

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT HYBRID MEETING - ZOOM - COUNTY HALL ON THURSDAY, 2 FEBRUARY 2023

PRESENT

County Councillor K Lewis (Chair)

County Councillors G D Jones, A Davies, D Edwards, L George, H Hulme, P James, A Jones, G E Jones, C Kenyon-Wade, G Morgan, G Pugh, R G Thomas, E Vaughan, J Wilkinson and D H Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillors T Colbert and E Roderick and County Councillor I McIntosh who was on other Council business.

2.	MINUTES OF THE PREVIOUS MEETING
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 12 January 2023.

Planning

3.	DECLARATIONS OF INTEREST
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(a) County Councillor G Pugh declared a personal and prejudicial interest in application 19/1069/FUL because he owns a property very close to the proposed development site.

County Councillor L George declared a personal and prejudicial interest in application 19/1069/FUL because the applicant was a business client and a friend.

(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
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The Committee considered the report of the Head of Property, Planning and Public Protection (copies filed with the signed minutes).

4.1 Updates

There were no updates.

County Councillors L George and G Pugh having declared prejudicial interests left the meeting for the next item.

4.2 19/1069/FUL Land At Upper Maenllwyd, Kerry, Newtown, SY16 4NB

Grid Ref: E: 316722 N: 292038

Valid Date: 09/07/2019

Community Council: Kerry Community Council

Applicant: Mr Jones

Location: Land At Upper Maenllwyd, Kerry, Newtown, SY16 4NB

Proposal: Erection of 2 no. poultry units including silos, formation of vehicular access road and all associated works

Application Type: Full application

Mr J Rowlands spoke as an objector.
Mr R Corbett spoke as the Agent.

The Planning Officer advised that the proposed development will not cause harm to the setting of listed buildings, or have any impact on the setting of any scheduled monuments.

In response to a question the Planning Officer advised that the land which would be used for the proposed HGV passing bay and for the improvement of the junction was in the ownership of the applicant and the Local Highway Authority. She advised that the proposed passing bay would mitigate the increase in traffic, which was not significant, on the C2053. The Highways Officer advised that there was good visibility to the proposed passing bay and from that to the junction with the B4368. The proposed work to the junction and the provision of a passing bay would be a betterment for all road users. The Committee noted that SAB approval was also required prior to any development commencing.

The Contaminated Land Officer advised in response to questions about the contaminated land, that the source of the ground gas was located adjacent to the proposed development site. If the Committee was minded to approve the application, a condition was recommended that prior to development the risk of any impact from the contaminated land should be investigated and assessed and mitigations put in place to reduce any risk.

The Planning Officer in response to questions about the disposal of dirty water advised that this would be taken off site by Gamber Logistics. If the Committee

was minded to approve the application a condition was recommended prohibiting the spread of dirty water on the land.

Concerns were raised that the application was being considered at the meeting prior to the current consultation ending on 20 February. The Planning Officer advised that the Ecologist had requested further information regarding the application. The applicant had provided this and the Ecologist was content with the information. However, in accordance with The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 following the submission of further information a 30 day re-consultation on this new information was required. The Professional Lead Planning advised that officers were not expecting any significant issues to arise, as the Ecologist had already considered this new information and therefore she was content with the officer's recommendation.

The Planning Officer confirmed that during the pre-application consultation process other sites for the proposed development had been considered. In response to questions the Planning Officer advised that it was proposed that normally the manure would be exported to an anaerobic digester and that the storage facility on-site was a contingency measure. She also advised that the cumulative impact of such developments had been taken into consideration.

It was moved and duly seconded that the Committee was minded to approve the application, subject to the conditions set out in the report and that it be delegated to the Professional Lead for Planning in consultation with the Chair and the Vice Chair to determine the application after the re-consultation period ends, taking account of any further communications received within this period.

RESOLVED:	Reason for decision:
that the Committee is minded to approve the application subject to the conditions set out in the report which is filed with the signed minutes and that it be delegated to the Professional Lead for Planning in consultation with the Chair and the Vice Chair to determine the application after the re-consultation period ends, taking account of any further communications received within this period.	As officer's recommendation as set out in the report which is filed with the signed minutes.

County Councillors L George and G Pugh returned to the meeting.

5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
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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 5 January 2023 and 26 January 2023.

6.	APPEAL DECISION
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The Committee received a copy of the Planning Inspectorate's letters regarding appeals in respect of the following applications:

- 20/1155/FUL - The Hexagon, Garth, Llangammarch Wells, Powys, LD4 4AT - The Committee noted that the Inspector had dismissed the appeal.
- 21/1792/FUL Land at Little London, Llandinam, Powys, SY17 5AQ - The Committee noted that the Inspector had dismissed the appeal.
- 20/2056/HH and 20/2057/LBC - Street House, Llandysilio, Llanymynech, Powys, SY22 6RB - The Committee noted that the Inspector had dismissed the appeals.
- 21/0438/FUL Ground Floor, Leamington House, Temple Street, Llandrindod Wells, Powys, LD1 5DU - The Committee noted that the Inspector had upheld the appeal in part.

Taxi and other licensing

7.	DECLARATIONS OF INTEREST
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There were no declarations of interest.

8.	ANIMAL ESTABLISHMENT LICENSING FEES REVIEW
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The Committee considered the report regarding the Animal Establishment Licensing Fees review.

In response to a question the Animal Health Team Manager advised that licensed establishments licensed by the Authority operated within the County. He advised that the level of fees set by other authorities was given for information only and comparison was difficult as authorities calculated their costs in different ways and some may not recover all costs.

Comment was made that the proposed fees were different to those detailed in the Budget report recently considered by the Cabinet. The Animal Health Team Manager stated he would look into this.

Resolved

that the proposed licence fees set out in Appendix 1 to the report be approved and implemented with effect from 1st April 2023.

County Councillor K Lewis (Chair)