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Planning, Taxi Licensing & Rights of Way Committee Thursday, 28 February 2019

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 28 FEBRUARY 2019

PRESENT

County Councillor K Lewis (Chair)

County Councillors E M Jones, L V Corfield, L George, H Hulme, M J Jones, F H Jump, H Lewis, I McIntosh, D Selby, E Vaughan and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillors K Laurie-Parry, D R Price, G Pugh, J Wilkinson, G I S Williams and D H Williams and County Councillor J Williams who was on other Council business.

2. MINUTES OF THE PREVIOUS MEETINGS

The Chair was authorised to sign, as a correct record, the minutes of the meeting held on 17 January, 2019 and was authorised to sign, as a correct record, the minutes of the meeting held 7 February, 2019 subject to the following amendment: 4.2 [page 2, 4th paragraph] the acreage stated should be 25 acres rather than 6 acres.

Planning

3. DECLARATIONS OF INTEREST

(a) County Councillor L. George declared a prejudicial interest in the following applications:

- 18/0466/FUL because the applicants were family friends and business customers
- P/2017/0754 because the applicants were family friends and the development site was adjoining his property.

(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

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.

The Chair advised that P/2017/0754 would be considered next as the officers were seeking deferment.

Councillor L George having declared a prejudicial interest left the meeting room for the next item.

4.2 P/2017/0754 Land at Penyborfa, Carno Road, Caersws, Powys, SY17 5JA

Grid Ref: E: 302533 N: 292267

Valid Date: 01/12/2017

Officer: Gemma Bufton

Community Council: Caersws Community Council

Applicant: Messrs G & A Jarman

Location: Land at Penyborfa, Carno Road, Caersws, Powys, SY17 5JA

Proposal: Outline: Proposed housing development for 43 residential units, sheltered housing proposal and construction of a bus layby

Application Type: Outline

The Principal Planning Officer advised that despite seeking a response from the Welsh Trunk Road Agency, a response had not been received. As the access to the site is not a reserved matter, a deferment was recommended.

RESOLVED: that the application be deferred.	Reason for decision: To ensure that a response from the Welsh Trunk Road Agency is received and considered.
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The Chair apologised to the public who had travelled to hear the application.

County Councillor L George having declared a prejudicial interest remained out of the meeting room for the next application.

4.3 18/0466/FUL Parc Yr Esgob, Llanwnog, Caersws, Powys, SY17 5NY

Grid Ref: E: 302308 N: 294076

Valid Date: 13/08/2018

Officer: Tamsin Law

Community Council: Caersws Community Council

Applicant: Mr & Mrs Wainwright

Location: Parc Yr Esgob, Llanwnog, Caersws, Powys, SY17 5NY

Proposal: Full: Erection of a poultry unit, creation of a new vehicular access and all associated works

Application Type: Full application

Mr P Wells spoke against the application.

Mr D Evans spoke against the application.

Mr J Wainwright, applicant and Mr G Davies, agent spoke to the application.

The Principal Planning Officer advised that if the Committee was minded to approve the application she asked that it be delegated to the Lead Professional Development Management to add the plan numbers to condition 2, to agree a condition relating to the finished floor levels and a condition regarding the submission and agreement of a dust management plan.

In response to a question, the Principal Planning Officer advised that the consultees had considered the cumulative impact of all poultry units in the area, including the one located approx. one mile from the application site. She also advised that the Manure Management Plan referred to manure from the other farm activities and Natural Resources Wales [NRW] was content with the plan.

Having consulted the relevant statutory consultees the Principal Planning Officer concluded that the development would not significantly impact the setting of any scheduled ancient monument or have a significant impact on the registered historic landscape.

The Principal Planning Officer confirmed that all of the nearest sensitive receptors were in excess of 100 metres from the proposed development. The Environmental Health Officer advised that following concerns raised by third parties regarding dust and bio aerosol, Environmental Health requested that Public Health Wales be consulted on the application. Public Health Wales had advised that it had no concerns regarding 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 and that it be delegated to the Lead Professional Development Management to add	As officers recommendation as set out in the report which is filed with the signed minutes. Additional conditions required in order to ensure accuracy with the plans, ensure the

<p>the plan numbers to condition 2, to agree conditions relating to the finished floor levels and the submission and agreement of a dust management plan.</p>	<p>development does not have a landscape impact and is finished at an appropriate level and that a dust plan is submitted to ensure no negative impact on neighbouring residents</p>
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County Councillor L George resumed his place in the Committee.

