

# Planning, Taxi Licensing & Rights of Way Committee

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Meeting Venue  
**By Zoom**

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Meeting Date  
**Thursday, 14 March 2024**

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Meeting Time  
**10.00 am**

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For further information please contact  
**Carol Johnson**  
carol.johnson@powys.gov.uk



County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

7 March 2024

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Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod, a bydd gwasanaeth cyfieithu ar y pryd ar gael.  
You are welcome to speak Welsh or English in the meeting, and a simultaneous translation service will be provided.

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## AGENDA

<b>1.</b>	<b>APOLOGIES</b>
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To receive apologies for absence.

<b>2.</b>	<b>MINUTES OF THE PREVIOUS MEETING</b>
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To authorise the Chair to sign the minutes of the previous meeting of the Committee held on 21 February 2024 as a correct record.

(Pages 5 - 6)

<b>Planning</b>
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<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>
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- a) To receive any declarations of interest from Members relating to items to be considered on the agenda.
- b) To receive Members' requests that a record be made of their membership of town or community councils where discussion has taken place of matters for the consideration of this Committee.
- c) To receive declarations from Members of the Committee that they will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

d) To note the details of Members of the County Council (who are not Members of the Committee) who will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

<b>4.</b>	<b>PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE</b>
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To consider the reports of the Head of Property, Planning and Public Protection and to make any necessary decisions thereon.

(Pages 7 - 8)

**4.1. Updates**

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

**4.2. 24/0062/FUL Land 3800 Metres West of Staylitttle, Staylitttle, Llanbrynmair, Powys**

(Pages 9 - 30)

**4.3. 23/1238/FUL Hendre Fach, Carno, Caersws, SY17 5JY**

(Pages 31 - 56)

**4.4. 24/0168/TRE River Wye Activity Centre, Glasbury House, Glasbury, Hereford, Powys, HR3 5NW**

(Pages 57 - 66)

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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To receive for information a list of decisions made by the Head of Property, Planning and Public Protection under delegated powers.

(Pages 67 - 226)

<b>6.</b>	<b>APPEAL DECISIONS</b>
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To receive letters regarding appeals considered by Planning & Environment Decisions Wales.

(Pages 227 - 234)

## Taxi and other licensing

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

To authorise the Chair presiding at the Taxi Licensing Sub-Committee on 27 February 2024 to sign the minutes as a correct record.

(Pages 235 - 236)

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**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD BY TEAMS ON WEDNESDAY, 21 FEBRUARY 2024**

PRESENT

County Councillor K Lewis (Chair)

County Councillors G D Jones, A Davies, D Edwards, H Hulme, P James, A Jones, G E Jones, C Kenyon-Wade, G Pugh, E Roderick, E Vaughan and D H Williams

**1. APOLOGIES**

Apologies for absence were received from County Councillors T Colbert, G Morgan 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 January 2024.

**Rights of Way**

**3. DECLARATIONS OF INTEREST**

County Councillor G D Jones declared a prejudicial interest in the application to correct the Register of Common Land, as the land was in his ward and he had been involved in discussions regarding the application. As a result he left the meeting for the item.

**4. APPLICATION TO CORRECT THE REGISTER OF COMMON LAND**

The Committee considered the report regarding the application to correct the Register of Common Land, sections 22 and Schedule 2 of the Commons Act 2006 – Application 23-002CA, Register unit MCL061, Fawnog Tynybryn, community of Llanfair Caereinion. The Assistant Commons Registration and Definitive Map Officer presented a summary of the assessment of the evidence against the legal criteria.

It was moved and duly seconded to grant the application as recommended in the officer's report.

**Resolved that application 23-002CA be granted as made and that the entirety of MCL061 comprising 25.2 hectares (62.3 acres) of land be removed from the Register of Common Land, as shown hatched red on the plan at appendix 3.**

The Committee thanked the officer for her detailed report and the clear presentation.

County Councillor K Lewis (Chair)

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**Planning, Taxi Licensing and Rights of Way Committee**  
**14<sup>th</sup> March 2024**

For the purpose of the Government (Access to Information) Act 1985, the background papers relating to each individual planning application constitute all the correspondence on the file as numbered in the left hand column.

**Applications for consideration by Committee:**

Application No:	Nature of Development:
Community:	Location of Development:
O.S. Grid Reference:	Applicant:
Date Received:	Recommendation of Head of Planning:

<p><b>24/0062/FUL</b></p> <p>Trefeglwys Community</p> <p>284921 291803</p> <p>23.01.2024</p>	<p>Full: Erection and operation of a temporary meteorological mast for a 36-month period</p> <p>Land 3800 metres west of Staylittle, Llanbrynmair, Powys</p> <p>Esgair Galed Energy Park Ltd</p> <p><b>Recommendation:</b> Conditional Consent</p>
<p><b>23/1238/FUL</b></p> <p>Carno Community</p> <p>296278 297693</p> <p>09.08.2013</p>	<p>Full: Erection of a rural enterprise dwelling, detached garage &amp; change of use of agricultural building to mixed use (agricultural &amp; commercial) &amp; associated works</p> <p>Hendre Fach, Carno, Caersws SY17 5JY</p> <p>Mr and Mrs Jerman-Jones</p> <p><b>Recommendation:</b> Refuse</p>
<p><b>24/0168/TRE</b></p> <p>Glasbury Community</p> <p>317742 239140</p> <p>06.02.2024</p>	<p>Works to Trees: The felling of four corsican pine and seven scots pine trees</p> <p>River Wye Activity Centre, Glasbury House, Glasbury on Wye</p> <p>Mrs K Jenkins, River Wye Acitivity Centre</p> <p><b>Recommendation:</b> Work Allowed to go ahead</p>

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element of the proposal. The proposals of the wider energy park have raised many elements of concern from constituents, from the impact to the diverse ecology of the areas to the visual and noise impacts on residents.

PCC-(N) Highways

29th Feb 2024

The County Council as Highway Authority for the County Unclassified Highway, U2526

Wish the following recommendations/Observations be applied  
Recommendations/Observations

The proposed development gains access off the U2526 through road. The Unclassified highway is narrow; however, the road only serves the farm to which the proposed development is located.

No Abnormal Indivisible Load (AIL) movements are proposed only two rigid HGV movements are proposed, the remaining 6 delivery movements are to be undertaken by 4x4's towing trailers (4) and a transit van (2), which are akin to many agricultural movements on the network.

The Highway Authority considers that the proposed development shall not have a significant impact on the highway network, therefore, we do not wish to make any further comments at this stage.

#### Advisory Notes

NOTE: THE ATTENTION OF THE APPLICANT MUST BE DRAWN TO RELATED HIGHWAYS LEGISLATION WHICH MAKES PROVISION FOR THE FOLLOWING;

1. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.
2. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
3. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Further advice on the above highway matters can be obtained from:-

[http://www.powys.gov.uk/en/roads-transport-parking/  
street.works@powys.gov.uk](http://www.powys.gov.uk/en/roads-transport-parking/street.works@powys.gov.uk)

Street Works

Powys County Hall  
Spa Road East  
Llandrindod Wells  
Powys  
LD1 5LG  
0845 6027035

Hafren Dyfrdwy

6th Feb 2024

As the proposal has no impact on the public sewerage system, I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

IMPORTANT NOTE: This response only relates to the public wastewater network and does not include representation from other areas of Severn Trent Water/Hafren Dyfrdwy, such as the provision of water supply or the protection of drinking water quality

PCC-Ecologist

29th Jan 2024

Recommendation:

No objection - subject to planning conditions and/or planning obligations

Policy background:

- o Planning Policy Wales, Edition 11, 2021
- o Technical Advice Note (TAN) 5
- o Powys Local Development Plan 2011 - 2026:

DM2 - The Natural Environment

DM4 - Landscape

DM7 - Dark Skies and External Lighting

- o Powys Supplementary Planning Guidance: Biodiversity and Geodiversity (2018)

Legislative background:

- o The Conservation of Habitats and Species Regulations 2017 (as amended)
- o Environment (Wales) Act 2016

Statutory sites within 500m:

- o None

Non-statutory sites within 500m:

- o None

Records of protected and/or priority species reported within 500m? Yes

Comments:

No ecological information has been submitted with the application; the following comments are based on review of the proposed plans and aerial images, as well as records of protected and priority species and designated sites within 500m of the proposed development.

The Planning Statement produced by CarneySweeney Planning dated January 2024 states that the proposed location of the Met Mast is located within a field comprising agricultural land, a review of aerial photographs and available Phase 1 Habitat information supports this assessment identifying the proposed location and adjacent habitats as improved grassland and aerial photographs indicate this area is currently used for grazing. Improved grassland habitats are generally of relatively low ecological value due to a lack of species and structural diversity. The Planning Statement identifies that an infrared aviation light is required for aviation safety purposes and that bird divertors would be fitted on outer guy wires only at 5m intervals to make the guyed structure visible to birds and thus prevent collision. No new access tracks (temporary or permanent) are required.

Given the location of the proposed development, it is recommended that a condition is attached to restrict installation of any external lighting (other than that required for aviation safety) if this is likely to be required at any time.

Biodiversity enhancement:

No details of enhancement measures have been provided. Given the scale and temporary nature of the scheme, it is acknowledged that the scope for inclusion of beneficial enhancements is limited.

Subject to inclusion of the conditions below, would the development result in a significant negative effect on biodiversity? No

Conditions:

Should Development Management be minded to approve this application, inclusion of the

following conditions is recommended:

1. All outer guy wires shall have bird deflectors attached at a spacing of 5m along the entire length. The deflectors shall be installed on the guy lines of the mast for the duration of the planning consent and any deflectors found to be broken or detached shall be replaced within one month.
2. No external lighting (other than that required for aviation safety) shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife, including bats and otter, in accordance with the recommendations outlined in the BCT and ILP Guidance Note 08/23 Bats and Artificial Lighting at Night (2023). The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's LDP Policies DM2 and DM7 and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), TAN 5: Nature Conservation and Planning and Part1 Section 6 of the Environment (Wales) Act 2016.

Cadw - SAM

9th Feb 2024

Thank you for your letter inviting our comments on the information submitted for the above planning application.

### Advice

Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

The national policy and Cadw's role in planning are set out in Annex A.

### Assessment

#### Scheduled Monuments

**CD246 Carn Fawr Round Cairns**  
**CD278 Hengwm Ring Cairns**  
**MG105 Pen y Crogben Round Barrow**  
**MG106 Pen y Crogben Earthwork**  
**MG107 Bryn y Fedwen Round Barrows**  
**MG108 Foel Fadian Round Barrow**  
**MG110 Carn Biga, Pumlumon Farw/Plynlimon**  
**MG113 Carn Fach Bugeilyn**  
**MG171 Barrow Group W of Staylittie**  
**MG226 Nant yr Eira Prehistoric Copper Mines & 19th Century Lead Mine**  
**MG247 Dyngwm/Castle Rock Lead Mine**  
**MG252 Carreg Wen Prehistoric Standing Stone**  
**MG255 Hut Circle Settlement below Foel Isaf, Bugeilyn**  
**MG266 Cefn Llwyd Round Barrow and standing stone**  
**MG282 Y Ffridd Round Barrow**

## **MG323 Cwmbiga long cairn**

The above designated historic assets are located inside 3km of the proposed development.

