

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 16 MARCH 2017**

**PRESENT**

County Councillor D R Price (Chair)

County Councillors M J Jones, L V Corfield, S Davies, W J Evans, J C Holmes, D R Jones, E M Jones, G M Jones, P J Medlicott, R H Mills, K S Silk, D A Thomas, D G Thomas, G I S Williams, D H Williams and J M Williams

<b>1.</b>	<b>APOLOGIES</b>	<b>PTLRW22 - 2017</b>
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Apologies for absence were received from County Councillors Eldrydd M. Jones, F. Jump and W.D. Powell. It was noted that County Councillor J.M. Williams was on other Council business and would join the meeting later.

<b>2.</b>	<b>MINUTES OF THE PREVIOUS MEETING</b>	<b>PTLRW23 - 2017</b>
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 22<sup>nd</sup> February, 2017 subject it being noted that the officer who provides support to the public at meetings in Neuadd Maldwyn left the meeting room when P/2016/0959 was discussed.

**Taxi and other licensing**

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>PTLRW24 - 2017</b>
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There were no declarations of interest in respect of licensing issues.

<b>4.</b>	<b>TAXI LICENSING FEES</b>	<b>PTLRW25 - 2017</b>
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The Committee considered the report regarding the revised fees for Hackney Carriage and Private Hire Licensing, which contained details in respect of the one objection received during the consultation period.

It was moved and duly seconded that the Committee notes the one objection and approved the fees as previously proposed to come into effect on 1st April 2017.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That the Committee notes the one objection and approved the fees as previously proposed to come into effect on 1st April 2017.</b>	<b>To enable a new compliant fee to be set for licences issued under The Local Government (Miscellaneous Provisions) Act 1976.</b>

<b>5.</b>	<b>MINUTES OF TAXI REVIEW PANELS</b>	<b>PTLRW26 - 2017</b>
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The Chair presiding at the Taxi Review Panel held on 25<sup>th</sup> January, 2017 was authorised to sign the minutes as a correct record.

**Planning**

<b>6.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>PTLRW27 - 2017</b>
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(a) County Councillor P. Medicott declared an interest in application P/2009/0038 as he had attended the Knighton Town Council meeting where this was discussed.

County Councillor D.R. Price declared a prejudicial interest in P/2016/0818 as he had employed the applicant as a local builder.

County Councillor D.G. Thomas declared a personal interest in DIS/2017/0027 as a Local Education Authority appointed Governor and Chair at Cradoc School.

(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 the following Members (who are not members of the Committee) would be speaking as the 'local representative' in respect of applications:

County Councillor A Davies – P/2017/0041

County Councillor A. G Thomas – P/2016/1174

<b>7.</b>	<b>PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE</b>	<b>PTLRW28 - 2017</b>
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The Committee considered the report of the Head of Regeneration, Property and Commissioning (copies filed with the signed minutes).

**7.1 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 he would change the order of the Agenda to accommodate those applications with speakers.

**7.2 P/2017/0041 Land at Cae Sgbor, Llanrhaeadr-ym-Mochnant, Powys**

**Application No:** P/2017/0041

**Grid Ref:** 313086.55 324103.66

**Valid Date:** 12/01/2017

**Officer:** Kate Bowen

<b>Community Council:</b>	Llanrhaeadr Community Council
<b>Applicant:</b>	Mr. Sion Vaughan, Maes Mochnant Uchaf, Llanrhaeadr-ym-Mochnant, Powys SY10 0AF
<b>Location:</b>	Land at Cae Sgbor, Llanrhaeadr-ym-Mochnant, Powys
<b>Proposal:</b>	Outline: Erection of affordable dwelling, construction of vehicular access and installation of septic tank
<b>Application Type:</b>	Application for Outline Planning Permission

County Councillor A. Davies spoke as the local representative.  
Mr G. Lloyd spoke as the Agent.

