

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 22 JUNE 2017

PRESENT

County Councillor D R Price (Chair)

County Councillors K Lewis, M Barnes, L V Corfield, H Hulme, E M Jones, M J Jones, K Laurie-Parry, H Lewis, P C Pritchard, P Roberts, D Selby, K S Silk, D A Thomas, E Vaughan, G I S Williams, D H Williams and J Williams

1. APOLOGIES

Apologies for absence were received from County Councillors L George and R Williams.

County Councillor M. Barnes advised that he would need to leave at 12.00 p.m.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 1st June, 2017.

Rights of Way

3. DECLARATIONS OF INTEREST

There were no declarations of interest for the next two agenda items.

4. DETERMINATION OF 'CORRECTIVE' APPLICATIONS UNDER SECTIONS 19 AND 22 AND SCHEDULE 2 OF THE COMMONS ACT 2006

The Committee received the report regarding the determination of 'Corrective' applications and proposals under sections 19, 22 and Schedule 2 of the Commons Act 2006. The Committee noted that the Cabinet on 20th June agreed that the determination of such applications and proposals be delegated to the Planning, Taxi Licensing and Rights of Way Committee, with opportunity for further delegation if appropriate.

The Committee was asked to consider if it wished to consider such applications and proposals or whether it considered that these should be considered by a sub-committee. The Definitive Map and Commons Registration Officer advised that training on this new legislation and the role of the Committee would be provided.

DECISION	REASON FOR DECISION
That the first determination of 'Corrective' applications and proposals under sections 19, 22 and Schedule 2 of the Commons Act 2006 be considered by the	To ensure that the determination of 'Corrective' applications and proposals under sections 19, 22 and Schedule 2 of the Commons Act 2006 is undertaken by the

Committee after which it would review the process.	Council.
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5. POWYS LOCAL ACCESS FORUM

The Committee received a report regarding the appointment of a Member to the Powys Local Access Forum.

DECISION	REASON FOR DECISION
That County Councillor M Barnes of the Planning, Taxi Licensing and Rights of Way Committee be appointed to the Local Access Forum for a period of three years.	To ensure that the Council is represented on the Local Access Forum.

Planning

6. DECLARATIONS OF INTEREST

- (a) There were no declarations of interest.
- (b) County Councillor M.J. Jones requested that a record be made of his membership of Churchstoke Community Council where discussion had taken place of matters for the consideration of this Committee and that he took no part in these discussions.

County Councillor J. Williams requested that a record be made of his membership of Llandrindod Wells Town Council where discussion had taken place of matters for the consideration of this Committee and that he took no part in these discussions.

- (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 County Councillor G. Pugh (who is not a member of the Committee) would be speaking as the 'local representative' in respect of application P/2017/0134 on the agenda.

County Councillor G. Pugh also declared a prejudicial interest in this application.

7. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

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.

7.2 P/2016/0700 Land at Wern Farm, Gladestry Kington Hertfordshire HR5 3PP

Application No:	P/2016/0700
Grid Ref:	324073.7 256083.39
Valid Date:	15/07/2016
Officer:	Eddie Hrustanovic
Community Council:	Gladestry Community Council
Applicant:	Mr Stephen & Robert Watson, Gladestry, Kington, Herefordshire, HR5 3NS
Location:	Land at Wern Farm, Gladestry, Kington, Herefordshire, HR5 3PP
Proposal:	Construction of a 16,000 bird free range egg production unit, feed bins, formation of vehicular access, hardstanding areas and all associated works
Application Type:	Application for Full Planning Permission

The Planning Officer advised that the impact on Rights of Way and tourism and the cumulative impact of such developments had been considered by officers in their assessment of the application. The Committee noted that the proposed building was set into the landscape at a lower level than the current ground level. The Planning Officer advised that the Environmental Health Officer, in an update, had confirmed that the proposed development had no impact on any private water supply.

It was noted that Rights of Way issues were covered by different legislation. However, the applicant had discussed the rights of way with Countryside Services and had agreed to protect the footpath near the application site.

