

Pwyllgor Cynllunio, Trwyddedu Tacsis a Hawliau Tramwy

Man Cyfarfod
Siambr y Cyngor – Neuadd y Sir

Dyddiad y Cyfarfod
Dydd Iau, 19 Mawrth 2020

Amser y Cyfarfod
10.00 am

I gael rhagor o wybodaeth cysylltwch â
Carol Johnson
01597826206
carol.johnson@powys.gov.uk



Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad Cyhoeddi

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

AGENDA

1.	COFNODION Y CYFARFOD BLAENOROL
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Awdurdodi'r Cadeirydd i lofnodi cofnodion cyfarfod blaenorol y Pwyllgor a gynhaliwyd ar 27 Chwefror 2020 fel cofnod cywir.

(Tudalennau 1 - 6)

1.1. **Diweddariadau**

Bydd unrhyw ddiweddariadau yn cael eu hychwanegu i'r Agenda, fel Pecyn Atodol, lle bynnag bo hynny'n bosib, cyn y cyfarfod.

(Tudalennau 7 - 16)

2.	URGENT ITEM AGREED BY CHAIR - TEMPORARY SUSPENSION OF THE PLANNING CALL-IN PROCEDURE IN THE PLANNING PROTOCOL
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To consider the report.

(Tudalennau 17 - 18)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

4.1

Planning, Taxi Licensing and Rights of Way Committee Report

Application No:	19/1477/FUL	Grid Ref:	E. 297087, N 282209
Community Council:	Llanidloes Without CC and Llangurig	Valid Date:	Officer: 25/09/2019 Gary Nancarrow
Applicant:	Mr David Williams Sundorne Products (Llanidloes) Ltd, Llanidloes, Powys, SY186JJ		
Location:	Bryn Posteg, Tylwch, Llanidloes, Powys, SY18 6JJ		
Proposal:	Regularisation and retention of over-tipped material on the existing landfill, additional landfilling operations in accordance with revised restoration profile and phasing details together with associated landfill infrastructure.		
Application Type:	Full application, part retrospective.		
Environmental Statement:	Application accompanied by an Environmental Statement.		
Reason for Committee:	Major waste development. Powys County Council has an interest in the site because the applicant provides waste management services operating from this site to the Council.		

REPORT UPDATE

Revised Phasing Plan

The applicant has provided a revised phasing plan reference 43456-CAU-XX-XX-DR-S-1815 P6. The detail of the phasing remains unaltered, but the timeline information within the tabulation inset has been updated with dates to reflect an assumed 1 May 2020 commencement. A condition is proposed for the submission of a revised phasing plan, and in the event that the 1st May commencement does not occur, which can be due to planning or environmental permitting delays, a mechanism remains in place to ensure that any further revision to the phasing plan dates can still be approved.

A copy of the plan and extract of the revised inset table is reproduced below.

Countryside Access and Recreation - Rights of Way

Having reviewed this with Emma Guy, the Area Rights of Way and Access officer, this application does not have any significant impact on the two public rights of way in itself.

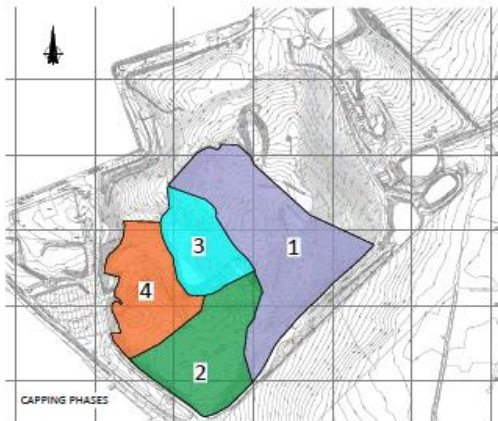
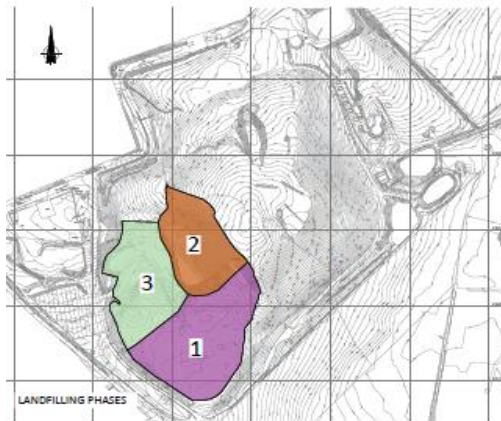
Mapping the detail of the paths is complicated, due to differences of only a few metres between the alignments of the field boundaries shown on OS Mastermap and the site fencing that is actually in place on the ground. When Emma and I last visited the site in 2015, we concluded that:

- Footpath 84, at the northern and north-eastern edge of the site, runs along a narrow corridor (of around 1 metre wide) between the security fencing for the site and the older hedge line to the north of it. It then turns to exit the corridor into the field to the east. The legal line is obstructed, as the narrow corridor cannot be accessed at either end. However the used route, with path furniture, is on the field edge immediately to the north and east of this, within the neighbouring field; we would recommend that a diversion application be made to address this discrepancy, if that will not be addressed through later restoration work. However, as the current planning application does not further impact on this area, it would not be a requirement that the path be diverted before the development subject of this planning application be carried out.
- Footpath 85 is outside the site, to the south of the wire fencing in your attached photographs. It was inside the original site boundary and in 2015, was in a corridor, with the site fence to the north and field boundary to the south. The field boundary to the south has since been removed, opening the path up to the rest of the field.

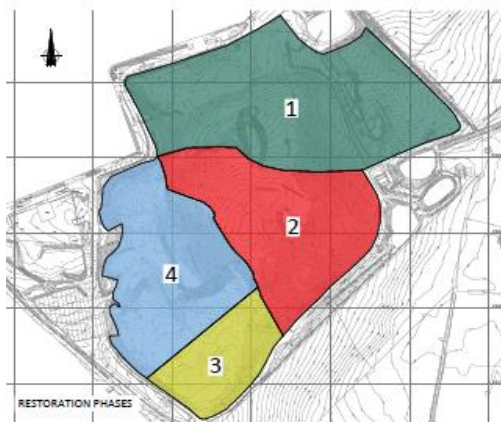
Case Officer Planning Response

The officer rights of way appraisal in the main committee report advises that there is minimal direct impact on the rights of way as a consequence of the proposed development, and this remains unaltered. The routes on the ground provide for an unrestricted public access around the outside of the development site. The landfill site is an existing development and it is not expedient for the Council to attempt to regularise the minor footpath deviations from the definitive route via conditions attached to this planning proposal. There existing legislative powers to bring about a regularisation via footpath diversion order application to be made by the applicant. The applicant has been made aware of the need to make an application.

Copy of 43456-CAU-XX-XX-DR-S-1815 P6.



- LEGEND - LANDFILLING
- PHASE 1 LANDFILLING
 - PHASE 2 LANDFILLING
 - PHASE 3 LANDFILLING
- LEGEND - CAPPING WORKS
- PHASE 1 CURRENTLY CAPPED
 - PHASE 2 CAPPING
 - PHASE 3 CAPPING
 - PHASE 4 CAPPING
- LEGEND - RESTORATION
- PHASE 1 RESTORATION
 - PHASE 2 RESTORATION
 - PHASE 3 RESTORATION
 - PHASE 4 RESTORATION



Area No	Landfill Activities		Capping Activities		Restoration Activities	
	Start	Finish	Start	Finish	Start	Finish
All	Month 1	Month 30	Month 3	Month 43	Month 4	Month 53
	May-20	Oct-22	May-20	Nov-23	Aug-20	Sep-24
	Month 1	Month 10	Month 3	Month 8	Month 4	Month 15
1	May-20	Feb-21	May-20	Dec-20	Aug-20	Jul-21
	Month 11	Month 20	Month 14	Month 19	Month 16	Month 27
	Mar-21	Dec-21	Jun-21	Nov-21	Aug-21	Jul-22
2	Month 21	Month 30	Month 26	Month 31	Month 28	Month 39
	Jan-22	Oct-22	Jun-22	Nov-22	Aug-22	Jul-23
			Month 38	Month 43	Month 40	Month 53
3			Jun-23	Nov-23	Aug-23	Sep-24
4						

Starting Date for the phased programme; 1st May 2020

Details Summary		Details based on the following Drawings;	
Landfill Volume	m ³ 116,657	Restoration Proposals	
Landfilled Tonnage	T 99,158	Dwg No. 3495 CAU/XX/XX/DR.S.1813 Rev P9	
Annual Waste Tonnage	T / yr 40,000	Proposed Revised Final Contours	
Assumed Waste Density	T / m ³ 0.85	Dwg No. 18/01/RP/02	
Landfilling Period	Years 2.5	Date: 12.05.2020	Table No; 1
Volume of Soils Required	m ³ 63,033	Revision No; 4	