In response to questions the Planning Officer advised that the site and another site had been considered at pre application stage but again the other site was still detached from the settlement. The Committee discussed the issue of the settlement boundary, the rural nature of the area and the sporadic location of dwellings, which were typical of this part of Mid Wales. The Planning Officer advised that the Rural Settlement Policy in the Unitary Development Plan [UDP] did not define distances and that the information regarding distances given in the report were provided for reference purposes only. The Professional Lead for Development Management advised that the key issue was whether or not the proposed dwelling was considered part of the settlement and this was subjective but Development Management believed it was not. He also advised that the Welsh Government guidance was clear in that developments in the open countryside should normally only be approved for rural enterprise workers. This application was not for a rural enterprise worker.

It was moved and seconded that the Committee is minded to approve the application, contrary to officer recommendation, subject to suitable conditions to be imposed by the Professional Lead Development Management in consultation with the Chair and Vice Chair.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that, contrary to officer recommendation, the application be granted consent, subject to suitable conditions to be imposed by the Professional Lead Development Management in consultation with the Chair and Vice Chair.</b>	<b>That there is no defined line around the settlement and that it is considered that the proposed development is considered within the rural settlement.</b>

7.3 P/2016/1174 Penycoedcae, Sarnau, Brecon, Powys, LD3 9PR

**Application No:** P/2016/1174

**Grid Ref:** 303146.31 232866.78

**Valid Date:** 28/11/2016

**Officer:** Thomas Goodman

**Community Council:** Honddu Isaf Community Council

**Applicant:** Mr & Mrs D and E Tompkinson, 46 Schooner Way, Atlantic Wharf, Cardiff, CF10 4EQ

**Location:** Penycoedcae, Sarnau, Brecon, Powys, LD3 9PR

**Proposal:** Outline: Erection of dwelling, creation of new access and installation of a package treatment plant

**Application Type:** Application for Full Planning Permission

County Councillor A.G. Thomas spoke as the local representative.

In response to comments the Professional Lead Development Management advised that considerable weight needed to be given to the lack of a five year housing land supply. This was supported by case law and by the recent letter from the Minister.

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

County Councillor D.R. Price having declared a prejudicial interest left the meeting room for the next application. County Councillor M.J. Jones took the Chair. The Professional Lead Development Management also declared an interest and left the meeting room for the next application.

7.4 P/2016/0818 Church Field, Cwmbach Llechrhyd, Builth Wells, Powys, LD2 3RW

**Application No:** P/2016/0818

**Grid Ref:** 302740.01 254213.16

**Valid Date:** 22/08/2016

**Officer:** Thomas Goodman

**Community Council:** Disserth and Trecoed Community Council

**Applicant:** Mr Garry Mason, 19 Troed y Bryn, Builth Wells, Powys, LD2 3FE

**Location:** Church Field, Cwmbach Llechrhyd, Builth Wells, Powys, LD2 3RW

**Proposal:** Outline application for single residential dwelling with all matters reserved

**Application Type:** Application for Outline Planning Permission

In response to questions the Built Heritage Officer advised the impact of the proposed development on a listed building was a primary material consideration whereas the need to address the five year housing land supply was a material consideration. The proposed development would be contrary to UDP policies and Planning Policy Wales 9th edition 2016 which protect listed buildings. The Principal Planning Officer advised that if the Committee was minded to approve the application the size of the development could be conditioned.

The professional opinion of the Built Heritage Officer was noted however, Development Management considered that on balance the development was acceptable. The Solicitor advised that the legal position was such that the Committee had to give significant weight to the impact on the listed building.

It was moved and seconded that the Committee approve the application, as recommended by officers. The motion was put to the vote and was lost.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That contrary to officer recommendation, the application be refused.</b>	<b>The impact of the development on the listed building outweighed the lack of a five year housing land supply.</b>

County Councillor D.R. Price resumed the Chair and the Professional Lead Development Management returned to the meeting room.

7.5 P/2016/000875 Plots 3 & 4 The Laurels, Waterloo Road, Llandrindod Wells, Powys, LD1 6BL

**Application No:** P/2016/0875

**Grid Ref:** 306042.66 261980.68

**Valid Date:** 07/08/2016

**Officer:** Thomas Goodman

**Community Council:** Llandrindod Wells Town Council

**Applicant:** Mr Robert Wynne, Chapel Cottage, Llanfihangel Talyllyn, Brecon, Powys, LD3 7TH

**Location:** Plots 3 & 4, The Laurels, Waterloo Road, Llandrindod Wells, Powys, LD1 6BL

**Proposal:** Outline: Erection of two detached dwellings

**Application Type:** Application for Outline Planning Permission

The Committee noted that this was a resubmission of a similar application which had been refused on highway grounds and that the Highway Authority was not objecting to this new application. The Highway Authority advised that the new application included the access road and it had taken into account the emphasis being placed by the Planning Inspectorate on the guidance in Manual for Streets 2.