The proposal is for a temporary meteorological mast up to 122.5m in height of aluminium alloy construction held up by high tensile guy wires extending to between 30-80m from the mast.

In most cases either intervening topography will block views between the proposal and the above scheduled monuments or if views are possible the slender nature of the proposed mast will mean it is unlikely to be clearly visible. The exception will be scheduled monument MG266 Cefn Llwyd Round Barrow and standing stone located between some 250 and 390m to the north northwest of the proposed mast.

Scheduled Monument MG266 Cefn Llwyd Round Barrow and standing stone comprises the remains of an earthen built round barrow, dating to the Bronze Age (c. 2300 - 800 BC), and is sited in a prominent position on the Cefn Llwyd ridge. The barrow is circular in shape on plan and has a rounded profile, measuring 15m in diameter and 1.8m high. Also, present is a large white quartz stone 1.8m in length, situated some 100m north of the barrow, which may be contemporary.

Bronze Age funerary and ritual monument are thought to have been located so that they had views to and from neighbouring funerary monuments, prominent natural features, and associated settlement sites. Whilst there are distant views to the locations of neighbouring Bronze Age barrows some 2.5-3km away the significant view is that which links the two components of the scheduled monument: the barrow and standing stone in a north and south direction.

The proposed mast will be prominent in views south from the standing stone as its location will be some 120m east of the barrow in this view. This will have an adverse effect on the way the monument is experienced, understood, and appreciated. However, the proposed application is temporary, for a 3-year period after which the mast will be removed. Consequently, the proposed development will have limited and minor adverse impact on the setting of scheduled monument MG266.

### PCC-Rights Of Way Senior Manager

No comments received at the time of writing this report.

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development received by this office on 29 January 2024.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant has submitted a full application seeking permission for a proposed installation and operation of an 120m high meteorological mast for a period of 36 months.

#### Physical Obstruction

In this case the development falls within Tactical Training Area 7T (TTA 7T), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address this impact, and given the location and scale of the development, the MOD require conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A.

As a minimum the MOD would require that the meteorological mast is fitted with 25cd visible or infra-red (IR) lighting.

#### Summary

Subject to the two conditions requested above and provided in Appendix A, the MOD has no objections to the development.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's documents provided in support of application 24/0062/FUL for which the MOD were consulted by Powys County Council on 29 January 2024.

Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and



provided with adequate time to carry out assessments and provide a formal response.

## **Appendix A**

### **Condition - Aviation Lighting**

Prior to commencing construction of any meteorological masts, or deploying any construction equipment or temporal structure(s) 15 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of the Powys County Council in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence.

This should set out:

- a) details of any construction equipment and temporal structures with a total height of 15 metres or greater (above ground level) that will be deployed during the construction of meteorological mast and details of any aviation warning lighting that they will be fitted with; and
- b) the locations and heights of all meteorological mast featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the meteorological mast; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason for condition.

To maintain aviation safety.

### **Condition - Aviation Charting and Safety Management**

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of meteorological mast;
- b) the maximum height of any construction equipment to be used in the erection of the meteorological mast;
- c) the date any meteorological mast are brought into use;
- d) the latitude and longitude and maximum heights of each meteorological mast.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason for condition.

To maintain aviation safety.

Environmental Protection

30th Jan 2024

Environmental Protection have no objection

Thank you for the opportunity to review and comment on the above development.

Arqiva is responsible for providing the BBC, ITV and the majority of the UK's radio transmission network and is responsible for ensuring the integrity of Re-Broadcast Links.

Tall infrastructure such as wind turbines and other tall structures have the potential to block radio transmission links and rebroadcasting links (through direct blocking of radio signal or deflecting signal). Our radio transmission networks normally operate with a 100m buffer either side of a radio link, free from interference by tall development.

We have considered whether this development is likely to have an adverse effect on our operations and have concluded that we have no objection.

If you would like to discuss this matter further, please do make contact. My email details are [windfarms@arqiva.com](mailto:windfarms@arqiva.com)

## **Representations**

Following the display of a site notice on 12/02/2024, 60 public representations have been received at the time of writing this report.

These raise the following concerns:

- Potential of leading to a subsequent windfarm proposal
- Objections to any windfarm proposal
- Height of the mast / landscape impact
- Impact upon birds
- Impact upon aircraft
- Impact upon dark skies from the aviation light
- Proximity to right of ways (ROWs)
- Noise and visual impact when using the ROWs
- Highway network appropriateness
- Proximity to SSSI
- Pouring of concrete (pollution from it, ability to reinstate the land afterward)
- Impact upon property prices
- Impact upon existing tourist businesses
- Determination by PCC instead of PEDW
- Possibility of the mast becoming permanent
- Archaeological impacts
- Disturbance of peat bogs

- Reputation of the developers

### Planning History

App Ref	Description	Decision	Date
None			

### Principal Planning Constraints

Clywedog Article 4  
 Right of Way approx. 180m away  
 Within a distance of 1km from a Scheduled Ancient Monument

### Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Development Plan 2021
PPW	Planning Policy Wales (Edition 12, February 2024)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Communities		National Policy
TAN8	Renewable Energy		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
TAN24	The Historic Environment		National Policy
DM2	The Natural Environment		Local Development Plan 2011-2026
DM4	Landscape		Local Development

		Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM15	Waste Within Developments	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
RE1	Renewable Energy	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
SPGRE	Renewable Energy SPG	Local Development Plan 2011-2026

### **Other Legislative Considerations**

Crime and Disorder Act 1998  
 Equality Act 2010  
 Planning (Wales) Act 2015 (Welsh language)  
 Wellbeing of Future Generations (Wales) Act 2015  
 Marine and Coastal Access Act 2009

### **Officer Appraisal**

#### Site Location and Description

The application site is located within the open countryside, and forms part of Trefeglwys Community Council area. The site lies approximately 3.8km west of Staylitttle, and 2.5km southwest of Dylife. The site is accessed via the C2020, which leads to the U2526, before going onto private land.

Consent is sought for the erection of a meteorological mast for a temporary period of 3 years. The mast itself would be 120 metres in height, with additional equipment making it 122.5m tall, and would be secured by 3 legs of guy wires, each with 19 guys. The outermost guys will be anchored to a point 80m from the base of the mast.

### Principle of Development

This application proposes infrastructure that is associated with a potential future development of wind turbines. Policy RE1 of the Powys Local Development Plan (LDP) states that:

*“Proposals for renewable and low carbon energy development will be permitted subject to the following criteria:*

- 1. Within or close to the Strategic Search Areas (SSAs), proposals for wind energy greater than 25MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the SSA.*
- 2. Within the Local Search Areas (LSAs), proposals for solar PV between 5 – 50MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the LSA.*
- 3. Proposals for all types of renewable and low carbon energy development and associated infrastructure either on their own, cumulatively or in combination with existing, approved or proposed development, shall comply with all other relevant policies in the LDP.*
- 4. Satisfactory mitigation shall be in place to reduce the impact of the proposal and its associated infrastructure. Proposals shall make provision for the restoration and after-care of the land for its beneficial re-use.*
- 5. Where necessary, additional compensatory benefits will be sought by agreement with applicants in accordance with Policy DM1 - Planning Obligations”*

Whilst the wind turbines themselves are not subject to this planning application, this mast is designed to gather meteorological data to inform whether or not it would be viable to pursue a renewable development proposal in this location. This application therefore, falls within the scope of ‘associated infrastructure’ which is submitted on its own for a future potential proposed development, referred to within point 3.

There are no other specific policies that deal with renewable energy proposals, or meteorological masts within the LDP, however consideration is given to Policy DM13 which states that development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources.

The mast is temporary, and any impact from it will be removed once the mast is

removed after the temporary 3-year period. Conditions will be attached to any granting of consent requiring that the land be reinstated to its condition pre-development, which is considered to be sufficient to ensure that no long-term impacts are had from this development by itself, in accordance with point 4 of Policy RE1.

Consideration is given to other policy requirements, and material considerations, below.

### Design and Landscape Impact

LANDMAP evaluates the area as 'high' and defines the area as *“Moorland and marginal land to the north and northeast of Pumlumon. Much of the area is open moorland and common land, with the fringes partly enclosed in the post-medieval and modern periods with large irregular and straight-sided boundaries. There are also small areas of registered common land in the northern part of the area. There are also large blocks of 20th-century conifer woodland. The natural, post-glacial lakes of Bugeilyn and Glaslyn lie within the area. Early settlement and land use is indicated by dispersed clusters of Neolithic to Bronze Age hilltop burial mounds and flint-scatter sites. The Roman road west of Caersws crosses the central part of the area, passing the Roman fortlet at Penycrocbren. Extensive areas late 19th and early 20th lead mining industrial remains. Later settlement and land use indicated by scattered medieval and post-medieval house sites.”*

Whilst the area of the site is high in its value, the area does not form part of a defined 'area of outstanding natural beauty' (of which there are none in Powys), nor a national park.

Whilst it is acknowledged that the mast will be visible from a wide area, the mast is constructed using slim aluminium, which will reduce the visual massing of the structure. It is also noted that the mast will be sited for up to 3-years, and that as such, any impact upon the landscape will be temporary.

Further, planning policy gives significant weight to the provision of renewable energy sources. Whilst this site doesn't form part of a pre-assessed area for wind farm development, the national development framework (Future Wales: The National Development Plan 2040) does not prohibit development outside of these pre-assessed zones. As such, the acceptability of any wider development will be assessed by relevant determining bodies should any future application be submitted. The concerns raised regarding any potential future development is not considered to be a reason to refuse this temporary application for a meteorological mast.

### Decommissioning

The submission indicates that after the operational period the met mast would be dismantled, and the anchors removed. Due to the temporary nature of the structure, site restoration beyond reinstating the anchor trenches would not be required. The proposed decommissioning is considered acceptable in accordance with LDP Policy RE1 and to

ensure that the site is restored to its former condition, it is recommended that it a condition is attached.

### Highways

The application does not seek alterations to the existing means of access to the site. The Local Highway Authority has not offered any objection and taking into account the minimal traffic movements associated with the development, it is considered that the development is served by an adequate means of access in accordance with LDP Policies DM13 and T1.

