

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL ON THURSDAY, 16 JUNE 2022**

**PRESENT**

County Councillor K Lewis (Chair)

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

<b>1. APOLOGIES</b>
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Apologies for absence were received from County Councillors L George, G Pugh and J Wilkinson.

<b>2. MINUTES OF THE PREVIOUS MEETINGS</b>
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Consideration of the minutes of the meeting held on 28 April 2022 were deferred to the next meeting, as there were not enough members present from the previous meeting at this current meeting. The Chair was authorised to sign as a correct record the minutes of the meeting held on 30 April, 2022.

<b>Planning</b>
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<b>3. DECLARATIONS OF INTEREST</b>
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(a) County Councillor G E Jones declared an interest in application 21/1511/FUL because the applicant had undertaken some work for him in 2021 and 2022.

(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 L Roberts and W Lloyd (who are not members of the Committee) would be speaking as the 'local representative' in respect of applications on the agenda.

<b>4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE</b>
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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 the update circulated the previous day and prior to the meeting. The meeting was adjourned for a short period to allow members to read the update.

## 4.2 21/0186/FUL Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG

**Grid Ref:** E: 329470 N: 317006

**Valid Date:** 22.03.21

**Community Council:** Llandrinio and Arddleen Community Council

**Applicant:** Mr Charanjit Singh

**Location:** Unity House, Llandrinio, Llanymynech, Powys, SY22 6SG

**Proposal:** Change of use and minor extensions to previously approved nursing home to form: 15 no 1 bed apartments, 2 no 2 bed apartments. 3 no studio apartments with associated parking for 27 vehicles together with amenity space

**Application Type:** Full application

The Principal Planning Officer advised that an email had been received that morning relating to land ownership and whether appropriate notices had been served. In light of this, the Principal Planning Officer recommended that consideration of the application be deferred.

It was moved and duly seconded to defer consideration of the application as recommended by the officer.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That the application be deferred.</b>	<b>To allow the applicant to respond regarding land ownership and the serving of notices.</b>

## 4.3 20/2130/FUL Newbridge Farm, Meifod, Powys, SY22 6HS

**Grid Ref:** E: 312778 N: 310605

**Valid Date:** 03.02.21

**Community Council:** Llangyniew Community Council

**Applicant:** J & E Williams

**Location:** Newbridge Farm, Meifod, Powys, SY22 6HS

**Proposal:** Installation of earth banked slurry lagoon and associated works

**Application Type:** Full application

The Professional Lead Planning advised that people had registered to speak. However, the agent was ill and had not been able to arrange a substitute. As a result, to enable the agent to exercise the right of reply on behalf of the applicant, it was recommended that consideration of the application be deferred.

It was moved and duly seconded to defer consideration of the application as recommended by the officer.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>That the application be deferred.</b>	<b>To enable the agent on behalf of the application to exercise their right of reply to public speakers.</b>

4.4 22/0422/FUL Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN

**Grid Ref:** E: 310196 N: 291341

**Valid Date:** 11.03.22

**Community Council:** Newtown and Llanllwchaiarn Town Council

**Applicant:** Carol Gittins

**Location:** Robert Owen House, Park Lane, Newtown, Powys, SY16 1EN

**Proposal:** Residential development of 32 units and associated works

**Application Type:** Full application

The Committee noted that this was a brown field site and that there was demand for housing in the area. In response to a question regarding play facilities the Senior Planning Officer advised that the equipped play area at Afon House was within the 600m accessibility buffer zone identified within the Council's Open Space Assessment (2018) and therefore no further provision was required from this application.

It was noted that the application was for 100% affordable housing. The Senior Planning Officer advised, in response to a question, that LDP Policy H5 requires that housing development proposals, within the Severn Valley sub-market area, are required to make a 20% contribution towards affordable housing. Therefore, the recommended condition only relates to this percentage. A question was asked about the long-term ownership of the homes and the Professional Lead

Planning advised the long-term plans of the Housing Department were not known and were not a planning issue.

