

# Public Document Pack



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## PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE Thursday, 16th March, 2023

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The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

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### SUPPLEMENTARY PACK

1.	<b>MINUTES OF THE PREVIOUS MEETING</b>	2
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To authorise the Chair to sign the minutes of the previous meeting of the Committee held on 22 February 2023 as a correct record.

(Pages 1 - 6)

#### 1.1. **Updates**

Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

(Pages 7 - 8)

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## MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT HYBRID MEETING - ZOOM - COUNTY HALL ON WEDNESDAY, 22 FEBRUARY 2023

### PRESENT

County Councillor K Lewis (Chair)

County Councillors G D Jones, A Davies, D Edwards, L George, P James, A Jones, G E Jones, C Kenyon-Wade, I McIntosh, R G Thomas, E Vaughan and D H Williams

#### 1. APOLOGIES

Apologies for absence were received from County Councillors H Hulme, Geoff Morgan, G Pugh and J Wilkinson.

#### 2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 2 February 2023.

### Planning

#### 3. DECLARATIONS OF INTEREST

- (a) County Councillor A Jones declared a prejudicial interest in application 22/1268/FUL because he is a personal friend of the applicant.
- (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 Councillors Gareth Morgan and J Brignell-Thorp (who are not members of the Committee) would be speaking as the 'local representative' in respect of any 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 22/2099/HH Hafod, 38 Garden Suburb, Llanidloes, Powys, SY18 6EU

**Grid Ref:** E: 295187 N: 283848

**Valid Date:** 08.12.2022

**Community Council:** Llanidloes Town Council

**Applicant:** Mr O Koffer

**Location:** Hafod, 38 Garden Suburb, Llanidloes, Powys, SY18 6EU

**Proposal:** Extend existing drop kerb and widen access to create vehicular parking

**Application Type:** Householder

County Councillor Gareth Morgan spoke as the local representative.

In response to questions the Highways Officer acknowledged the needs of the applicant. However, vehicle access must comply with national policy. The amended plan provided by the applicant shows splays which are not in accordance with the Manual for Streets. The Professional Lead Planning advised that if the Committee were minded to go against the officer's recommendation, material planning reasons need to be provided. The Highways Officer stated that if the Committee was minded to approve the application it would set a very dangerous precedent. The Planning Officer advised in response to questions about the removal of the hedge to assist visibility, that some of the hedge is in the ownership of a neighbour. The applicant could serve notice on the neighbour requesting that the hedge be moved but he considered that this would not be agreed.

It was moved and duly seconded to refuse the application as recommended by the officer.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be refused.</b>	<b>The proposed development would result in a substandard access which would have an unacceptable impact on highway safety and it is therefore contrary to policies T1 and DM13 part 10 of the Powys Local Development Plan (2018), Technical Advice Note 18, and Planning Policy Wales (Edition 11, 2021).</b>

County Councillor A Jones having declared a prejudicial interest left the meeting for the next item.

4.3 22/1268/FUL The Cottage Inn, Forden Road, Montgomery, SY15 6QT

<b>Grid Ref:</b>	E: 322270 N: 296968
<b>Valid Date:</b>	28/07/2022
<b>Community Council:</b>	Montgomery Town Council
<b>Applicant:</b>	Mr Broxton
<b>Location:</b>	The Cottage Inn, Forden Road, Montgomery, SY15 6QT
<b>Proposal:</b>	Conversion of a public house into 1 residential unit and associated works.
<b>Application Type:</b>	Full application

The Planning Officer advised that, as indicated in the update report, on reviewing the planning history of the site the application description has now been changed to its last known approved use as a public house. [The revised proposal description is shown above].

County Councillor J Brignell-Thorp spoke as the local representative.  
Town Councillor J Kibble spoke on behalf of Montgomery Town Council.  
Mr K Williams and Ms L Williams spoke against the application.  
Mr M Broxton spoke as the applicant and Mr G Davies spoke as the Agent.