Whilst it is noted that third party comments have raised concerns with the ability of the highway network to accommodate construction vehicles for the mast, these concerns are not shared with the Highway Authority, or the Local Planning Authority. The development, during construction phase, will require 1 digger (which will be delivered and collected upon a single flatbed trailer), two 4x4 vehicles with trailers, and one transit van, which will deliver all mast components for installation on site. Construction staff will then utilise two 4x4 vehicles for each day of construction works (of which there are estimated to be between 6 and 10). These movements are akin to agricultural movements that would be seen upon the highway network daily in any case, regardless of the proposal. It is therefore not considered that the development would detriment highway safety within the surrounding area.

### Neighbour Amenity

Given the distance involved, the lack of moving parts, the slender design and intervening topography, it is considered that the development is unlikely to have any unacceptable impacts upon the visual or other amenities enjoyed by occupiers of any residential properties in the vicinity in accordance with LDP Policies RE1 and DM13.

It is noted that concerns have been raised in relation to the aviation light which will be fitted to the top of the mast, however, it is not considered that the light would offer a detrimental impact upon the amenity of any neighbouring properties.

### Natural Environment

#### *Protected Species*

No ecological information has been submitted with the application. The PCC Ecologist has been consulted and has noted that they have no objection to the development, subject to the inclusion of appropriate conditions on any granting of consent, relating to bird deflectors and no other external lighting apart from the aviation light.

#### *Protected Sites*

The Pumlumon SSSI is located approximately 1km away from the site. The PCC

Ecologist has not raised any concerns in this regard. There are no other statutory designated sites within the vicinity.

### *Biodiversity*

The PCC Ecologist has commented that *“no details of enhancement measures have been provided. Given the scale and temporary nature of the scheme, it is acknowledged that the scope for inclusion of beneficial enhancements is limited.”* It is therefore not considered appropriate to request biodiversity enhancement measures on this occasion.

No green infrastructure will be impacted by the development other than a minor area of low-ecological value grazed grassland. There is therefore not considered to be any loss of biodiversity that requires compensation.

### Right of Way

The development is located approximately 180m west of Public Rights of Way (ROW) 257/160/3, which is a bridleway. PCC Rights of Way department have been consulted on the proposal, though no comments have been received at the time of writing this report.

Given the degree of separation, whilst the mast will be visible to users of the ROW, it will not block their path. Given the minimal transportation vehicles that are proposed as part of the construction of the mast it is not considered likely that they would park in such a way as to block the right of way, as they would more likely park closer to the site for unloading ease.

### Impact upon Aviation

The mast will be 122.5m tall, and as such, has the potential to impact upon low flying aircraft. The Ministry of Defence have been consulted on the proposal and have confirmed that they have no objection, subject to the inclusion of suggested conditions.

### Archaeology / Scheduled Ancient Monument

There are several scheduled ancient monuments (SAMs) within the vicinity of the development, and as such, Cadw have been consulted.

Cadw have noted that there are 16 SAMs within 3km, and that in most cases either intervening topography will block views between the proposal and the SAMs, or if views are possible, the slender nature of the mast will mean that it is unlikely to be clearly visible. They have however noted that SAM MG266: Cefn Llwyn Round Barrow will be an exception to this.

The main issue is therefore the effect of the proposal may have on MG266 which is located between 250-390m to the northwest of the mast. The SAM is a round barrow



dating back to the bronze age and located within a prominent location on the Cefn Llwyd Ridge, also present is a large quartz stone.

Cadw note that the mast will have an adverse effect upon how the monument is experienced, understood, and appreciated and therefore significant weight and consideration is given to the identified impact of the proposed development.

When considering PPW and TAN24 it is considered that given the temporary nature of the mast, which could be removed from site with minimal disturbance to the land, on balance and considering Cadw's comments (and no objection) it is considered that subject to a condition ensuring the mast is removed in its entirety the harm could be appropriately mitigated against.

### Third Party Comments

Several third-party comments have been received during the processing of this application. Whilst some of the concerns raised have been addressed above, the remainder are addressed below:

- Potential of a subsequent windfarm proposal
  - Not a consideration of this planning application. Should the developers decide to pursue other development, they will need to apply for planning permission at that time, at which point it would be assessed.
- Objections to any windfarm proposal
  - These objections appear to mistakenly believe that this application is for a windfarm proposal and include many aspects of objection (such as transportation of large blades, pouring of concrete, visual impact, lifespan of turbines, decommissioning of turbines, carbon impact of how turbines are made, compliance with planning policy etc.). This application relates solely to the meteorological mast and does not include any proposal for a windfarm.
- Pouring of concrete (pollution from it, ability to reinstate the land afterward)
  - The development will not include the pouring of any concrete. The guy wire anchor points will be held in place using buried railway sleepers, which will also be removed once the mast is decommissioned.
- Impact upon property prices
  - the courts have taken the view that planning is concerned with land use in the public interest, the protection of purely private interests such as the impact of a development on the value of a neighbouring property is not a material planning consideration, no further weight will therefore be given to this matter.
- Determination by PCC instead of PEDW

- As this application is not a development of national significance, it does not require determination by PEDW.
- Possibility of the mast becoming permanent
  - The application is proposed as temporary and will be conditioned as such. Should the developer wish to extend the period for the siting of the mast, a new planning application will be required and it will be assessed at that time on its own merits.
- Disturbance of peat bogs
  - NRW peatland mapping does not include the development site area itself as being peatland.
- Reputation of the developers
  - Not a planning consideration.

## **RECOMMENDATION**

In light of the above, on balance it is considered that the proposal complies with relevant planning policies, and the recommendation is therefore one of consent subject to the below conditions:

### **Conditions**

1. The development shall begin not later than five years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans and documents;
  - Application Form
  - Figure 1 – Location Plan
  - Figure 2 – Environmental Constraints
  - Figure 3 – Site Layout Plan
  - Figure 4 – Site Access Plan
  - Meteorological Mast Elevation
  - Meteorological Mast Plan View
  - Planning Statement
  - Green Infrastructure Statement
3. The mast hereby permitted shall be removed and the land restored to its former condition within 3 years from the date of commissioning. The applicant shall inform the Local Planning Authority of the date of commissioning accordingly within 3 months of such date.

4. Notwithstanding the submitted information, prior to commencing construction of the meteorological mast, or deploying any construction equipment or temporal structure(s) 15 metres or more in height (above ground level), the undertaker must submit an aviation lighting scheme for approval in writing by the Local Planning Authority in conjunction with the Ministry of Defence. This scheme should define how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence and identify measures to avoid impacts on nocturnal wildlife, including bats and otter, in accordance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018) . This should set out:
  - a. Details of any construction equipment and temporal structure(s) with a total height of 15 metres or greater above ground level that will be deployed during construction of the meteorological mast and details of any aviation warning lighting that they will be fitted with; and
  - b. The locations and heights of the meteorological mast hereby approved, identifying the position of the aviation lights on the mast; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

5. The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the development, in writing of the following:
  - a. The date of the commencement of the erection of meteorological mast;
  - b. The maximum height of any construction equipment to be used in the erection of the meteorological mast;
  - c. The date any meteorological mast are brought into use;
  - d. The latitude and longitude and maximum height of the meteorological mast.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

## **Reasons**

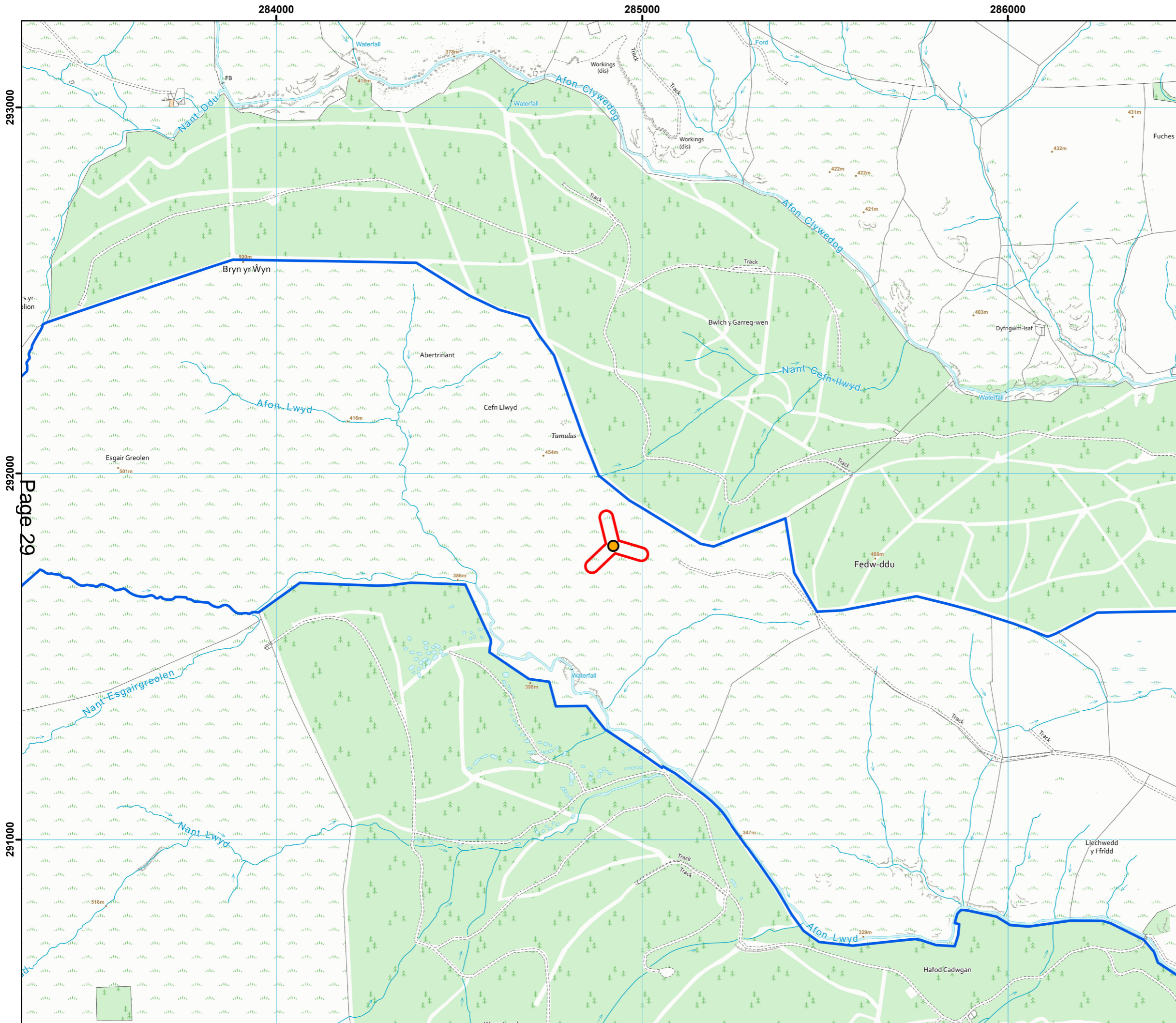
1. Required to be imposed by Section 91 of the Town and Country Planning Act

1990.

