and resumed his seat in the Committee.

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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The Committee received for information a list of decisions made by the Head of Property, Planning and Public Protection during the period between 29 January, 2020 and 18 February, 2020.

**Taxi and other licensing**

**6. ANIMAL ESTABLISHMENT LICENSING FEES**

The Committee considered the report regarding revised fees for the licensing of animal establishments to commence from April 2020. The Senior Licensing Officer advised that fees had to be reviewed on an annual basis and that they had to cover the cost of the services provided. During the review of fees, it had been noted that this was not the case and that therefore the Local Government Association [LGA] guidance was not being followed.

In response to questions, the officer advised that the Welsh Government was aware of the fee variation across Wales and it was working towards resolving this.

It was moved and duly seconded to approve the revised licensing fees subject to consultation.

<b>RESOLVED</b>	<b>Reason for decision</b>
<b>That the revised Licensing fees be approved for consultation and if following consultation, no objections are received then they will come into effect on 1st April 2020.</b>	<b>To enable full cost recovery for licencing regime.</b>

**7. MINUTES OF TAXI LICENSING SUB-COMMITTEES**

The Chair presiding at the Taxi Review Panel held on 10 February =2020 was authorised to sign the minutes as a correct record.

The Solicitor advised that the application for a Judicial Review in respect of the proposed development of a poultry unit at Old Impton Farm [18/0779/FUL] had failed at the first stage – namely the application to the High Court to obtain permission to proceed with Judicial Review. The application was rejected on all grounds. The Applicant had requested an oral hearing before a judge in the High Court and again this was rejected on all grounds. The Applicant had seven days in which to appeal to the Court of Appeal however that time limit had elapsed and no notice of appeal had been received. The Council had been awarded costs.

**County Councillor K Lewis (Chair)**