

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD BY TEAMS ON THURSDAY, 20 MAY 2021

PRESENT

County Councillor K Lewis (Chair)

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

1. APOLOGIES

There were no apologies for absence.

2. MINUTES OF THE PREVIOUS MEETINGS

The Chair was authorised to sign as a correct record the minutes of the meetings held on 29 April and 13 May 2021.

Planning

3. DECLARATIONS OF INTEREST

(a) County Councillor G Pugh declared a personal and prejudicial interest in application 20/2087/FUL as he was involved in the proposed development.

(b) County Councillor L George requested that a record be made of his membership of Caersws Community Council where discussion had taken place of matters for the consideration of this Committee and that he had not taken part in these.

(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 Councillors A Jenner and E. Jones (who are not a members of the Committee) would be speaking as the 'local representative' in respect of applications 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 Local Impact Report for a Development of National Significance Application for an Energy Recovery Facility at Buttington Quarry, Welshpool. PINS Reference: DNS/3214813, PCC Reference: 21/0733/DNS

The Committee considered the Local Impact Report [LIR] in respect of the application.

The following issues were raised as concerns and officers advised that these could be drawn to the attention of the Planning Inspector in the LIR:

- the potential risk of fire at the site and the impact of this on the main travel routes into Mid Wales, namely the Mid Wales – Shrewsbury railway line and the A458. It was noted that if the A458 was closed it could mean a 40 mile diversion,
- the potential build up of emissions from the stack and the impact on the surrounding farm land,
- the adequacy of the local road network to accommodate the increase in traffic movements,
- that the Civil Aviation Authority be consulted due to the potential impact of the proposed 70 metre stack on flights at the local airport.

The Senior Minerals and Waste Planning Officer advised that once the LIR had been submitted to the Planning Inspector the applicant has 10 days in which to respond to any of the observations made and could amend the application.

It was noted that as this was a Development of National Significance [DNS] the Welsh Government would consider the application and the local Planning Authority’s role was to submit comments via the LIR to the Planning Inspector. Local councillors and the public should submit any observations to the Planning Inspector. The Planning Inspector would write a report and make a recommendation to the Welsh Minister.

It was moved and duly seconded to accept the LIR with the addition of the issues identified above.

RESOLVED	Reason for decision
<p>That the Local Impact Report be approved for submission to the Planning Inspectorate to assist the appointed Inspector in their consideration of the DNS application and that the following issues are added to the report for the Planning Inspectors attention:</p> <ul style="list-style-type: none"> • the potential risk of fire at the site and the impact of this on the main travel routes into Mid Wales, namely the Mid Wales – Shrewsbury railway line and the A458. If the A458 was closed it could mean a 40 	<p>To ensure the planning authority submits a Local Impact Report to assist the appointed Inspector in their consideration of the DNS application.</p>

<p>mile diversion,</p> <ul style="list-style-type: none"> • the potential build up of emissions from the stack and the impact on the surrounding farm land, • the adequacy of the local road network to accommodate the increase in traffic movements, • that the Civil Aviation Authority be consulted due to the development including a 70 metre stack and its potential impact on flights at the local airport. 	
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The Committee adjourned for a short comfort break.

On reconvening a roll call was made and all Committee members were present.

County Councillor G Pugh having declared a personal and prejudicial interest left the meeting for the next item.

4.3 20/2087/FUL Land at Ael Y Bryn, Aberhafesp, Newtown, Powys

Grid Ref: E: 304151 N: 293359

Valid Date: 17/12/20

Community Council: Caersws Community Council

Applicant: Miss A Barrett

Location: Land at Ael Y Bryn, Aberhafesp, Newtown, Powys

Proposal: Construction of an all-new crematorium, including the erection of a crematorium building, change of use of land to provide a green burial site, creation of landscaped grounds to include a garden of remembrance, improved and new access arrangements, car parking area, sewage treatment plant and drainage and all associated works

Application Type: Full Application

Mr D Evans and Mr K Humphreys spoke against the application.
Mr A Southerby, Mr J Hurlstone and Mr S Richards spoke as the Agent and consultants respectively.