4.4 18/0293/FUL The Four Crosses Inn , Four Crosses, Llanymynech, SY22 6RE

Grid Ref: E: 326853 N: 318410

Valid Date: 24/07/2018

Officer: Kate Bowen

Community Council: Llandysilio Community Council

Applicant: Eaglescourt Developments Ltd

Location: The Four Crosses Inn , Four Crosses, Llanymynech, SY22 6RE

Proposal: Change of use of public house (A3) to 3x dwellings and the creation of a ground and first floor extension

Application Type: Full Application

In response to a question, the Planning Officer advised that a pub was operational in the village located approx. half a mile from this site. The Committee noted that the pub, the subject of this application, had been closed since 2014. The Planning Officer confirmed that adequate marketing had taken place and the District Valuer had questioned the viability of the pub.

<p>RESOLVED: that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</p>	<p>Reason for decision: As officers recommendation as set out in the report which is filed with the signed minutes.</p>
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4.5 18/0475/FUL Wernhalog Farm, Llanfaredd, Builth Wells, Powys, LD2 3TE

Grid Ref: E: 308008 N: 253502

Valid Date: 05/09/2018

Officer:	Tamsin Law
Community Council:	Llanelwedd Community Council
Applicant:	Mr Keri Davies
Location:	Wernhalog Farm, Llanfaredd, Builth Wells, Powys, LD2 3TE
Proposal:	Erection of 2 No. agricultural buildings for poultry production, with associated feed bins, hardstandings, drainage attenuation pond and a new highway access to the A481
Application Type:	Full application

Ms N De Bar Baskerville spoke against the application.

Ms C Bowen-Thomas spoke against the application.

Dr J Milson spoke against the application.

Ms K Milson spoke against the application.

Miss Davies, applicant and Mr S Harrison, agent spoke in response.

The Committee noted that the application was supported by an Environmental Statement. The Principal Planning Officer advised that NRW had issued an environmental permit.

In respect of questions regarding the proximity of such a development to residential dwellings, the Principal Planning Officer advised that there are no hard rules regarding the distance allowed from a development.. She advised that this is dependent on a number of factors such as topography and the type of development. She advised that the development had been granted an environmental permit by NRW which would regulate issues such as noise, odour, dust etc The impact on sensitive receptors had been undertaken and there was no detrimental impact on receptors sufficient to refuse the permit or planning application. Environmental Health has been consulted on the application and offered no objection to the development.

In response to questions the Built Heritage Officer confirmed that although the proposed development would cause "small harm" to the setting of Hope Chapel; it would not be significant and would be mitigated to the extent that she had no objection to the proposed development. The Principal Planning Officer advised that condition 30 related to private wells. However, in the light of comments from Environmental Health, she advised that, if the Committee was minded to approve the application, a condition regarding the need to produce a plan giving the precise location of private wells on the site prior to the commencement of the development could be added.

The Principal Planning Officer advised, in response to a question, that the unit could not be sited nearer the other farm buildings, as it would have a detrimental impact on the Colwyn Brook Marshes SSSI. She advised that with regards to the River Wye and River Usk SACs that a Habitats Regulation Assessment has been undertaken by the Powys Ecologist which concluded there was no likely significant effect on the SAC or their features.

The Committee adjourned to allow the Principal Planning Officer to check the details in the Manure Management plan. She reiterated that NRW had assessed the plan, however some Members of the Committee raised concerns regarding manure being spread on the field in front of the unit. The Principal Planning Officer advised that a condition requiring an amended Manure Management Plan removing the field could be added.

The Environmental information submitted with the application was considered in full in the determination.

