

## **MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT BY TEAMS ON THURSDAY, 11 NOVEMBER 2021**

PRESENT

County Councillor K Lewis (Chair)

County Councillors G Jones, L V Corfield, L George, E M Jones, M J Jones, H Lewis, D R Price, K Laurie-Parry, G Pugh, D Selby, K S Silk, L Skilton, M Weale, G I S Williams, R Williams and J Wilkinson

### **1. APOLOGIES**

Apologies for absence were received from County Councillors F H Jump, P C Pritchard, E Vaughan and D H Williams.

### **2. MINUTES OF THE PREVIOUS MEETING**

The Chair was authorised to sign as a correct record the minutes of the meeting held on 21 October 2021 subject to the following amendments to minute 5:

5(a) to read as follows - County Councillor K Laurie-Parry declared a personal and prejudicial interest in application 20/0311/FUL because she was a tenant of the applicant.

5 (c) to read as follows - The Committee noted that Councillor K Laurie-Parry (who is a member of the Committee) due to her significant personal and prejudicial interest was seeking another member to act as 'local representative' in respect of 20/0311/FUL.

and subject to the following amendment to minute 6.5:

6.5 to read: As Councillor K Laurie-Parry was unable to find a member to speak as a local representative, the Solicitor read her statement out on her behalf.

## **Planning**

### **3. DECLARATIONS OF INTEREST**

- (a) There were no declarations of interest.
- (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.

In respect of a councillors' membership of the Campaign for the Protection of Rural Wales [CPRW] the Solicitor advised that where they are an ordinary member of the organisation they do not have an interest to declare.

County Councillor K Silk left the meeting due to technical difficulties.

#### **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 19/0743/FUL Llanshay Farm, Llanshay Lane, Knighton, Powys LD7 1LW

**Grid Ref:** E: 329700 N: 271835

**Valid Date:** 03.06.2019

**Community Council:** Knighton Town Council

**Applicant:** Mr Thomas Price

**Location:** Llanshay Farm, Llanshay Lane, Knighton, Powys, LD7 1LW

**Proposal:** Erection of 2 no. poultry buildings and associated infrastructure

**Application Type:** Full Application

Holly Adams-Evans spoke on behalf of Knighton Town Council.

Karen Plant and Camilla Saunders spoke on behalf of Sustainable Food Knighton against the application.

Tom Price spoke as the applicant and Ian Pick spoke as the agent.

In response to a question regarding the management of the manure the Senior Planning Officer advised that in the application as originally submitted the manure would be taken to another farm for spreading. However, in this amended application the manure would be transported to an anaerobic digester plant in Whitchurch. A condition was recommended which would prohibit the spread of manure on the land and if the applicant wished to do so, a new application would need to be made. She advised that the application indicated that of the 46 lorry movements per flock, six lorry movements would be for the transport of the manure. The capacity of the Whitchurch Biogas plant to take the manure was questioned. The Senior Planning Officer advised that there are contingency measures included in the manure management plan, which could

include some storage at the application site but the intention was that the manure would be collected by Whitchurch Biogas.

She advised that the applicant had demonstrated a need for the development through the application process and the report looked at the balance between the proposed development and its impact and benefit of home grown food. However, she advised that the application had to be determined in line with planning policy and officers considered that it was not contrary to any planning policy. The Committee was advised that the approved housing development 500 metres from the application site was a material consideration. The Senior Planning Officer advised that the housing development had been considered and the current application does not have an unacceptable impact on the housing development.

In response to question regarding cumulative impact the Senior Planning Officer advised that there is no guidance or planning policy regarding the definition of intensive agriculture. However, the Planning Authority had agreed that units in a 5km radius should be taken into account when considering cumulative impact. Therefore, all intensive poultry units [IPUs] had been taken into account when considering the impact of this application in terms of noise and odour. She also advised that the Environmental Statement concludes that there is no impact at this point in time.

In response to a question regarding the rights of way the Senior Planning Officer advised that Countryside Services had not objected to the application. The Professional Lead – Planning advised that an Informative Note was proposed to ensure the applicant was aware that a Temporary Traffic Regulation Order would be required when any works were needed on the highway in respect of the installation of pipework.

In response to a question regarding the control of flies the Environmental Health Officer advised that the Environmental Permit had been granted by Natural Resources Wales [NRW] and a condition was recommended in respect of the control of pests.

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 K Silk re-joined the meeting.

<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 15 October 2021 and 3 November 2021.

## Rights of Way

### 6. APPLICATION TO CORRECT THE REGISTER OF COMMON LAND

The Committee considered the application to correct the Register of Common Land, sections 22 and Schedule 2 of the Commons Act 2006 – Application 20-002CA, Register unit RCL026, Bryngwyn and Newchurch Hills, community of Painscastle.

In response to a question the Assistant Commons Registration and Definitive Map Officer advised that the application had been advertised and processed in accordance with the relevant regulations.

#### **RESOLVED**

**that application 20-002CA be granted as made and that 0.44 hectares of land be removed from the Register of Common Land, as shown on the plan at appendix 3.**

The Professional Lead – Planning updated the Committee on River SACs and phosphate issues. He advised that he chairs an All Wales Planning sub-group which is considering these issues. A range of work is being undertaken by interested parties including the following:

- Carmarthenshire Planning Authority working with NRW – development of a nutrient calculator, which will be made available to all authorities in due course.
- NRW – the management of sludge from septic tanks and waste water treatment works.

The Committee noted that this work would probably lead to updated guidance being issued by NRW and this would be shared with the Committee.

The Committee also noted that NRW and Welsh Water were looking at the use of wetlands for the removal of phosphates. Work was also being done on “additionality” to determine whether developments could be screened out from the need to consider phosphates.

In response to a question the Professional Lead – Planning advised that betterment schemes such as adding in additional septic tanks for a neighbour, as part of a proposed development, had yet to be permitted. He advised an application was currently being considered and NRW had not raised any issues under the Habitat Regulations when consulted.

The Committee noted that the solutions to the phosphates issues would result in increased costs and that it was an environmental constraint and not just a planning issue.

**County Councillor K Lewis (Chair)**