The Principal Planning Officer advised that if the Committee was minded to approve the application the conditions were those detailed in the update report. The Officer also advised that the application was subject to a holding direction from Welsh Government which prevented the authority from issuing a decision whilst Welsh Government considered whether to call-in the application for its own determination.

In response to questions the Principal Planning Officer advised that Natural Resources Wales [NRW] was content with the information submitted and had reviewed the Tier 3 information submitted by the applicant. NRW had asked that a condition for monitoring of ground water be undertaken during the operation of the site and five years after the site ceases to operate and the Officer advised that such a condition should be added if the Committee was minded to approve the application.

She advised that the burial of ashes was covered by the Crematorium Act 1902 and therefore planning conditions would not duplicate that legislation.

Concerns were raised about traffic movement associated with the proposed development and the impact of this on the local road network. The Highways Officer advised that the applicant had submitted a comprehensive and robust traffic statement. The maximum vehicle movements per day were estimated as 400. He considered this was the worst case scenario and considered that there was no significant adverse impact on the highway. In response to comments the Highways Officer advised that the Authority had to consider the national accident data, which was based on police records. He advised that no incidents were reported in the last three years in respect of the crossroad junction near the proposed development site. He acknowledged what the local member was saying about incidents but the Highway Authority was required to only consider data from the national data base. He advised that the maximum of vehicle movements was not a reason for refusing the application on highway grounds. He advised that there were no concerns about capacity issues on the local network and no safety concerns.

It was moved and duly seconded to approve the application as recommended by the officer in their update report, with an additional condition being added that monitoring of ground water be undertaken during the operation of the site and five years after the site ceases to operate. County Councillor R Williams did not vote as he had lost connection to the meeting during the discussion.

The Solicitor advised that as the applicant was a Councillor, he had reviewed the information held on the Planning Portal and confirmed that it had been processed “normally”, as required under the Planning Protocol.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the update report which is filed with the signed minutes and to a condition being added that monitoring of ground water be undertaken during the operation of the site and five years after the site ceases to operate.	As officer’s recommendation as set out in the update report which is filed with the signed minutes. Additional condition to ensure protection of ground waters, as recommended by Natural Resources Wales

The Committee noted that no decision will be issued until confirmation has been received by the Welsh Ministers regarding the call in request.

The meeting was adjourned at 1400hrs and recommenced at 1431hrs.

County Councillor G Pugh re-joined the meeting. County Councillor L Skilton did not return to the meeting and County Councillors D Selby, M Weale and J Wilkinson advised that they would be leaving at 1500hrs.

4.4 20/2128/FUL Rhos Farm, Trelystan, Leighton, SY21 8JB

Grid Ref: E: 328442 N: 307357
Valid Date: 15/01/21
Community Council: Trewern Community Council
Applicant: Cambrian Birds Ltd
Location: Rhos Farm, Trelystan, Leighton SY21 8JB

Proposal: Erection of 3 holiday lodges, including improvements to existing access road network (C2162 & U2475) including junction improvements and the provision of 1 passing bay, installation of a package treatment plant and other associated works.

Application Type: Full Application

County Councillor A Jenner spoke as the local representative.
 Mr W Jones spoke as the Agent.

The Senior Planning Officer advised that if the Committee was minded to approve the application the conditions were those detailed in the update report.

The Committee noted that a condition had been proposed limiting the use of the development to a tourism facility only. In response to questions the Senior Planning Officer advised that the previous reasons for refusal had been overcome by the reduction in the number of chalets proposed, the reduction in the height of the proposed chalets and the increased distance of the development from the nearest unassociated property. The Highway Authority officer advised that the applicant had agreed to a number of highway improvements which would benefit all road users and he advised that the road network was currently open to all vehicles. He advised there were no highway concerns.

County Councillors D Selby, M Weale and J Wilkinson had left the meeting prior to the vote being taken.