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

7.6 P/2016/0067 Plots East of Severn Oaks, Garreg Bank, Trewern, Welshpool, Powys

**Application No:** P/2016/0067

**Grid Ref:** 327989.78 311511.56

**Valid Date:** 15/01/2016

**Officer:** Louise Evans

**Community Council:** Trewern Community Council

**Applicant:** Mr M Middleton, WH Holloway and Son, Halfway House, Wattlesborough Hall, Wattlesborough, Shrewsbury, SY5 9DY

**Location:** Plots East of Severn Oaks, Garreg Bank, Trewern, Welshpool, Powys

**Proposal:** Erection of 5 dwellings to include one affordable dwelling and construction of new vehicular access (outline permission with access reserved)

**Application Type:** Application for Full Planning Permission

In response to questions the Built Heritage Officer advised that the development was not considered as a significant encroachment on the Historic Gardens. The Principal Planning Officer advised that a porosity test had been submitted and the Land Drainage Officer had considered this and supported the application subject to conditions.

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

County Councillor S. Davies joined the meeting having been on other Council business.

7.7 P/2017/0091 Land adjacent to Fairview, Llangedwyn, Oswestry, Powys, SY22 6YG

**Application No:** P/2017/0091

**Grid Ref:** 319400.9 322256.11

**Valid Date:** 20/01/2017

**Officer:** Kate Bowen

**Community Council:** Llanfechain Community Council

**Applicant:** Mr & Mrs M J Morris, c/o Roger Parry and Partners LLP

**Location:** Land adjacent to Fairview, Llangedwyn, Oswestry, Powys, SY22 6YG

**Proposal:** Erection of an affordable dwelling and detached garage, construction of vehicular access, installation of septic tank and associated works (outline)

**Application Type:** Application for Outline Planning Permission

In response to questions the Professional Lead Development Management advised that Development Management had informally discussed with the Agent the possibility of having an annex at the applicant's relative's property if the development was refused. The Committee however, had to consider the application as applied for.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be refused.</b>	<b>The proposed development is detached from any settlement identified within the Powys Unitary Development Plan (2010). The</b>

	<b>proposed development is therefore considered to be unjustified development in the open countryside which would be harmful to the character and appearance of the area. As such, the proposed development would be contrary to the provisions of Policies HP4, HP9, GP1, and ENV2 of Powys Unitary Development Plan (2010), Technical Advice Note (TAN) 6, Planning Policy Wales (2016) and Sections 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015.</b>
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County Councillor B. Mills left the meeting.

7.8 P/2017/0002 Aberllynfi House, Glasbury, Hereford, HR3 5NT

**Application No:** P/2017/0002

**Grid Ref:** 317845.3 238898.83

**Valid Date:** 03/01/2017

**Officer:** Thomas Goodman

**Community Council:** Gwernyfed Community Council

**Applicant:** Mr Grimes & Miss Price, Aberllynfi House, Glasbury, Hereford, HR3 5NT

**Location:** Aberllynfi House, Glasbury, Hereford, HR3 5NT

**Proposal:** Full: Change of use from C2 (Residential Institutions) to C1 (Guesthouse)

**Application Type:** Application for Full Planning Permission

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

County Councillor G.M. Jones left the meeting.



7.9 P/2016/1062 Plot 4, Ty Seren, Nantmel, Llandrindod Wells, Powys, LD1 6EN

**Application No:** P/2016/1062

**Grid Ref:** 303289.2 266212.85

**Valid Date:** 15/12/2016

**Officer:** Thomas Goodman

**Community Council:** Nantmel Community Council

**Applicant:** Mr Justin Cleaton, Dolberthog Lane, Holly Barn, Llandrindod Wells, Powys, LD1 5ED

**Location:** Plot 4, Ty Seren, Nantmel, Llandrindod Wells, Powys, LD1 6EN

**Proposal:** Erection of a detached house

**Application Type:** Application for Full Planning Permission

The Committee noted that this was an infill site.