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>

4.5 22/0384/REM Hill View, Fron Grian, Cefn Coch, Welshpool, SY21 0AG

**Grid Ref:** E: 306269 N: 302477

**Valid Date:** 30.03.22

**Community Council:** Dwyriw Community Council

**Applicant:** Gabrielle Prince

**Location:** Hill View, Fron Grian, Cefn Coch, Welshpool, SY21 0AG

**Proposal:** Section 73 application to vary condition no's 4 & 5 attached to outline planning approval M96539 (to allow occupancy restriction rewording)

**Application Type:** Removal or Variation of Condition

The Committee noted that marketing history of the property was not required to remove and vary a condition as applied for. The Senior Planning Officer advised that if the Committee was minded to approve the application and the owner wished to remove the rural enterprise dwelling condition, a further application would be required. It would be at this point, that detailed marketing information would be required, as the dwelling was in the open countryside.

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>

County Councillor G E Jones having declared an interest left the meeting room for the next application.

<b>5.</b>	<b>21/1511/FUL THE OLD ORCHARD, LLANIGON, HEREFORD, POWYS, HR3 5PN</b>
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**Grid Ref:** E: 321636 N: 241383

**Valid Date:** 16.08.21

**Community Council:** Llanigon Community Council

**Applicant:** Mr & Mrs Metcalfe

**Location:** The Old Orchard, Llanigon, Hereford, Powys, HR3 5PN

**Proposal:** Erection of a new 4 bedroom dwelling and associated work

**Application Type:** Full application

County Councillor W Lloyd spoke as the local representative.  
Mr O Metcalfe spoke as the applicant.

In response to comments the Principal Planning Officer advised that the application was for an open market development in the open countryside, rather than a rural enterprise dwelling and as a result the issues for consideration were different. The Professional Lead Planning advised that Technical Advice Note [TAN] 6 stated that a development in the open countryside had to be either a rural enterprise dwelling or an affordable dwelling. This application was for neither. In response to questions regarding the agricultural land classification, the Principal Planning Officer advised that it was predicted that the land classification was grade 2, which is the best agricultural land. It was noted it was for the applicant to test the soil to determine the land classification.

The Committee was reminded that it had to have sound planning reasons to go against officer's recommendation and going against policy. It was moved and duly seconded to refuse the application as recommended by the officer.

It was moved and duly seconded to defer consideration of the application to enable the applicant to undertake soil sampling to determine the land classification. This was lost when put to the vote.

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>1. The proposed development is considered to be unjustified development in the open countryside contrary to policies SP5, SP6, H1 and H6 of the Powys Local Development Plan, Planning Policy Wales (11th Edition, 2021)</b>

**and Technical Advice Note 6.**

**2. The proposed development would result in the loss of grade 2 agricultural land (good quality) without an overriding need for the development and insufficient evidence has been provided to demonstrate alternative lower grade application sites have been investigated. The proposed development is therefore contrary to Planning Policy Wales (11th Edition, 2021).**

Concerns were raised about the Local Development Plan [LDP] policies which were not supporting the retention of young people in the countryside. The Chair agreed to write to the Portfolio Holder regarding these concerns and that the review of the LDP should address such issues.

County Councillor G E Jones returned to the meeting room.

<b>6.</b>	<b>21/2249/HH HIGH MEADOW, 3 CHURCHILL DRIVE, NEWTOWN, SY16 2LE</b>
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**Grid Ref:** E: 311192 N: 292065

**Valid Date:** 13.01.21

**Community Council:** Newtown and Llanllwchaiarn Town Council

**Applicant:** Mr Karl Chapple-Gill

**Location:** High Meadow, 3 Churchill Drive, Newtown, SY16 2LE

**Proposal:** Erection of a residential steel frame garage to replace an existing garage, creation of new driveway and dropped kerb (part retrospective)

**Application Type:** Householder

Mr M Hughes spoke against the application  
Mrs A Chapple-Gill spoke on behalf of the applicant.

In response to a question the Planning Officer advised that although the garages in the area are predominantly brick the proposed material would not significantly impact on the character of the area and the garage would also be screened by a fence.

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

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

<b>7.</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 15 April 2022 and 8 June 2022.

<b>Rights of Way</b>
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<b>8.</b>	<b>DECLARATIONS OF INTEREST</b>
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There were no declarations of interest.

<b>9.</b>	<b>APPOINTMENT OF COUNCIL REPRESENTATIVE TO POWYS LOCAL ACCESS FORUM</b>
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County Councillor G E Jones was duly elected to be the Council's representative on the Powys Local Access Forum [LAC].

**County Councillor K Lewis (Chair)**