2. To ensure adherence to the approved plans in the interests of clarity and a satisfactory development.
3. To enable the situation to be reassessed by the local planning authority at the expiry of that period having regard to the circumstances appertaining at the time in compliance with policy RE1 of the Powys Local Development Plan (2011-2026).
4. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 12, February 2024), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part1 Section 6 of the Environment (Wales) Act 2016 and to maintain aviation safety.
5. To maintain aviation safety.

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Case Officer: Rhian Griffiths, Senior Planning Officer  
Tel: 01597 827352 E-mail: rhian.griffiths@powys.gov.uk

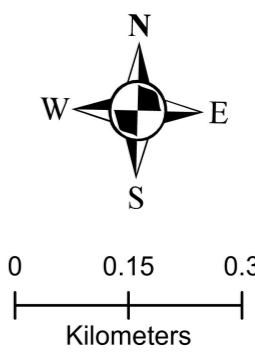


Project Name:  
**Esgair Galed**

- Met Mast Location (284921, 291803)
- Planning Application Boundary
- Land Ownership

Page 29

Title:  
**Figure 1 - Location Plan**



Created By: CB  
 Drawing Size: A3  
 Scale: 1:10,000  
 Date: 21/11/2023

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# 4.3

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

**Application Number:** 23/1238/FUL      **Grid Ref:** E: 296278  
N: 297693  
**Community Council:** Carno Community Council      **Valid Date:** 16.08.2023

**Applicant:** Mr & Mrs Ceri & Edward Jerman-Jones & Jones

**Location:** Hendre Fach, Carno, Caersws, SY17 5JY.

**Proposal:** Erection of a rural enterprise dwelling, detached garage & change of use of agricultural building to mixed use (agricultural & commercial) & associated works

**Application Type:** Full Application

### The reason for Committee determination

The application has been 'called-in' by the local member.

### Consultee Responses

<b>Consultee</b>	<b>Received</b>
<u>Hafren Dyfrdwy</u>	15th Sep 2023

With reference to the above planning application the Company's observations regarding sewerage are as follows.

As the proposal has no impact on the public sewerage system, I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

**IMPORTANT NOTE:** This response only relates to the public wastewater network and does not include representation from other areas of Severn Trent Water/Hafren Dyfrdwy, such as the provision of water supply or the protection of drinking water quality

Should you require any further information please contact us on email below.

PCC-(N) Highways – First Response      3rd Oct 2023

The County Council as Highway Authority for the County Unclassified Highway, U2539

Wish the following recommendations/Observations be applied

#### Recommendations/Observations

Previous applications at the site have included details of the proposed split of the agricultural building between the proposed commercial use and retention in part of the agricultural use. However, we note no such detail has been submitted with the current application. We therefore request that a revised drawing is submitted which details the proposed split and the access arrangements for each of the two uses.

#### PCC-(N) Highways – Second Response

11th Jan 2024

The Highway Authority (HA) has reviewed the revised drawings submitted in support of the application and wish to make the following comments.

We note the submitted application is akin to the previously withdrawn 23/0411/FUL application, we therefore consider that our response to that application is relevant to the current application. However, we do note some changes to the application, such as the redline.

The applicant should note that as the passing bay is to be constructed on land outside of the highway extents, that a Section 38 highways legal agreement shall be required to dedicate the land as highway. We advise the applicant to speak directly with the Highways Officer (Simon Crew) for more information - we suggest that rather than the applicant obtaining Streetworks licences for the access, and junction improvements, that these works are included within the legal agreement (combined S.38/278) to reduce the cost to the applicant.

We therefore recommend the following conditions be attached to any consent given.

1. Within 90 days of the date of this permission, the applicant shall construct one passing bay shown on Drawing Number 77063/GD/004.
2. The passing bay referred to above shall be constructed to adoptable standard prior first beneficial/operational use of the development hereby approved.
3. Within 90 days of the date of this permission, the junction visibility improvement associated works, as shown on Drawing Number 77063/GD/004 shall be fully completed to the written satisfaction of the Local Planning Authority and shall be retained for their designated use for as long as the development hereby permitted remains in existence.



4. Within 90 days of the date of this permission, the access onto the U2539 has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 18 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
5. Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.
6. Within 90 days of the date of this permission, the area of the access to be used by vehicles is to be constructed, shall be constructed in suitably bound materials (or to a minimum 410mm depth comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material) for a distance of 12m from the edge of the adjoining carriageway.
7. Within 30 days of the date of this permission, provision shall be made within the site for the parking and turning of vehicles as detailed on the approved site plan 77063/GD/004. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.
8. A minimum 10% of the parking allocation secured under condition 6 above (min of 1 space) shall be constructed to incorporate Fast Charge electric vehicle charging points. See the EV Charging Strategy for Wales for further information.
9. Within 90 days of the date of this permission, the area of the access to be used by vehicles is to be finished in a suitably bound material (or 40mm depth bituminous surface course material) for a distance of 12 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
10. No surface water drainage from the site shall be allowed to discharge onto the county highway.

PCC-Ecologist

No comments received at the time of writing this report.

Environmental Protection

18th Sep 2023

Thank you for the consultation. I would like to reiterate my previous comments to an application on this site in that I have no objection subject to the ownership of the dwelling and the business being in some way tied together. Given the close proximity a dwelling not in the ownership of the business would likely suffer poor amenity from noise and no assessment of the impacts has been undertaken by the applicant.

Natural Resources Wales (Mid Wales) DPAS

11th Sep 2023

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 31st August 2023.

We have no objection to the proposed development as submitted and provide the following advice:

Flood Risk

The planning application proposes the change of use for an existing agriculture building (a low vulnerable development). The application site falls partially within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 2 & 3 Rivers. Our maps indicate that the location of the proposed rural enterprise dwelling as detailed in Proposed Block Plan (77063/GD/003 dated 24/07/2023) is not located within the flood zones.

We note that the change of use of the agricultural building to mixed use (agricultural and commercial) does not include an extension nor are groundworks proposed. On this basis we have no flood risk concerns. We acknowledge access could be affected and so we advise you to consult with others regards safe access/egress.

The availability of a flood warning service to the development location should be confirmed by visiting the Natural Resources Wales website. NRW provides warnings where it is technically possible but this service must not be relied on to guarantee the timely and safe evacuation of occupants. Where available, the flood warning service can be a useful means of alerting occupants who have voluntarily signed up to receive Flood Alerts and Flood Warning, enabling them to take action in advance of a flood event. Protection measures should not be wholly dependent on the flood warning service and should be implemented to manage risks and impacts of flooding.

## Foul Drainage

We note from the Proposed Block Plan (77063/GD/003 dated 24/07/2023) that the Applicant intends on installing a package treatment plant to discharge to ground. If the private drainage solution is to be progressed, the Applicant will need to apply for an Environmental Exemption or Permit from us. It is important to note that a grant of planning permission does not guarantee that an exemption or permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

## Watercourse

Our maps indicate that a small watercourse is present on the application site. Therefore, we advise that as a precautionary measure, to prevent any potential pollution to the nearby watercourse that you refer the Applicant to the following relevant measures and guidance to be adhered to: Guidance for Pollution Prevention (GPP) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland

## Protected Species

We are satisfied that the Preliminary Ecological Appraisal by Turnstone Ecology Ltd submitted in support of the above application dated 22nd August 2023 is satisfactory for the purposes of informing the public decision-making process.

No European Protected Species (EPS) were found present within the area affected by the proposal. If any protected species are found or seen during works, all work must stop immediately and advice sought from NRW before works can restart.

## Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

If you have any queries on the above, please do not hesitate to contact us.

Thank you for consulting Countryside Services on the above application.

A public right of way, public footpath 206/80/1, runs through the planning boundary. Whilst the main development will not affect the public footpath associated works such as fencing will.

In particular, a proposed access lane which crosses the public footpath is to be fenced off. It is noted on the plans that pedestrian gates have been specified at the fenced off boundaries. Whilst we do not have any problems with the proposal, they will need to be licenced under s147 Highways Act 1980. We would draw the applicant/agent's attention to the advice provided below.

LDP Policy SP7 of the Local Development Plan recognises public rights of way as a strategic asset and development must not have an adverse impact on the asset or its operation.

LDP Policy DM13, criterion 9 is concerned that public rights of way or other recreation assets listed in Policy SP7 (3) are enhanced and integrated within the layout of the development proposal; or appropriate mitigation measures are put in place where necessary.

You can access a digital interpretation of the Definitive Map using the link below. Please refer to the accompanying guide for access:

<https://prow.powys.gov.uk/standardmap.aspx>

**PLEASE INCLUDE THIS SECTION AS AN INFORMATIVE IN THE EVENT OF A SUCCESSFUL PLANNING PERMSSION**

In addition to the above, Powys County Council has a legal duty to 'assert and protect' public rights of way under the Highways Act 1980. Planning permission does not give legal consent to interfere or obstruct public rights of way that will be directly or indirectly affected by approved development.

- o Development over, or illegal interference with, a public right of way, is a criminal offence and enforcement action will be taken against a developer who ignores the presence of affected public rights of way. This includes temporary obstructions such as rubble mounds, building materials, parked vehicles etc...
- o Landscaping & Surfacing - Please seek advice before interfering or surfacing a public right of way.
- o Structures on public rights of way - under s146 Highways Act 1980 it is the legal

responsibility of the landholder to provide and maintain structures such as gates and stiles on public rights of way. If you are unsure what structure to install, please contact Countryside Services.

o New fencing or boundaries - If intending to create a boundary across a public footpath or bridleway, advice must be sought. A section 147 Highways Act 1980 license is required for a structure such as a gate to be installed across a public footpath or bridleway. We cannot authorise a structure across a Restricted Byway or Byway Open to All Traffic.

o Temporary closures - If the safety of the public cannot be guaranteed at all times during construction or that temporary obstruction of the public right of way may be necessary, consideration should be given to applying for a temporary closure of the public right of way. The process can take a couple of months to put into place so early consultation with Countryside Services is recommended if a temporary closure is required. This is a separate procedure for which a fee applies.

o Legal Diversion - If development will directly affect a public right of way and the affected public right of way cannot be appropriately incorporated into the development, the developer will need to seek advice from the council. No development can take place on a public right of way until a legal order is confirmed by the council. A legal public path order process typically takes at least 6 months. This is a separate procedure for which a fee applies. For more information, please discuss with Countryside Services at the earliest available opportunity.