In response to comments regarding policing the conditions proposed the Professional Lead Development Management advised that approx. 1400 planning permissions were approved each year. Development Management did not have the resources to monitor the conditions imposed on all of these and so relied on third parties to advise them of any concerns. The Chair considered that this was an issue which should be raised with the Portfolio Holder for Regeneration and Planning.

The Planning Officer advised that a Manure Management Plan had been received and both Natural Resources Wales [NRW] and Natural England were satisfied with this. In response to questions regarding the colour of the roof the

Professional Lead Development Management advised that it was similar to other buildings in the area.

RESOLVED:	Reason for decision:
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.

The Chair welcomed County Councillor M. Weale, Portfolio Holder Regeneration and Planning to the meeting.

7.3 P/2017/0134 Land adjacent to Abermule House, Abermule, Montgomery, Powys SY15 6NH

Application No: P/2017/0134

Grid Ref: 316400.28 294538.45

Valid Date: 07/02/2017

Officer: Tamsin Law

Community Council: Llandyssil Community Council

Applicant: Dolafon Gospel Hall Trust, Canal Close, c/o Ivycroft, Newtown, Powys SY16 2HG

Location: Land adjacent to Abermule House, Abermule, Montgomery, Powys, SY15 6NH

Proposal: Full: Proposed residential development of 4 no. dwellings, new access, highways improvements and erection of new Church building (Place of Worship)

Application Type: Application for Full Planning Permission

County Councillor G. Pugh spoke as the local representative and then, as he had declared a prejudicial interest, left the meeting room.
Mr D. Hughes, Agent, spoke on behalf of the applicant.

The Principal Planning Officer referred the Committee to the Update. She advised that if the Committee was minded to approve the application, that it be delegated to the Professional Lead Development Management to add a suitable condition in respect of affordable housing and to amend condition 2 in consultation with the Chair and Vice Chair.

The Highways Authority confirmed that the proposed footpath was a massive benefit to the area and created a sustainable link to the village. Issues were raised regarding the previous application which was refused and dismissed at appeal. The Principal Planning Officer advised that the applicant had

undertaken a lot of pre-application consultation. In addition the previous application was just for a larger church serving the region. This new application was for a smaller church to serve Abermule and the surrounding area. The Officer confirmed that the church in Newtown was not closing and that a church was being built in Shrewsbury. The Professional Lead Development Management advised that the changes to the application had made the proposed development more sustainable.

The Highways Authority advised that the highway had capacity for the traffic movements from the development and therefore it had no objections to the application subject to conditions.

RESOLVED:	Reason for decision:
<p>that the application be granted consent, subject to the conditions set out in the Update report which is filed with the signed minutes and that it be delegated to the Professional Lead Development Management to add a suitable condition in respect of affordable housing and to amend condition 2 in consultation with the Chair and Vice Chair.</p>	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>In line with policy HP5 of the Powys Unitary Development Plan (2010).</p>

County Councillor K. Silk asked that her vote against the application be recorded.

The Chair thanked the public for attending the meeting.

County Councillor M. Barnes left the meeting

The Committee adjourned for lunch at 12.40 p.m. and reconvened at 1.10 p.m.

County Councillors K. Laurie-Parry and P. Roberts sat in the public area and did not take part in considering the following application.

7.4 P/2016/0985 Sarn Meadow, Gwreiddyn Lane, Guilsfield, Welshpool, Powys, SY21 9DN.

Application No: P/2016/0985

Grid Ref: 322356.84 312184.76

Valid Date: 26/09/2016

Officer: Kevin Straw

Community Council: Guilsfield Community Council

Applicant: Mr C Wright, Gwreiddyn Lane, Sarn Meadow, Guilsfield, Welshpool, Powys SY21 9DN

Location: Sarn Meadow, Gwreiddyn Lane, Guilsfield, Welshpool, Powys SY21 9DN

Proposal: Outline application for 5 residential dwellings, improvement to existing vehicular access and formation of a pavement

Application Type: Application for Outline Planning Permission

In response to questions the Professional Lead Development Management advised that the mature hedge was included in the application and its retention was covered by conditions.