In response to a question the Planning Officer advised that the marketing of the site had been undertaken online and by paper. Comment was made that the marketing had taken place during the pandemic and that further marketing should now take place. The Principal Planning Officer stated that policy DM11 required that marketing should take place for six months and there were no requirements to extend this. In response to a question about the agent used to market the property the Professional Lead Planning advised that the Local Development Plan does not specify that a specific agent should be used for the marketing, but that the marketing should be adequate. The Planning Officer reminded the Committee that following concerns about the valuation an independent third-party valuation had been sought and this had confirmed the valuation was accurate. Concerns were raised about the loss of a community facility, but it was acknowledged that businesses had to be viable.

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

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

County Councillor A Jones returned to the meeting.

4.4 22/2049/FUL Land At City House, Four Crosses, Llanymynech, Powys

<b>Grid Ref:</b>	E: 327265 N: 318369
<b>Valid Date:</b>	02/12/2022
<b>Community Council:</b>	Llandysilio Community Council
<b>Applicant:</b>	Mr Ian Sneade
<b>Location:</b>	Land At City House, Four Crosses, Llanymynech, Powys
<b>Proposal:</b>	Erection of a dwelling and associated works
<b>Application Type:</b>	Full Application

The Planning Officer in response to a question advised that the Highways Authority had raised no objections in respect of highways access and parking on the site. In a response to a question about the previously refused application the Officer stated that the applicant had sought pre-application advice and had revised this application by reducing the size and scale of the house.

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

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

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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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 27 January 2023 and 13 February 2023.

A member noted that applications in respect of Nant Helen were included on the list. The Professional Lead Planning advised he would contact the member regarding these.

<b>6.</b>	<b>APPEAL DECISION</b>
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There were no appeal decisions.

**7. DEVELOPMENT MANAGEMENT PERFORMANCE**

The Committee received the Professional Lead Planning's report regarding the performance of Development Management in Quarter 3 [October 2022 – December 2022]. He advised he would provide this information on a quarterly basis and this would show the trends.

In response to questions about the quality of applications received, the Professional Lead Planning advised that training sessions had started with agents on various issues, including issues of built heritage, ecology etc in order to improve application submissions and in turn performance. The Principal Planning Officer advised that the Department also provides pre-application advice. Where this is taken up, better quality applications are received and the time taken to determine them is then shorter. He also advised that the Department had now offered regular contact with town and community council clerks to discuss any planning issues.

**Taxi and other licensing****8. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**9. MINUTES OF TAXI LICENSING SUB-COMMITTEES**

The Chair presiding at the Taxi Review Panel held on 8 February 2023 was authorised to sign the minutes as a correct record.

**County Councillor K Lewis (Chair)**

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## Planning, Taxi Licensing and Rights of Way Update Committee Report

<b>Application Number:</b>	22/1033/FUL	<b>Grid Ref:</b>	E: 310979 N: 291595
<b>Community Council:</b>	Newtown And Llanllwchaiarn Community	<b>Valid Date:</b>	14.07.2022

**Applicant:** Mr N Bryant

**Location:** Former Motorworld Site, Gas Street, Newtown, SY16 2AB

**Proposal:** Demolition of existing building, erection of a building containing a ground floor retail space and 6 flats above, to include with associated auxiliary spaces and all associated works

**Application Type:** Full Application

### Reason for Update Report

This update report provides clarity regarding when public representations were received in relation to amended plans and balconies on the proposed development.

### Representations

95 objections were received following validation of the application on 14<sup>th</sup> July 2022 until 23<sup>rd</sup> November 2022.

Following the receipt of the final amended plans on 2<sup>nd</sup> December 2022, 29 objections and 57 support representations have been received.

### Officer Appraisal

#### Amenity

The amenity section of the committee report refers to 'side and rear balconies'. To clarify, the final version of the proposed development has 'juliette balconies' to the first and second floor, with the top floor having a balcony enclosed by the roof overhang.

### RECOMMENDATION

The above updates do not affect the recommendation set out within the initial committee report; that it is considered that the design has not been sufficiently amended such that the development would complement or enhance the character of the surrounding area in terms of appearance, scale, height, massing, integration and design detailing and the development would harm the appearance of the Newtown Conservation Area and the

settings of the identified listed buildings. Therefore, the recommendation is one of refusal as set out in the initial committee report.

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