For advice, please contact Powys County Council Countryside Services with details of the development at:

[rights.of.way@powys.gov.uk](mailto:rights.of.way@powys.gov.uk)

01597 827500

Community Council

14th Sep 2023

1. This application is the latest in a series and the Community Council hopes that the Planning Authority will look at the application in a wider context than that set out in the guidelines. Guidelines, that the Community Council understands that are general accepted by all involved parties as being not fit purposes, having been overtaken by current circumstances. In particular issues surrounding the lack of dwellings and employment for local (young) residents acknowledged by Welsh Government and Local Authorities. The Community Council fully supports the request made by our Powys CC Ward Councillor (Les George) to have the application decided by the Planning Committee

which will allow for a wider discussion and greater flexibility in the decision-making process.

2. The Council wishes its register its support for this application in the strongest possible terms and hopes those making the decision will take into account the wishes of the local community and (to this community) the special circumstances surrounding this application.

3. In summary, the Community Council wishes to make the Planning Authority aware of why it feels it is important for this application to receive planning permission:-

o Recent news has been full of the difficulties faced by local people who wish to stay and work in their local communities due to a lack of available housing and/or employment. It is vital to the future well-being of rural communities, like Carno, when justifiable opportunities arise to allow for young people to develop their futures in their community, their endeavours receive the full support of all the authorities.

o In this case the applicants are fully engaged in the community life. Their businesses offer employment for local people and as one of those businesses is the provision of childminding facilities, gives others the opportunity to pursue their own ambitions.

o Besides the business benefits brought to Carno, the Applicants contribute to local clubs and societies. Allowing young people to remain in their community and assist in maintaining a vibrant social fabric, is also important to the well-being of a community.

o To demonstrate that the views of the local community are listened to and play a prime role in the decision making process especially when there is the strongest level of support coming from that community.

Ward Councillor

8th Sep 2023

Could you please register my request to implement the CALL - IN procedure on Application Ref No : 23 / 1238 / FUL , Grid Ref : E: 296278 N: 297693 , For the Erection of a Rural Enterprise Dwelling , Detached Garage & Change of Use of Agricultural Building to Mixed Use ( Agricultural & Commercial ) & Associated Works, AT : Hendre Fach , Carno, Caersws, SY17 5JY.

The reason for the Call - in procedure is the overwhelming support from the whole Community , a Unanimous agreement from the Community Council and specific requests from local an area Businesses wanting industrious and Enterprising Persons to settle and

support the Local Economy.

Powys Ramblers

4th Oct 2023

Powys ramblers wish to comment on this application please.

In the first instance we wish to strongly support the comments made by countryside services especially in relation to the proposed gates. As these gates are for the benefit of the applicant can it be a condition of any planning permission granted that these gates are properly maintained and that no costs fall on the Council for their installation and future maintenance.

We would also add that the applicant does not appear to have demonstrated how they will adhere to DM 13 - "public right of way to be enhanced and integrated within the layout of the development proposal". Can the applicant please be asked to provide further information about how they will adhere to DM 13. In particular, we would expect there to be enhanced way marking provided through the development site. We would, of course, be happy to comment further upon receipt of additional information.

Finally, in the event of permission being granted can the applicant please be advised of the importance of making sure that the footpath remains open during development works and afterwards.

**Representations**

Following the display of a site notice on 15/09/2023, no public representations have been received at the time of writing this report.

**Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
23/0411/OUT	Outline permission for proposed rural enterprise dwelling and associated works (with some matters reserved)	Refused	2nd Jun 2023
23/0410/FUL	Change of use of agricultural building to mixed use (agricultural and commercial), improvements to vehicular access and	Application Withdrawn	14th Jul 2023

associated works

22/1615/OUT	Outline permission with some matters reserved for the erection of a rural enterprise dwelling	Withdrawn	7 <sup>th</sup> Nov 2022
21/1070/OUT	Outline permission with some matters reserved for the erection of a rural enterprise dwelling	Refused	11 <sup>th</sup> May 2022

### Principal Planning Constraints

Open Countryside  
Right of Way  
Mineral Safeguarding Sand\_Gravel Cat 1  
Mineral Safeguarding Sand\_Gravel Cat 2  
C2 Floodzone

### Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Development Plan 2021
PPW	Planning Policy Wales (Edition 12, February 2024)		National Policy
TAN2	Planning and Affordable Housing		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Communities		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy



TAN18	Transport	National Policy
TAN23	Economic Development	National Policy
SP1	Housing Growth	Local Development Plan 2011-2026
SP3	Affordable Housing Target	Local Development Plan 2011-2026
SP5	Settlement Hierarchy	Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM15	Waste Within Developments	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H3	Housing Delivery	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
SPGRES	Residential Design Guide SPG (2020)	Local Development Plan 2011-2026

SPGAH	Affordable Housing SPG (2018)	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026

## **Other Legislative Considerations**

Crime and Disorder Act 1998  
 Equality Act 2010  
 Planning (Wales) Act 2015 (Welsh language)  
 Wellbeing of Future Generations (Wales) Act 2015  
 Marine and Coastal Access Act 2009

## **Officer Appraisal**

### Site Location and Description

The application site is located within the Community Council area of Carno. The proposed development is not located within a settlement development boundary and therefore for the purposes of this application is considered as development within the open countryside as defined by the Powys Local Development Plan (2018). The site is currently an agricultural field, with further fields to the North and South. West of the site features an existing agricultural building (currently the subject of a separate planning application), and Afon Cwm-Llwyd. The farm holding of Hendre Fach is located to the East.

Consent is sought for the erection of a rural enterprise dwelling, together with the retrospective change of use of an agricultural building to mixed use to include the storage of forestry machinery and equipment. The agricultural building forms the base of the (currently unauthorised) rural enterprise which is the subject of this application.

The application proposes, when measured internally, a dwelling of 150 square metres and a garage of 32 square metres. The plot size of the dwelling would be 0.1 hectares.

### Background

This application is the fourth application for a rural enterprise dwelling at this site. Two of the three previous applications have been refused, with the remaining application withdrawn by the applicants.

The development proposed is similar to the previously refused 23/0411/OUT, with the exception that this application now also includes the retrospective change of use of the

building used as the base for the enterprise and due to this, is made in full rather than outline. Other alterations to the scheme include the minor relocation of the dwelling slightly further to the West.

The level of information submitted as part of this application remains largely identical to the previous 23/0411/OUT.

### Principle of Development

The application relates to two developments:

1. The retrospective change of use of the agricultural building, to regularise the currently unauthorised enterprise
2. The proposed erection of a rural enterprise dwelling

The policy considerations for the principle of development for each aspect differ, and as such, have been separated below for consideration.

#### - Change of Use of the Building

Technical Advice Note (TAN 23) supports the re-use / conversion of existing rural buildings, on the basis that:

- *they are suitable for the specific use;*
- *conversion does not lead to dispersal of activity on such scale as to prejudice town and village vitality;*
- *their form, bulk and general design are in keeping with their surroundings;*
- *imposing conditions on a planning permission overcomes any planning objections, for example on environmental or traffic grounds, which would otherwise outweigh the advantage of re-use;*
- *if the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction;*
- *conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and / or architectural interest.*

It is noted that consent is sought for a mixed use (retrospectively) for the existing agricultural building which is proposed to now include what the applicant has described as a commercial use. Under further investigation, Officers however note that the building is to be used as a base for the forestry operation to store machinery and tools.

There are no specific policies within the Local Development Plan that refer to forestry development, however when considering TAN23 it is considered that the use of the building for agricultural and forestry is in principle considered to be acceptable.

- Rural Enterprise Dwelling

Policy H1 of the adopted Powys LDP relates to housing proposals. It confirms that there is a restrictive approach to housing in the open countryside, but that one of the exceptional circumstances where housing proposals could be considered in this location is where they relate to rural enterprise dwellings.

The application seeks outline consent for the construction of a permanent rural enterprise dwelling, in association with the running of EJC Ltd at Hendre Fach. Part 2.2 of the TAN 6 Practice Guidance on Rural Enterprise Dwellings confirms that the five groups of enterprises which are covered by the provisions of TAN 6 are as follows:

- *Agricultural and forestry;*
- *Activities which obtain their primary inputs from the site;*
- *Land management related activities;*
- *Land related tourism and leisure; and*
- *Support service related to rural-based activities*

Based on the above extract from TAN6, it is considered that the proposal falls within the scope of the rural enterprise dwelling policy area. The practice guidance goes on further to say that the primary sectors of the rural economy depend upon a wide-ranging network of support services for their effective functioning.

EJC Ltd undertake works for the local Forestry Commission, road maintenance, and site preparations for reforestation and afforestation.

In light of the above, the principle of development can be further considered subject to a review of the criteria contained within Part 4.4.1 of TAN 6.

Locational / Functional Need Test

This application is made in respect of the business known as EJC Ltd. This company works within the forestry sector, with the submitted information confirming that the majority of the work undertaken is forestry roading and ground preparation for existing/new plantations for the next generation of trees. In addition, the business also undertakes the following:

- Works to ensure timber is transported to a number of locations
- 24/7 contracts, being with NRW and TilHill, including emergency work relating to highways, pollution, and fire/water damage.
- Utilities sector, including undertaking works to remedy collapsed culverts etc.

It is also acknowledged within the information submitted that the application site, agricultural shed and yard area are within the legal ownership of the director's partner's parents, who own and run the farming business at Hendre Fach. The business of EJC

Ltd is independent from the farming enterprise and is indeed owned and operated by different people.

The dwelling is however sought in connection with the business of EJC Ltd and therefore no consideration of the agricultural holding/unit has been made by Officers.

As per Paragraph 4.2 of the TAN 6 Practice Guidance on Rural Enterprise Dwellings, an essential functional need relates to a specific management activity or combination of activities which require the ready presence of a worker at most times if the proper functioning of an existing enterprise is not to be prejudiced and which cannot be achieved by any other practical means such as electronic surveillance. Indeed, the TAN 6 Practice Guidance (Part 4.3) confirms it is a need determined by the character and management requirements of the enterprise, and not by any personal preferences or circumstances of any of the individual(s) involved.

Further to the above, Paragraph 4.8.1 of TAN 6 states that:

*“A functional test is necessary to establish whether it is essential, for the proper functioning of the enterprise, for one or more workers to be readily available at most times. It should relate to unexpected situations that might arise, for which workers are needed to be on hand outside of normal working hours for the particular enterprise. Such requirements might arise, for example, if workers are needed to be on hand night and day to deal with an emergency that would threaten the continued viability and existence of the enterprise without immediate attention. Where there are existing dwelling(s) on the enterprise then the need for additional workers to live on the site for the proper functioning of the enterprise must be demonstrated to be essential”.*

The Rural Enterprise Business Appraisal submitted with this application puts forward the argument that the business requires a 24/7 presence on site due to security and the possibility of theft, though as above, this could be overcome through the use of electronic surveillance and is not a reason for justifying an essential need for a dwelling as recognised by the practice guidance and relevant appeal decisions by the Welsh Government.