Concerns were raised regarding the proposed development being outside the development boundary and 115 metres by road from this and that previously the lack of a five year housing land supply was only relevant when a development was adjacent to a settlement. The Planning Officer advised that the applicant proposed to plant trees in the gap between the development and the settlement so that they would be seen to be connected.

It was moved and seconded to refuse the application as it represented an unacceptable development in the open countryside contrary to Policy HP6 and that it be delegated to the Professional Lead Development Management in consultation with the Chair and Vice Chair to agree the wording of the refusal.

RESOLVED:	Reason for decision:
that, contrary to the officer recommendation, the application be refused and that it be delegated to the Professional Lead Development Management in conjunction with the Chair and Vice Chair to agree the wording of the refusal.	The proposed development represented an unacceptable development in the open countryside contrary to policy including HP6.

County Councillors K. Laurie-Parry and P. Roberts resumed their seats in the Committee.

7.5 P/2016/1052 Land opposite Manor Cottage White Grit, Minsterley, Shrewsbury SY5 0JL

Application No: P/2016/1052

Grid Ref: 331858.68, 297368.3

Valid Date: 12/10/2016

Officer: Bryn Pryce

Community Council: Churchstoke Community Council

Applicant: Gricmanis c/o Agent

Location: Land opposite Manor Cottage, White Grit, Minsterley, Shrewsbury SY5 0JL

Proposal: Erection of a dwelling and construction of vehicular access

Application Type: Application for Outline Planning Permission

In response to comments about the use of the volume of housing on the site the Professional Lead Development Management advised that in rural settlements Development Management had taken the stance that it would only permit developments of one or two houses as an appropriate sustainable level of development.

RESOLVED:	Reason for decision:
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.

7.6 P/2017/0081 Land at Kincoed, Mochdre, Newtown, Powys, SY16 4JT

Application No: P/2017/0081

Grid Ref: 307371.85 287813.66

Valid Date: 20/01/2017

Officer: Kevin Straw

Community Council: Mochdre Community Council

Applicant: Mr Rob Beardall, Kincoed, Mochdre, Newtown, Powys SY16 4JW

Location: Land at Kincoed, Mochdre, Newtown, Powys, SY16 4JT

Proposal: Reserved Matters: Erection of an affordable dwelling, formation of vehicle access, installation of septic tank and associated works

Application Type: Application for Approval of Reserved Matters

The Planning Officer confirmed that the revised plans stated that the development was under 130 sq metres. The Professional Lead Development Management advised that permitted development rights had been removed under the original planning permission. In response to questions the Planning Officer advised that the location of the proposed house meant it had no adverse impact on the bungalow opposite.

RESOLVED:	Reason for decision:
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.

7.7 P/2017/0259 Riverside Caravan Park, Llangammarch Wells, Powys, LD4 4EP

Application No: P/2017/0259

Grid Ref: 293222.95 246980.22

Valid Date: 09/03/2017

Officer: Thomas Goodman

Community Council: Llangammarch Wells Community Council

Applicant: Mr John Carroll, Riverside Caravan Park, Llangammarch Wells, Powys LD4 4BY

Location: Riverside Caravan Park, Llangammarch Wells, Powys LD4 4EP

Proposal: Siting of 40 touring caravans and 13 static caravans for holiday use between 1st March through to 3rd January of the following year and the winter storage of 42 caravans

Application Type: Application for Full Planning Permission

The Committee noted that the site was entirely in flood zone C2. In response to questions the Planning Officer advised that Natural Resources Wales [NRW] stated that as there was no increase in the number of caravans on the site there was no increased risk and so the application complied with TAN15. The Professional Lead Development Management advised that if members were not happy with the NRW response it would be appropriate for them to defer for further consideration.

It was proposed and duly seconded to defer consideration of the application to seek further information from NRW as the application proposed the site to be open for a longer period each year.

RESOLVED:	Reason for decision:
that the application be deferred.	To enable officers to seek further clarification from Natural Resources Wales [NRW] regarding its views on the increase use of the site.