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

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

4.5 21/0094/OUT Land Adjacent To The Cemetery , Llanfihangel-Yng-
Ngwynfa, Llanfyllin, Powys, SY22 5JH

Grid Ref: E: 307975 N: 316479

Valid Date: 23/02/21

Community Council: Llanfihangel Community Council

Applicant: Mr Eamon Pryce

Location: Land Adjacent To The Cemetery, Llanfihangel-Yng-
Ngwynfa, Llanfyllin, Powys, SY22 5JH

Proposal: Erection an affordable dwelling, creation of access, installation of
treatment plant and all other associated works (some matters reserved)

Application Type: Outline Planning

County Councillor E Jones spoke as the local representative.
Mr G Lloyd spoke as the Agent.

The Committee noted that the cemetery and unclassified road separated the development site from the village of Llanfihangel-Yng-
Ngwynfa. The Professional Lead Planning advised that policy and Supplementary Planning Guidance stated that a development of one affordable house should be integrated into a settlement. He advised that the cemetery should be not be considered as part of the rural settlement and therefore officers considered that the proposed site was not well integrated into the settlement. Comment was made that the proposed site fitted into the ribbon type development of the settlement. It was noted that if the Committee was minded to approve the application, it should not consider the needs of the applicant but the merits of the proposed development. The Professional Lead Planning advised that if the Committee was minded to approve the application, contrary to officer's recommendation that it be delegated to him in consultation with the Chair and Vice Chair to agree appropriate conditions.

It was noted that during the discussion County Councillor G Williams had left the meeting due to technical issues.

It was moved and duly seconded to approve the application contrary to officer's recommendation.

RESOLVED:	Reason for decision:
that, contrary to officer recommendation, the application be granted consent, subject to suitable conditions to be imposed by the Professional Lead Planning in consultation with the Chair and Vice Chair.	That the proposed development site is considered to be integrated into the rural settlement of Llanfihangel-Yng- Ngwynfa and acceptable in all other planning policy matters.

5.	21/0796/AGR DYFFRYN, MEIFOD, POWYS, SY22 6HL
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Grid Ref: E: 314827 N: 312864

Valid Date: 04/05/21

Community Council: Meifod Community Council

Applicant: Mr JW Wilkinson

Location: Dyffryn, Meifod, Powys, SY22 6HL

Proposal: Agricultural storage building

Application Type: Agricultural Notification

The Solicitor advised that as the applicant was a Councillor, he had reviewed the information held on the Planning Portal and confirmed that it had been processed “normally”, as required under the Planning Protocol.

It was moved and duly seconded to approve the application to officer’s recommendation.

RESOLVED:	Reason for decision:
that prior approval would not be required.	To be permitted development under the Town and County Planning General Permitted Development Order 1995.

6.	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 21 April 2021 and 12 May 2021.

In response to a question the Professional Lead Planning advised that officers were satisfied that conditions had been complied with to enable the discharge application 20/1743/DIS - Old Station Caravan Site, Near New Radnor, New Radnor, Presteigne LD8 2AZ to be approved.

7.	APPEAL DECISION
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The Committee received a copy of the Planning Inspectorate’s letter regarding the appeal in respect of application 20/0249/FUL - Cremation Burial Ground, Out of Eden, Newchapel, Llanidloes, SY18 6LH. The Committee noted that the Inspector had dismissed the appeal.

Taxi and other licensing

8. ANIMAL LICENSING FEES

The Committee considered the further information relating to Animal Licensing fees, which had been requested at the previous meeting. A statement from Councillor J Williams, who was unable to speak in person due to technical difficulties, was read out to the Committee.

The Senior Enforcement Officer confirmed that where complaints had been received concerning particular categories of licence regarding the proposed increase in fees, rebates had been given to all those in that category. The Committee noted the impact on the service of the reimbursement of these increases.

It was moved and duly seconded to approve the officer's recommendation.

RESOLVED that the objections raised in the 2020 consultation are duly considered. That the revised Licensing fees that were proposed for the year 2020/21 for the categories of licence where objections were received are now approved for implementation from 1st April 2021 to ensure a more accurate cost recovery situation for the Council. However in recognition of the pressures that businesses have been subject to as a result of COVID19 that no further increases in fees will be considered until April 2022 at the earliest for all animal licensing sectors.

**County Councillor K Lewis
(Chair)**