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

The Committee adjourned for lunch at 12.55 hrs and resumed at 13.45 hrs.

County Councillor J.M. Williams joined the meeting. County Councillors P.J. Medicott and G. Williams were not in the meeting for the following application.

7.10 P/2016/1339 The Old Stables, rear of The Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Application No:** P/2016/1339

**Grid Ref:** 314285.78 319479.76

**Valid Date:** 28/12/2016

**Officer:** Kate Bowen/Isobel Davies

**Community Council:** Llanfyllin Community Council

**Applicant:** Mr & Mrs Shan Mayor, 32 Maes y Dderwen, Llanfyllin, Powys, SY22 5DP

**Location:** The Old Stables, rear of The Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Proposal:** Installation of solar panels to roof on side elevation

**Application Type:** Application for Full Planning Permission

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

County Councillors P.J. Medlicott and G. Williams resumed their seats in the Committee.

7.11 P/2016/1340 The Old Stables, rear of The Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Application No:** P/2016/1340

**Grid Ref:** 314285.78 319479.76

**Valid Date:** 28/12/2016

**Officer:** Kate Bowen/Isobel Davies

**Community Council:** Llanfyllin Community Council

**Applicant:** Mr & Mrs Shan Mayor, 32 Maes y Dderwen, Llanfyllin, Powys, SY22 5DP

**Location:** The Old Stables, rear of The Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Proposal:** Listed building consent for installation of solar panels to roof on side elevation

**Application Type:** Application for Listed Building Consent

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

7.12 P/2016/1085 Lower Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Application No:** P/2016/1085

**Grid Ref:** 314285.11 319480.03

**Valid Date:** 02/12/2016

**Officer:** Kate Bowen

**Community Council:** Llanfyllin Community Council

**Applicant:** Mr & Mrs Mayor, 32 Maes Y Dderwen, Llanfyllin, Powys, SY22 5DP

**Location:** Lower Cross Keys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Proposal:** Full: Replacement of windows, alterations to fenestrations, installation of flues and Velux windows, erection of an external staircase and associated works

**Application Type:** Application for Full Planning Permission

<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 officers recommendation as set out in the report which is filed with the signed minutes.</b>

7.13 P/2016/1087 Lower Crosskeys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Application No:** P/2016/1087

**Grid Ref:** 314285.35 319480.1

**Valid Date:** 02/12/2016

**Officer:** Kate Bowen

**Community Council:** Llanfyllin Community Council

**Applicant:** Mr & Mrs Mayor, 32 Maes Y Dderwen, Llanfyllin, Powys, SY22 5DP

**Location:** Lower Crosskeys Inn, High Street, Llanfyllin, Powys, SY22 5AT

**Proposal:** LBC: Replacement of windows, alterations to fenestrations, installation of flues, a biomass boiler, and Velux windows, erection of an external staircase, internal alterations and all associated works

**Application Type:** Application for Listed Building Consent

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

County Councillor P. J. Medicott, having declared an interest left the meeting room for the next application.

7.14 P/2009/0038 Site adjacent to Shirley, Ludlow Road, Knighton, Powys, LD71HP

**Application No:** P/2009/0038

**Grid Ref:** 329190.22 272105.66

**Valid Date:** 15/01/2009

**Officer:** Steve Packer

**Community Council:** Knighton Town Council

**Applicant:** Mr D Roberts And Mrs J Roberts

**Location:** Site adjacent to Shirley, Ludlow Road, Knighton, Powys, LD71HP

**Proposal:** Outline: Residential development and creation of new vehicular access

**Application Type:** Application for Outline Planning Permission

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

County Councillor P. J. Medicott returned to the Committee.