Section 4.3 of the Appraisal further attempts to justify a dwelling on the basis of requiring a 24/7 presence to be available to accept deliveries or greet unexpected visitors. It is considered that these circumstances are not ‘emergencies’ in terms of 4.8.1 of TAN 6, and further, it is considered that there are alternative ways of managing these circumstances. It is also not evidenced how failure to be present would threaten the ongoing viability of the business. Indeed, based on the submitted information it would appear that during the hours of 6am-6pm, Monday-Friday the applicant and other employees are at work at forests and not present at the base.

Further arguments put forward include weekend preparation work, however this is usual for this enterprise, and therefore can be planned for in advance. It does not represent an emergency situation for which a dwelling must be present.

Section 8.6 of the Appraisal references there being specific occasions whereby not having a 24/7 presence on site has “*restricted the ability to work*”, however no such appendix with examples of these has been submitted in support of the application.

Whilst it is accepted that the two 24/7 contracts which the business holds would result in unexpected call-outs, which could be during unusual working hours, it is not justified why the applicants existing dwelling cannot meet the needs of these situations. Indeed, the approximate 2.5 miles that the applicant would need to travel from their existing rented property in Carno, to the base, is a comparatively small distance to travel compared to the ongoing travel distance to any of the forests mentioned within 3.1 or 3.3 of the Appraisal. The 10 or so minutes that this would add is not sufficient to justify a dwelling on site.

Whilst the Appraisal argues that the erection of a dwelling would “*enable the rural enterprise workers to live at, or close to their place of work*” it is contended that the employees of EJC Ltd do not work at this location. Furthermore, TAN 6 Guidance makes clear that the purpose of a rural enterprise policy is not to provide a free choice for the personal preferences of the applicants, but rather the needs of the enterprise.

From the information provided, it is considered that the needs of the business can be met through the applicant’s existing property, together with the use of electronic surveillance.

Given the current nature of the business as described within the submitted Appraisal, it is not considered that a functional need would be established over time, and therefore there would also be no merit in granting consent for a temporary rural enterprise dwelling.

Overall, insufficient information has been provided to justify the functional need for a person to be available on site on a full-time basis and as such the proposal fails to accord with Technical Advice Note 6 and LDP policies SP6 and H1.

### Time Test

Section 4.9.1 of TAN 6 states that “*if a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.*”

As has been established previously, in this instance the functional requirement has not been established.

Therefore, given a functional requirement has not been established, the proposed development also does not accord with the Time Test, and is therefore contrary with Technical Advice Note 6 and LDP Policies SP6 and H1.

It should be noted that should the above not have been the case, contrary to section 8.5 of the Appraisal, the submitted information does not contain any assessment in regard to the time test in any case.

### Financial Test

Financial accounts have been submitted in support of this application for the year ending 31<sup>st</sup> March 2022, 31<sup>st</sup> March 2021, and for the time period of 1<sup>st</sup> January 2019 – 31<sup>st</sup> March 2020.

These accounts show profits for the business, though it is noted that the accounts appear to show that no direct wages are being paid for the number of EJC Ltd employees referenced within 4.5 of the Appraisal. This seems to be confirmed within the submitted Appraisal (section 9.5). The accounts show a 'directors' salary', though this 'salary' falls far short of a full-time wage, especially when accounting for the apparent 6am-6pm, Monday-Friday, core working hours of the business, together with the usual overtime and weekend work referenced within 4.3 of the Appraisal. This is contrary to section 5.1.6 of the TAN 6 Practice Guidance which states:

*“With regard to the realistic return to unpaid labour, cross referencing to the labour assessment undertaken in the context of the functional test will be necessary. All labour required must be adequately remunerated either as a wage or a return, with an explicit entry in the financial appraisal showing ‘drawings’ in the form of money or kind. 28 It will not be realistic for a worker providing in excess of a standard day’s work to be costed and assessed on the basis of the basic daily rate. Furthermore, the labour cost must relate realistically to the skills of the individuals concerned. The absolute lowest threshold of remuneration will be the statutory minimum wage but, in the majority of cases, higher levels of remuneration will be appropriate. These can be defined by reference to returns in comparable enterprises or in the general economy. Evidence on this aspect will be an essential aspect of the Rural Enterprise Dwelling Appraisal.”*

Whilst we do not know the number of hours worked by the part-time employees, based upon the above figure, the two full-time employees alone should be paid more than is shown in the accounts. With the appropriate wage expenditure unknown, it cannot be established with certainty that the profits would cover the wage expenditure, and remain at a level that would mean that the business is financially viable.

As such, it is considered that insufficient information has been submitted to demonstrate compliance with the financial test referred to in TAN 6.

### Other Dwelling Test

Technical Advice Note 6 states that evidence must be provided to demonstrate that there are no buildings suitable for conversion on the holding, or any other dwellings within the locality which are suitable and available for occupation, which would fulfil the functional need of the enterprise.

The application has failed to establish a functional need for a dwelling on the site. Nevertheless, no information has been provided in respect of alternative accommodation available to buy, rent, or convert closer to the application site regardless. A search of Zoopla confirms that there is a property available for purchase approximately 1.2 miles from the application site. No information has been provided as to why this dwelling does not meet the applicant's perceived needs of the enterprise. Currently, from the information submitted it is considered that the applicant's current dwelling, being approx. 2.5 miles away from the site, meets the needs of the enterprise.

It is therefore considered that the applicants' current dwelling fulfils the needs of the enterprise. The proposed development therefore fails to comply with the other dwelling test in accordance with TAN6.

In light of the above tests, it is considered that the insufficient information has been submitted to support the proposal in regard to demonstrating a functional need for the proposed dwelling. The application also fails to justify the 'time', 'financial' and 'other dwelling' tests. The application is therefore contrary to policies SP6, H1, H6 of the Powys Local Development Plan (2018), Technical Advice Note 6-Planning for Sustainable Rural Communities (2006), and Planning Policy Wales (12<sup>th</sup> Edition, 2024)

For the reasons outlined above, it is therefore considered that the principle of development for both the change of use of the building, and the proposed rural enterprise dwelling, is contrary to current planning policy.

### Design, Scale and Appearance

The agricultural building will not be subject to any external alterations as part of this application. The design, scale and appearance of the building itself will therefore remain as existing. Alterations are proposed in the form of creating parking areas, though the appearance of these will not be vastly different and will be expected alongside a building of this nature.

The dwelling as proposed measures 14.1 metres in width at ground level, and 7.1m in depth with a height of 7.3m to the ridgeline of the roof. The proposed detached double garage would measure 6.7m in width, and 5.4m in depth, with a ridge height of 4.7m. This would provide a dwelling with an internal floorspace of 150 square metres, and a detached double garage of 32 square metres.

TAN 6 Practice Guidance on Rural Enterprise Dwellings confirms that *“whether dwelling proposals are promoted as outline or full planning applications, all planning applications are required to indicate the scale of any proposed buildings and be supported by a Design and Access Statement. From this it will be possible to provide an indicative build cost to be provided as part of the financial testing. The expectation is that rural enterprises will be able to fund and sustain this cost in terms of either meeting a finance charge on borrowed capital or providing a modest return on the investment of personal capital.”*



It is further noted that TAN 6 requires that rural enterprise dwellings be used as affordable housing in the event that a rural worker cannot be found to occupy the dwelling. The Practice Guidance states that:

*“The size of a dwelling should reflect the needs of the enterprise but, with the extension of potential occupancy to those eligible for affordable housing, applicants should also have regard to this consideration.”*

The usual floorspace limit for affordable housing, as set out within the adopted Affordable Housing SPG, is 115 square metres for dwellings, and 15 square metres for detached outbuildings including garages. The scale of the proposed dwelling and garage as part of this application far exceeds that of the SPG, and is considered to be excessive of the needs of the enterprise, but also prohibitive to it being used as an affordable dwelling.

As such, it is considered that the scale of the dwelling and garage as proposed is contrary to TAN 6 and the Affordable Housing SPG.

### Highways

PCC Highways have been consulted as part of the application process. Following the submission of additional information, they have confirmed that they have no objection to the development subject to recommended conditions being included on any granting of consent.

### Neighbour Amenity

In considering the amenities enjoyed by occupiers of neighbouring properties consideration has been given to the LDP Residential Design SPG & LDP: DM13 (Part 11).

The proposed development is not considered to offer any impact upon loss of daylight to any neighbouring dwellings given the distance between the proposal and the closest neighbour (which is located some 120 metres away).

PCC Environmental Protection raised no objection to the proposed development subject to a tie between the proposed dwelling and proposed (retrospective) business to ensure that amenity is not impacted upon and possible future incompatibility of adjacent land uses. It is not clear as part of this application whether this approach would be appropriate, given that we do not have any information regarding noise to either confirm that it would have an impact upon the dwelling, or that it would not.

Should an application be progressing to a likely approval, it would need to be assessed further. Particular regard must be had at that time to TAN 6 Practice Guidance which states that *“where the functional need is associated with a building or group of buildings,*

*the dwelling should not be sited so as to prejudice its potential future use as a unit of generally available affordable housing.”* Given that there is land further away from the building available, it would need to be considered whether the re-siting of the dwelling would overcome concerns.

Should as part of any future planning application it be concluded that the amenity of the dwelling would be detrimentally impacted upon to a degree that would warrant it not being used as affordable housing, and that this could not be overcome by re-siting the dwelling further away, this would require a Section 106 agreement, which the landowners as well as applicants would need to agree to. Subject to this agreement, it is considered that the proposal would comply with relevant planning policy.

### Flood Zone

With regard to flood risk, Natural Resources Wales's (NRWs) Development Advice Map (DAM) shows the application site to be partially within the C2 flood zone. The agricultural shed and yard falls entirely within this zone, whilst the area where the dwelling is proposed to be sited is outside of all flood extents. The more recent Flood Maps for Planning (FMfP) show the agricultural shed and yard are also located within Flood Zone 2 and 3. It is also noted that the U2539 which is utilised to access the site is located within a C2 flood zone and is located within Flood Zone 2 and Flood Zone 3 of the FMfP.

As part of this application “Land Adj Hendre Fach Flood Consequence Assessment” by Civil Engineering Solutions, dated May 2021, has been submitted. NRW have been consulted on the findings of the Assessment, and have confirmed that they do not object to it on the basis that the buildings proposed use is still low vulnerability, and no extensions are proposed which would displace flood water.