RESOLVED:	Reason for decision:
<p>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and</p> <p>that it be delegated to the Professional Lead Development Management to add a condition regarding the need to produce a plan giving the precise location of private wells on the site prior to the commencement of the development and that the field between the road and the unit be removed as an area for spreading manure and that a revised Manure Management Plan be submitted.</p>	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>Additional conditions added in order to safeguard the amenity of neighbouring residential properties</p>

The Committee adjourned at 1.35 p.m. for lunch and reconvened at 2.00 p.m.

Present

County Councillor K Lewis (Chair)

County Councillors L Corfield, L George, H Hulme, EM Jones, MJ Jones, F Jump, H Lewis, I McIntosh, D Selby, E Vaughan and R Williams.

4.6 18/1148/FUL Hill View, New Mills, Newtown, SY16 3NW

Grid Ref: E: 308508 N: 302274

Valid Date: 18/12/2018

Officer: Rhys Evans

Community Council: Manafon Community Council

Applicant: Mr Mark Wild

Location: Hill View, New Mills, Newtown, SY16 3NW

Proposal: Change of use of outbuilding into an engineering workshop (class B2), alterations to access and associated works

Application Type: Full application

Community Councillor H Hulme spoke on behalf of Manafon Community Council. Mr G Davies spoke as the agent. The agent advised that the applicant was willing to further restrict the hours of business from 08.00 to 18.00 and to remove the permitted development rights to ensure the building is not extended without prior approval from the Council.

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 and the addition of two further conditions restricting the hours of business from 08.00 to 18.00 hours and removing permitted development rights.	As officers recommendation as set out in the report which is filed with the signed minutes. Additional conditions added in order to safeguard the amenity of neighbouring residential properties and to ensure any further developments require prior approval.

County Councillor D Selby left the meeting at 14.43.

4.7 18/0464/FUL Offices, Llangammarch Depot, Llangamarch, Powys, LD4 4BY

Grid Ref: E: 293413 N: 247363

Valid Date: 26.11.2018

Officer: Rhys Evans

Community Council: Llangammarch Wells Community Council

Applicant: Powys County Council

Location: Offices, Llangammarch Depot, Llangamarch, Powys, LD4 4BY

Proposal: Demolition of existing storage building and loading ramp. Construction of new 36m diameter salt dome, relocation of grit storage bays and creation of additional parking bays

Application Type: Full application

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 1 February, 2019 and 20 February, 2019. It was noted that two of the applications had been determined by the Committee.

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/2017/0098 - Ty Brith, Bwlch-y-Ddar, Llangedwyn, Oswestry, SY10 9LL. The Committee noted that the Inspector had upheld the appeal.

Taxi and other licensing

7.	CONSULTATION ON VEHICLE LICENCE CONDITIONS
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The Committee considered the responses received to the consultation on proposals to introduce an age limit for licensed vehicles. The Licensing Officer confirmed that there would be scope to depart from policy in exceptional circumstances on a case by case basis, for example, to license a vintage vehicle.

RESOLVED	Reason for decision
<p>That the vehicle licence conditions be revised to introduce from 1st April 2019 an age limit for licensed vehicles as follows:</p> <ul style="list-style-type: none"> • Vehicles first presented for licensing must be less than 6 years old from the date of first registration (admission age) • Vehicles currently licensed when presented for renewal must be less than 12 years old from the date of first registration provided each subsequent licence takes place immediately on expiry 	<p>Implementing an age condition will reduce the age of the fleet of licensed vehicles in Powys, in turn raising the reliability, safety and overall standard of licensed vehicles.</p>

of the current licence. (i.e. no breaks in between renewal of the licence).	
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8.	CONSULTATION ON TAXI LICENCE FEES
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The Committee considered the response to the consultation on the Taxi Licence Fees.

RESOLVED	Reason for decision
That the proposed taxi fees, as reported on 6th December 2019 to come into effect on 1st April 2019.	To enable a new compliant fee to be set for licences issued under The Local Government (Miscellaneous Provisions) Act 1976.
A review of taxi fares be undertaken to assess the need for a new table of fares.	To ensure the table of fares are deemed appropriate.

9.	MINUTES OF TAXI REVIEW PANELS
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The Chair presiding at the Taxi Review Panel held on 29 June, 2018 was authorised to sign the minutes as a correct record.

County Councillor K Lewis (Chair)

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