

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER, COUNTY HALL - COUNTY HALL ON THURSDAY, 2 MAY 2019**

**PRESENT**

County Councillor K Lewis (Chair)

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

**1. APOLOGIES**

The Committee noted that County Councillors K Laurie-Parry and P Pritchard would be arriving late. Apologies for absence were received from County Councillors E Vaughan 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 11 April, 2019.

**Planning**

**3. DECLARATIONS OF INTEREST**

- (a) There were no declarations of interest.
- (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) County Councillor G Pugh (who is a member of the Committee) declared that he would be acting as 'local representative' in respect of application 19/0236/FUL.
- (d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application 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**

County Councillor K Laurie-Parry arrived and was allowed time to read the updates.

The Members confirmed that they had received and had time to read the updates circulated the previous day and prior to the meeting.

4.2 19/0453/FUL Trigfan (Caretakers Flat), Llanidloes High School, Llangurig Road, Llanidloes, Powys SY18 6EX

**Grid Ref:** E: 295029 N: 283895

**Valid Date:** 14/04/2018

**Community Council:** Llanidloes Community Council

**Applicant:** Llanidloes High School

**Location:** Trigfan (Caretakers Flat), Llanidloes High School, Llangurig Road, Llanidloes, Powys SY18 6EX

**Proposal:** Change of use from Residential (C3) to Educational (D1)

**Application Type:** Full Application

In response to questions the Solicitor advised that conditions could not be added in respect of accessibility as this was covered under separate legislation and would probably be considered by Building Control in due course.

<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 Chair moved the order of the Agenda to accommodate the speakers and the public.

County Councillor G Pugh moved to the public area for the next application.

County Councillor P. Pritchard arrived at the meeting and was given time to read the update relating to the next application.

4.3 19/0236/FUL Land Near Camp Farm, Cefn Y Coed, Llandyssil, Montgomery, SY15 6LU

**Grid Ref:** E: 320409 N: 293424

**Valid Date:** 08/02/2019

**Community Council:** Abermule and Llandyssil Community Council

**Applicant:** Mr E Powell

**Location:** Land Near Camp Farm, Cefn Y Coed, Llandyssil, Montgomery, SY15 6LU

**Proposal:** Siting of 3 holiday lodges, formation of vehicular access and access road, provision of 4 passing bays, installation of a sewage treatment plant and all associated works (resubmission of planning application P/2018/0498)

**Application Type:** Full Application

County Councillor G Pugh spoke as the local representative.

Mrs J Knill spoke against the application.

Mr J Powell spoke as the applicant.

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

In response to questions regarding the water supply, the Planning Officer advised that Natural Resources Wales [NRW] were consulted and had no objections. The Professional Lead – Development Management noted the reference to the Minister’s letter regarding water supply, made by the objector. He confirmed that water supply and water resources are a material planning consideration. However, NRW and Environmental Health had not identified any issues regarding water supplies. He advised that the information from the local representative and objector was only anecdotal. In response to questions, he advised that the addition of conditions had to be reasonable and based on evidence. As NRW and Environmental Health had not raised any issues there was no reason to add conditions regarding the water supply.

Concerns were raised that even if the water supply concerns could be addressed the development was unacceptable due to the visual impact. The development was located on the skyline, in the open countryside and would be seen for miles around.

It was moved and duly seconded to defer the application to enable the applicant to provide further information regarding the water supply issues.

The issue of the visual impact of the proposed development in the open countryside was raised again. It was considered that if this was an issue of concern and one which the Committee may be minded to support, the Committee should consider this first [as an amendment to the substantive motion] rather than deferring consideration and asking the applicant to look into the water supply issue. The latter could entail the applicant in costs. It was moved and duly seconded to refuse the application due to the unacceptable landscape and visual impact of the development in the open countryside.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that contrary to officers recommendation the application be refused and that it be</b>	<b>The proposed development is considered to have an unacceptable landscape and</b>

<b>delegated to the Professional Lead – Development Management to agree the reasons for the decision.</b>	<b>visual impact.</b>
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County Councillor G Pugh resumed his place in the Committee.

4.4 18/1205/OUT Old Coal Depot, Middletown, Welshpool, Powys, SY21 8EJ

**Grid Ref:** E: 330039 N: 312483

**Valid Date:** 19/12/2018

**Community Council:** Trewern Community Council

**Applicant:** Mr and Mrs Swain

**Location:** Old Coal Depot, Middletown, Welshpool, Powys, SY21 8EJ

**Proposal:** Demolition of existing buildings, development of 8 x dwellings, formation of estate road and all associated works

**Application Type:** Outline planning

In response to questions, the Planning Officer advised that a Phase One Contaminated Land Environmental Risk Assessment Report had been submitted in support of the application. In light of this, appropriate conditions were recommended as detailed in the report. The Officer also advised that in light of the amended plans the Welsh Government Transport had confirmed the development was acceptable.

<b>RESOLVED:</b> that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	<b>Reason for decision:</b> As officers recommendation as set out in the report which is filed with the signed minutes.
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4.5 19/0403/HH Glanogeu, Rhiwlas, Oswestry, SY10 7JJ

**Grid Ref:** E: 320156 N: 331945

**Valid Date:** 08/03/2019

**Community Council:** Llansilin Community Council

**Applicant:** Mrs Julie Davies

**Location:** Glanogeu, Rhiwlas, Oswestry, SY10 7JJ

**Proposal:** Erection of orangery to front elevation together with side extension forming a utility and annexe.

**Application Type:** Householder

The Principal Planning Officer advised that if the Committee was minded to approve the application the conditions were those detailed in the report. The Solicitor advised that as the applicant was related to a Member, he had reviewed the application file and confirmed that it had been processed “normally”, as required under the Planning Protocol.

<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>

<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 3 April and 24 April 2019. The Committee noted that application 18/0475/FUL had been considered by the Committee rather than under delegated authority.

<b>6.</b>	<b>APPEAL DECISION</b>
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The Committee received a copy of the Planning Inspectorate’s letters regarding the following:

- appeal in respect of an enforcement notice E/03/2018 - The Slangs, Cascob, Presteigne, Powys, LD8 2NTX. The Committee noted that the Inspector had dismissed the appeal and upheld the enforcement notice
- appeal in respect of application P/2018/0315 - Land at Cefn Llan, Llangammarch Wells. The Committee noted that the Inspector had upheld the appeal and awarded costs.

Concerns were raised regarding the appeal in respect of application P/2018/0315, in that the Local Planning Authority had not submitted a Statement in support of its decision. The Professional Lead – Development Management acknowledged this and advised he would need to consider how officers defend such appeals more strongly on behalf of Committee.

**Taxi and other licensing**

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

The Chair presiding at the Taxi Review Panel held on 5 December, 2018 was authorised to sign the minutes as a correct record.

**County Councillor K Lewis (Chair)**