7.8 P/2017/0396 Sports Ground behind Pinetree Lodge, Ynyscedwyn, Ystradgynlais, Swansea SA9 2LB

Application No: P/2017/0396

Grid Ref: 277789.73 209707.84

Valid Date: 02/05/2017

Officer: Lorraine Jenkin

Community Council: Ystradgynlais Town Council

Applicant: Powys County Council

Location: Sports Ground behind Pinetree Lodge, Ynyscedwyn, Ystradgynlais, Swansea SA9 2LB

Proposal: Full: Formation of a cycle path to link two sections of existing path and all associated works

Application Type: Application for Full Planning Permission

The Planning Officer advised that an objection had been received the previous day regarding highways safety and the behaviour of children but did not affect the officer's recommendation.

RESOLVED:	Reason for decision:
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.

7.9 P/2017/0361 The Old College, Newtown, Powys, SY16 1BE

Application No: P/2017/0361

Grid Ref: 311030.27 291356.43

Valid Date: 10/04/2017

Officer: Luke Jones
Community Council: Newtown Town Council
Applicant: Powys County Council
Location: The Old College, Newtown, Powys, SY16 1BE
Proposal: Erection of a single storey common room
Application Type: Application for Full Planning Permission

RESOLVED:	Reason for decision:
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.

7.10 P/2017/0225 Unit 29, Ddole Industrial Estate Road, Llandrindod Wells, Powys, LD1 6DF

Application No: P/2017/0225
Grid Ref: 306077.19 262785.72
Valid Date: 01/03/2017
Officer: Thomas Goodman
Community Council: Llandrindod Wells Town Council
Applicant: Powys County Council
Location: Unit 29, Ddole Industrial Estate Road, Llandrindod Wells, Powys LD1 6DF
Proposal: Section 73 application for variation of condition 2 of P/2015/1211 in relation to alterations of approved plans (retrospective)
Application Type: Application for Removal or Variation of a Condition

The Planning Officer advised that if the Committee was minded to approve the application condition 1 should be removed as the development already had planning permission.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to	As officers recommendation as set out in the report which is filed with

condition 2 set out in the report which is filed with the signed minutes.	the signed minutes.
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7.11 P/2017/0359 19 Holcombe Drive, Llandrindod Wells, Powys LD1 6DN

Application No: P/2017/0359

Grid Ref: 305624.31 262033.42

Valid Date: 03/04/2017

Officer: Isobel Davies

Community Council: Llandrindod Wells Town Council

Applicant: Mr Wyn Richards, 19 Holcombe Drive, Llandrindod Wells, Powys LD1 6DN

Location: 19 Holcombe Drive, Llandrindod Wells, Powys LD1 6DN

Proposal: Section 192 Certificate of Lawfulness for a proposed use in relation to replacement conservatory and installation of patio doors

Application Type: App. Proposed Certificate Lawful Development
Proposed use or development

RESOLVED:	Reason for decision:
that a certificate of lawfulness is granted.	As officers recommendation as set out in the report which is filed with the signed minutes.

8.	DECISIONS OF THE HEAD OF REGENERATION, PROPERTY AND COMMISSIONING ON DELEGATED APPLICATIONS
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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 19th April, 2017 and 15th June, 2017.

County Councillor K Laurie-Parry asked that it be recorded that she was not the Councillor when P/2017/0290 was being considered by Development Management.

9.	MINUTES OF TAXI REVIEW PANELS
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The Chairs presiding at the Taxi Review Panels held on 1st February, 2017 and 12th April, 2017 were authorised to sign the minutes as correct records. It was

noted that the Chairs always approved the draft minutes prior to them being published.

The Committee received the following updates:

- Upper Pengarth wind turbine – the Planning Solicitor advised that as a result of a second Judicial Review the planning permission had been quashed. The planning application would therefore come back to Committee for consideration.
- Correspondence to the Committee from a member of the public – the Professional Lead Development Management advised that an update had been provided to the Portfolio Holder. He assured the Committee that when issues were raised by the individual these were being investigated in a timely manner.

The Committee noted the following meeting dates:

12th July - Neuadd Maldwyn, Welshpool

18th July – Taxi Licensing training, County Hall, Llandrindod Wells

20th July – County Hall, Llandrindod Wells

3rd August – provisionally booked for Ystradgynlais

County Councillor D R Price (Chair)