7.16 DIS/2017/0027 Cradoc CP School, Cradoc, Brecon, Powys, LD3 9LR

**Application No:** DIS/2017/0027

**Grid Ref:** 301535.32 230600.07

**Valid Date:** 13/02/2017

**Officer:** Thomas Goodman

**Community Council:** Yscir Community Council

**Applicant:** Simon Kendrick, Powys County Council

**Location:** Cradoc CP School, Cradoc, Brecon, Powys, LD3 9LR

**Proposal:** Discharge of conditions 14 and 15 of planning approval P/2015/1213

**Application Type:** Application for Approval of Details Reserved by Condition.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

7.17 DIS/2017/0013 Red House, Newbridge-On-Wye, Llandrindod Wells, LD1 6HT

**Application No:** DIS/2017/0013

**Grid Ref:** 301905.14 258437.51

**Valid Date:** 25/01/2017

**Officer:** Kate Bowen

**Community Council:** Llanyre Community Council

**Applicant:** Mr H Chance, Red House, Newbridge on Wye, Llandrindod Wells, Powys, LD1 6HT

**Location:** Red House, Newbridge-On-Wye, Llandrindod Wells, LD1 6HT

**Proposal:** Discharge of condition 4 of planning approval P/2016/1092

**Application Type:** Application for Approval of Details Reserved by Condition

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

7.19 DIS/2017/0024 Red House, Newbridge-On-Wye, Llandrindod Wells, Powys, LD1 6HT

**Application No:** DIS/2017/0024

**Grid Ref:** 301905.16 258437.62

**Valid Date:** 08/02/2017

**Officer:** Kate Bowen

**Community Council:** Llanyre Community Council

**Applicant:** Mr Huw Chance, Red House, Newbridge on Wye, Llandrindod Wells, Powys, LD1 6HT

**Location:** Red House, Newbridge-On-Wye, Llandrindod Wells, Powys, LD1 6HT

**Proposal:** Discharge of condition 5 of planning approval P/2016/1092 relating to roof tiles

**Application Type:** Application for Approval of Details Reserved by Condition

<b>RESOLVED:</b>	<b>Reason for decision:</b>
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.

7.20 DEM/2017/0004 Southfields, Spa Road East, Llandrindod Wells, Powys, LD1 5LE

**Application No:** DEM/2017/0004

**Grid Ref:** 306420.64 260956.28

**Valid Date:** 06/03/2017

**Officer:** Thomas Goodman

**Community Council:** Llandrindod Wells Town Council

**Applicant:** Mr Thomas Mills, Powys County Council, Spa Road East, County Hall, Llandrindod Wells, Powys, LD2 5LG

**Location:** Southfields, Spa Road East, Llandrindod Wells, Powys, LD1 5LE

**Proposal:** DEM: Application for prior notification of proposed demolition

**Application Type:** Application for prior Notification of Proposed Demolition

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That it be delegated to the Lead Professional for Development Management to determine the application following the close of the consultation period.</b>	<b>As officers recommendation as set out in the report which is filed with the signed minutes.</b>

The Committee expressed concerns that another Department within the Authority had not provided the information requested within the required timescale. In response to comments, officers agreed that they would consider the applicant details contained in Committee reports, where applications were made by Powys County Council.

<b>8.</b>	<b>DECISIONS OF THE HEAD OF REGENERATION, PROPERTY AND COMMISSIONING ON DELEGATED APPLICATIONS</b>	<b>PTLRW29 - 2017</b>
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The Committee received for information a list of decisions made by the Head of Regeneration, Property and Commissioning during the period between 14<sup>th</sup> February, 2017 and 9<sup>th</sup> March, 2017.

<b>9.</b>	<b>APPEAL DECISION</b>	<b>PTLRW30 - 2017</b>
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The Committee received a copy of the Planning Inspectorate's letters regarding the appeals in respect of the following:

- P/2016/0231 - Toms Plock, Llwyn Lane, Nantmel, Rhayader. The Committee noted that the Inspector had dismissed the appeal. The Professional Lead Development Management advised he was concerned with the Planning Inspector's conclusions regarding habitats and species, given the absence of an ecological survey. As Planning Appeal decisions are taken into account when considering applications, the Professional Lead Development Management had raised the issue with Natural Resources Wales.

- P/2016/0623 - Twyn yr Onnen, Felin Fach, Llandefalle, Brecon LD3 0ND.  
The Committee noted that the Inspector had dismissed the appeal.

**County Councillor D R Price (Chair)**