Whilst no comments have been received from the Land Drainage team as part of this application, it is noted that under a previous application (21/1070/OUT) they commented that as the Lead Local Flood Authority they are not aware of any past flooding here. The LLFA was content with the submitted FCA findings and recommended the applicant follow its recommendations. They also recommended that Emergency Planning be consulted, who went on to note that having visited the site, the river is well contained by raised banks and speaking to the occupier of Hendre Fach has never been known to break its banks at this location. Emergency Planning noted this is supported by no evidence of a flood debris ‘tide mark’ left on the adjacent fields. Emergency Planning noted in the event of flooding the most appropriate emergency plan would be to remain in the dwelling to wait for the flood water to subside, as it has historically been shown to. If there is a need to evacuate during a flood, for a medical emergency, then Emergency Planning recommended that this is done by 4x4 vehicle travelling east on the C2013 to Carno village, then south A470 towards Caersws.

Having considered PCC Land Drainage officers comments and Emergency Planning comments and the proposed development (a rural enterprise dwelling) it is considered

that the proposed development is acceptable in terms of flood risk.

In light of the above it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### Foul Drainage

The application proposes to install a private treatment plant with associated drainage to ground. This is in accordance with the hierarchy contained within Welsh Government Circular 008/2018.

NRW and Environmental Protection have been consulted and both have confirmed that they have no objection in relation to the proposed method of foul drainage.

### Natural Environment

#### *Protected Species*

The application has been accompanied by “Preliminary Ecological Appraisal” by Turnstone Ecology dated August 2023. The Appraisal concludes that no signs of protected species were found, and recommends mitigation measures which should be adhered to.

NRW have been consulted on the submitted information and have not raised any objection. PCC Ecology have been consulted, though no comments have been received at the time of writing this report.

Officers note that the submitted Appraisal assesses the site for the proposed dwelling but does not include any assessment in relation to the building which is subject to change of use under this application. Nevertheless, it is acknowledged that this element of the proposal is retrospective, and that the building has not been subject to any physical alterations which may have impacted upon protected species at the time.

The implementation of the mitigation measures would be conditioned as part of any granting of consent.

#### *Protected Sites*

There are no statutorily designated protected sites within 2km of the development site. Further, there are no areas of non-statutory ancient woodland.

#### *Biodiversity*

Landscaping measures in the form of the new native hedgerow and trees is welcomed. These measures will ensure that a biodiversity net gain is achieved at the site, and will increase connectivity routes for bats, and nesting opportunities for birds.

No details of external lighting have been submitted, and a condition relating to the submission of these details prior to any external lighting being installed would therefore be attached to any granting of consent.

A Green Infrastructure Statement has not been submitted with the application. Nevertheless, it is acknowledged that the site where built development is proposed is currently grazed grassland, and no trees are understood to be required to be removed. A tree protection plan would be conditioned as part of any granting of consent to ensure that no detrimental impact was had upon the woodland area to the northwest.

### Right of Way

Public footpath 206/80/1 runs through to the proposed development site, across the enterprise's yard, and proposed driveway of the dwelling.

PCC Countryside Services have been consulted on the proposed development, and have offered no objection to the development on the basis that pedestrian gates have been included for walkers to still utilise the footpath. These works will need to be licenced under S147 Highways Act 1980. This is separate legislation and consenting process to planning.

It is noted that Right of Ways (ROWs) are protected under separate legislation, which the planning system should not duplicate. The ROW would therefore be required to remain open and available for safe unimpeded public access at all times, both during development and following completion. An informative note in relation to this, on any granting of consent, is considered to be sufficient.

### Conclusion

Having carefully considered the details submitted together with all statutory consultee responses, it is considered that the proposal would not comply with planning policy in that:

1. The application has failed to establish a functional need for a dwelling to serve the enterprise
2. No information has been provided in respect of the time test
3. Insufficient information has been provided in respect of the financial test
4. No information has been provided in respect of other dwelling test
5. The size and scale of the dwelling and garage does not accord with the requirements of the enterprise, and would be prohibitive to its use as an affordable dwelling

### **RECOMMENDATION**

In light of the above, it is recommended that the application be refused based on the following reasons:

## Reasons

1. Insufficient information has been submitted to support the principle of a rural enterprise dwelling in the open countryside, in terms of the functional need test, time test, financial test, and other dwelling test. As such the proposal fails to accord with policies SP6, H1, H6 of the Powys Local Development Plan (2018), Technical Advice Note 6 - Planning for Sustainable Rural Communities (2006), Planning Policy Wales (12<sup>th</sup> Edition, 2024).
2. The size and scale of the dwelling and garage as submitted does not accord with the requirements of the enterprise, and would be prohibitive of its use as an affordable dwelling. As such the proposal fails to accord with Technical Advice Note (TAN) 6 - Planning for Sustainable Rural Communities (2006), Planning Policy Wales (12<sup>th</sup> Edition, 2024), policies SP3, H1, and DM13 of the Powys Local Development Plan (2018), and the adopted Powys Affordable Housing Supplementary Planning Guidance (2018).

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Case Officer: Rhian Griffiths, Senior Planning Officer  
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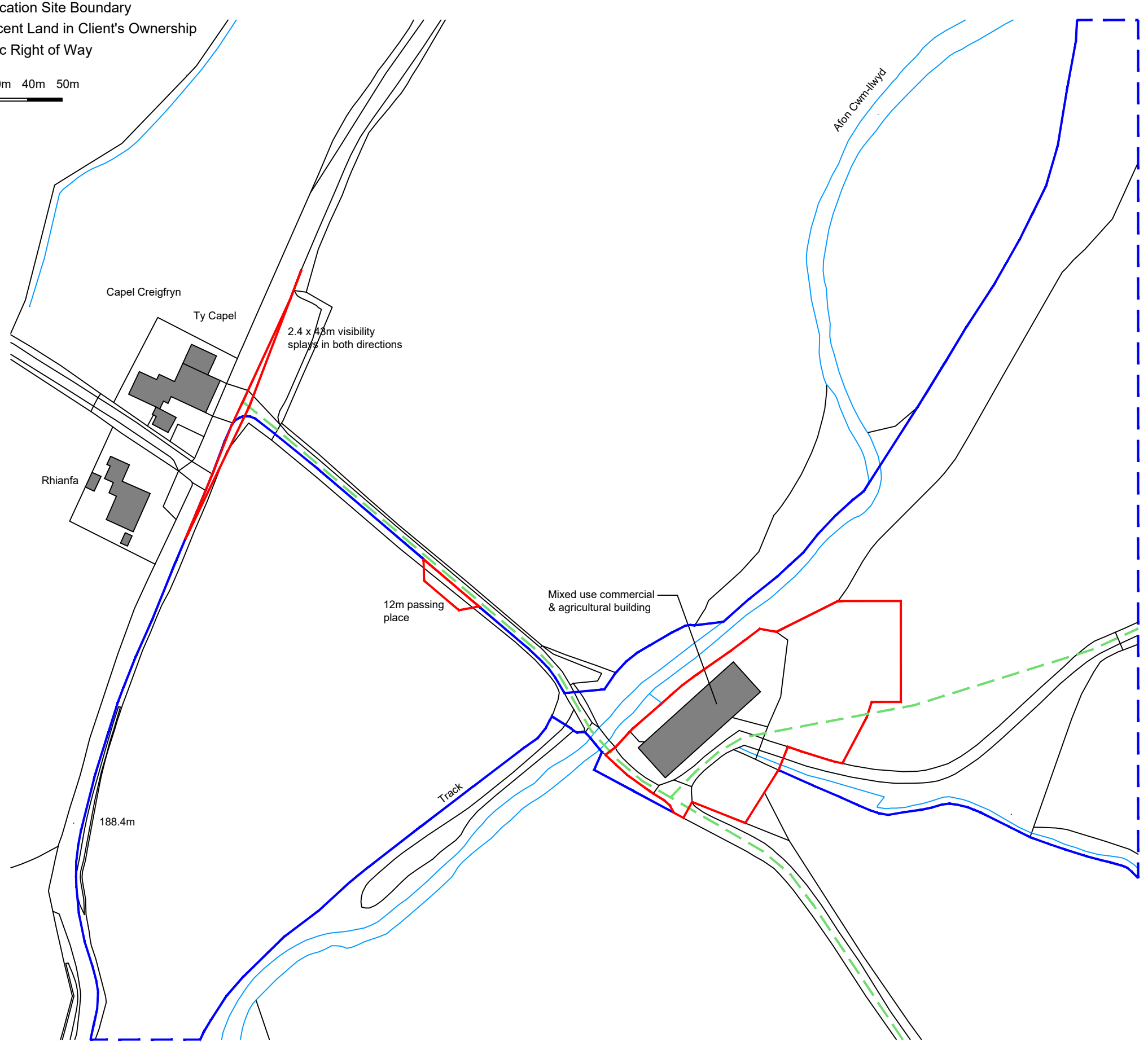
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Rev	Description	Date	By
-	-	year/mm/dd	--

- Application Site Boundary
- Adjacent Land in Client's Ownership
- - - Public Right of Way

0m 10m 20m 30m 40m 50m



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Residential - Agricultural - Commercial

Project	Erection of a Rural Enterprise Dwelling & Change of Use of Agricultural Building to Mixed Use (Agricultural & Commercial) & Associated Works		
Drawing Title	Location Plan		
Location	Land Adjacent to Hendre Fach, Caersws, Powys, SY17 5JY		
Client	Ceri Jerman		
Scale	1:1250 @ A3		
Drawing No	77063 / GD / 001	Rev	-
Drawn By	NB	Date	2023/03/02

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

### Powys County Council Constitution Schedule 13 Responsibility for Functions

**Application Number:** 24/0168/TRE

**Grid Ref:** E: 317742  
N: 239140

**Community Council:** Glasbury

**Valid Date:** 06.02.2024

**Case Officer:** Elinor Price

**Applicant:** Mrs Kasie Jenkins

**Location:** River Wye Activity Centre, Glasbury House, Glasbury, Hereford, Powys, HR3 5NW.

**Proposal:** The felling of 4 Corsican pine and 7 Scots pine trees

**Application Type:** Works to trees in Conservation Area

#### The reason for Committee determination

Called in by the Local Member

#### Consultee Responses

##### Consultee

##### Received

##### Ward Councillor

14.02.2024

Given the sensitivity of the location of the trees that are the subject of this application and the fact that most of them are described in the Survey as being in Fair to Fair/Good condition, I request that this application be 'called in' for consideration by the Planning & Rights of Way Committee for determination.

##### Community Council

No comments received at the time of writing this report.

## Public Responses

No response received at the time of writing this report.