NO	DATE	BY	CHKD	APPD
01	30.11.2018	IC	SL	PG
POTTERS WASTE MANAGEMENT				
BRIN NUTTS LANDFILL SITE				
SITE PHASING PLAN				
ED	30.11.2018			
IC	12.05.2020	3495		
SL				
PG				
3495-CAU-XX-XX-DR-S-1815				

Extract Table Inset from Copy of 43456-CAU-XX-XX-DR-S-1815 P6.

Area No	Landfill Activities		Capping Activities		Restoration Activities	
	Start	Finish	Start	Finish	Start	Finish
All	Month 1	Month 30	Month 3	Month 43	Month 4	Month 53
	May-20	Oct-22	May-20	Nov-23	Aug-20	Sep-24
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4			Month 38	Month 43	Month 40	Month 53
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Starting Date for the phased programme;					1st May 2020	
Details Summary			Details based on the following Drawings;			
Landfill Volume	m ³	116,657	Restoration Proposals			
Landfilled Tonnage	T	99,158	Dwg No. 3495 CAU.XX.XX.DR.S.1813 Rev P3			
Annual Waste Tonnage	T / yr	40,000	Proposed Revised Final Contours			
Assumed Waste Density	T / m ³	0.85	Dwg No. 18/03/RP/02			
Landfilling Period	Years	2.5	Date:	Table No;	1	
Volume of Soils Required	m ³	63,033	12.03.2020	Revision No;	4	

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.**Planning, Taxi Licensing and Rights of Way Committee****19th March 2020****REPORT AUTHOR: Professional Lead - Planning****REPORT TITLE: Temporary suspension of the Planning Call-in Procedure in the Planning Protocol**

REPORT FOR: Decision

1. Purpose

1.1 In order to enable the Local Planning Authority to continue to make decisions on planning applications during the current Covid-19 pandemic, and to overcome the restrictions and concerns around holding meetings, the Committee is asked temporarily to suspend the planning application call-in procedure which can be exercised by a local member, as set out in the Planning Protocol.

1.2 The Planning Protocol and the call-in procedure (paragraphs 19.51 – 19.61 of the Planning Protocol) can be read via the following hyperlink.

<https://powys.moderngov.co.uk/documents/s39838/Section%2019%20-%20Planning%20Protocol%20v4%20-%20Final%20Version%20approved%20by%20the%20Planning%20Committee.pdf>

1.3 The call-in procedure effectively overrides the provision in the Constitution at Section 13, A1 that normally provides for the determination of planning applications by the relevant planning officer by enabling a local member to request a planning application to be determined by the Planning Committee. If the call-in procedure is suspended then those applications would revert to being delegated to the relevant planning officer for determination.

1.4 Under paragraph 19.3 of the Council's Constitution, "The Planning, Taxi Licensing and Rights of Way Committee is hereby authorised to amend the Planning Protocol following receipt of advice from the Scrutiny Manager and Legal Services."

2. Legal implications

2.1 For those applications affected, the decisions would be made by the relevant planning officer and not The Planning, Taxi Licensing and Rights of

Way Committee. However, the relevant planning officer would still have to make a decision based on the same criteria, namely, based on the Local Development Plan and policy unless material planning considerations provided otherwise.

2.2 This would be an imaginative use of Committee's powers to reduce face to face contact during the current emergency.

2.3 This report has been approved by the Monitoring Officer.

3. Comment from local member(s)

3.1 The comments from all members have been sought prior to the Committee and will be reported verbally at the meeting to enable the Committee to make an informed decision.

4. Recommendation

Recommendation	Reason
<p>1. With immediate effect, to suspend temporarily for a period of 6 months the Member Call-in procedure as set out in the Planning Protocol (paragraphs 19.51 – 19.61 of the Planning protocol).</p> <p>2. To delegate authority to the Chairman of the Planning, Taxi Licensing and Rights of Way Committee to either reduce or increase the above period as necessary.</p>	<p>To enable the Local Planning Authority to continue to determine planning applications during the Covid-19 Pandemic.</p>

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