## Planning History

App Ref	Description	Decision	Date
19/0726/TRE	Application for tree works: proposed works to a tree in a conservation area.	Approve	23.05.2019
19/0811/TRE	Works to trees within a conservation area	Approve	12.06.2019
21/0039/CLE	Application for Certificate of lawfulness for an existing use namely use of Glasbury House, outbuildings and land for camping and outdoor pursuits.	Approve	11.02.2022
22/0937/TRE	Application for works to trees in a conservation area	Approve	15.07.2022

## Principal Planning Constraints

Conservation Area	Glasbury
Historic Landscape Register	Middle Wye Valley
LDP Development Boundaries	Glasbury/ Y Clas-ar-Wy
Within 50m of Listed Building	Glasbury House
Mineral Safeguarding Sand_Gravel Cat 1	
Mineral Safeguarding Sand_Gravel Cat 2	
C2 Floodzone	
Phosphorous Sensitive SAC	
Powys Open Space Assessment :	Glas y Bont
Scheduled Ancient Monuments :	Glasbury Old Church
Public Rights of Way : 119/2063/1	

## Principal Planning Policies

Policy	Policy Description	Year	Local Plan
NATPLA	Future Wales - The National Plan 2040		National Development Plan

2021

PPW	Planning Policy Wales (Edition 12, February 2024)	National Policy
TAN5	Nature Conservation and Planning	National Policy
TAN10	Tree Preservation Orders	National Policy
TAN24	The Historic Environment	National Policy
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
SPGCON	Conservation Areas SPG (2020)	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
SPGLAN	Landscape SPG	Local Development Plan 2011-2026
SPGHE	Historic Environment SPG (2021)	Local Development Plan 2011-2026

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

### **Officer Appraisal**

The application site is located within the Town Council of Glasbury and falls within the Glasbury Conservation Area and within the settlement development boundary. The site is situated within the large village of Glasbury at the River Wye Activity Centre. The location of the trees subject to the application are within the grounds of the listed building of Glasbury House which extend south and east along the banks of the River Wye. Public footpath 119/2063/1 runs adjacent to the trees subject to this notification.

Consent is sought for the works to 11 trees within a conservation area. The works proposed are as follows:

- Felling of 4 Corsican pine and 7 Scots pine trees

In support of this application, a Tree Condition Survey and Report has been submitted as well as a location plan and application form which demonstrates the location and details of all trees which form part of this application. An officer site visit has also been undertaken to the site to see the trees first hand.

### Principle of Development

On receipt of the notice of the intention to carry out works to a tree within a Conservation Area, the Local Planning Authority may, (1) allow the six-week determination period to expire, (2) inform the applicant that the works can go ahead, or (3) make a Tree Preservation Order (TPO).

Local Planning Authorities are able to make TPOs in the interests of public amenity, however the key issues in considering the creation of a new TPO relate to: visibility, individual impact, wider impact and expediency.

TAN10 sets out the general requirements applied to all proposals relating to works to trees within a Conservation Area and trees with Tree Preservation Orders (TPOs) placed upon them. Trees, groups of trees and woodlands of amenity value that make a particular contribution to the landscape or that are noted for their beauty or local rarity will be protected. Proposals for development that unacceptably adversely affects trees that are the subject of a TPO or within a Conservation Area will be refused. Applications to fell or carry out works on trees which are the subject of a TPO or within a Conservation Area will be approved if the work is necessary for public safety or to secure the future of trees themselves by appropriate management measures.

The proposed works are required in order to ensure that the trees do not cause harm or danger by falling onto the public right of way and flood wall. The proposed works are

within the conservation area of Glasbury and it is noted that all the trees subject to felling are located south-east of the Activity Centre. It is considered that the trees are extremely tall and that the felling of the trees would ensure that members of the public are not in danger of the trees or parts of the trees falling and causing unnecessary harm or damage. The felling of the trees would not have a detrimental impact upon the character and appearance of the conservation area. It is considered that the works proposed would not have an unacceptable impact to the overall character of the conservation area due to the surrounding vegetation and mature trees present within the wider area.

Visibility – the trees are visible by members of the public walking/travelling along the access route and also by neighbouring residential properties. The trees are located within the grounds of the Glasbury Activity Centre with other trees within the wider area of Glasbury and the Activity Centre. Whilst it is noted that the trees are located within the Activity Centre within the Conservation Area, the loss of 4 Corsican pine and 7 Scots pine trees, is not considered sufficient to warrant a tree preservation order to be placed upon the trees.

Individual and wider impact – the fact that the trees are publicly visible is not itself considered to be sufficient to warrant a TPO. The works proposed which include the felling of trees, is to ensure that no unnecessary harm is caused by not felling the trees onto the adjacent footway, therefore the works proposed to trees in this location would not have a detrimental impact upon the preservation of the conservation area.

The tree report submitted to accompany the application is dated 15 December 2021, therefore officers have undertaken a site visit to understand the current state of the trees as they are described as ‘fair/good fair’ condition.

After conducting a site visit on March 4<sup>th</sup> 2024, it is evident that the trees are situated close to the boundary of the activity centre, adjacent to public rights of way and a flood wall. Upon observation of all trees subject to the application, it is noted that the Corsican pine trees are extremely tall, while the Scots pine trees are of medium/tall height. Though not all trees may not appear to be in extremely poor condition, they could pose a danger to the public and the integrity of the flood wall. The Corsican trees are leaning towards the flood wall, potentially jeopardizing the safety of members of the public using the rights of way and posing a risk of damage to the wall itself. Similarly, the Scots pine trees are in close proximity to the flood wall and rights of way, and if not felled, could pose the same threat to users of the right of way and the flood wall. An image from 2023 submitted in support of the application highlights a Corsican tree from last year, which was deemed to be in 'fair' condition according to the report. However, it snapped and consequently affected the right of way, potentially causing serious damage to the flood wall and users of the right of way. Furthermore, officers consider having visited the site, the felling of the trees as detailed would not have a significant impact on the amenity of the area, as there are further trees in the surrounding area.

In light of the above assessment, it is considered the proposed works are acceptable and the trees are not considered to be worthy of the creation of a new TPO.

### **Recommendation**

Upon consideration of the notification, it is recommended that the proposed works to the trees shall be allowed to go ahead.

The works shall be carried out within 2 years from the date of the application.

### **Informative**

#### ***Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended).***

*It is an offence for any person to:*

- *Intentionally kill, injure or take any bats.*
- *Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.*

*Under the Habitats Regulations it is an offence to:*

- *Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.*

*The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0345 1300 228 or email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk).*

#### ***Birds – Wildlife and Countryside Act 1981 (as amended)***

*All nesting birds, their nests, eggs, and young are protected by law and it is an offence to:*

- *intentionally kill, injure or take any wild bird*
- *intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built*
- *intentionally take or destroy the egg of any wild bird*
- *intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young on such a bird.*

*The maximum penalty that can be imposed - in respect of a single bird, nest or egg – is a fine of up to 5,000 pounds, six months imprisonment or both.*

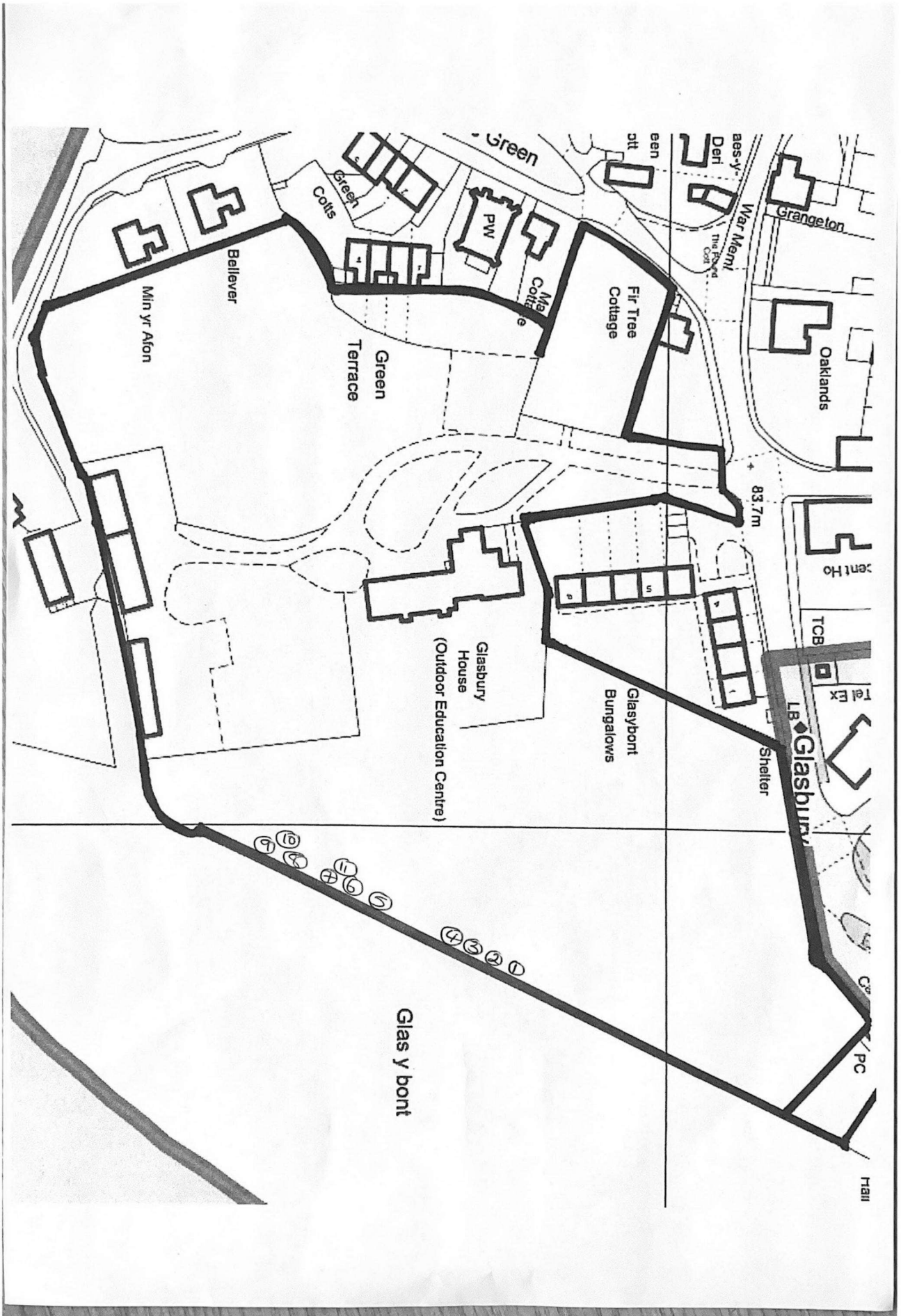
*The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop, and advice sought from Natural Resources Wales and the Council's Ecologist.*

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Case Officer: Ellie Price, Planner  
Tel: 01597 827352 E-mail: elinor.price@powys.gov.uk

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# Delegated List

309 Applications

← Go Back

[Excel Version](#)

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Abbey Cwm-Hir Community	Refused	31/05/2023	23/0746/FUL	Full Application	01/02/2024	Conversion of barn to dwelling and all associated works	Cwmverdy Abbey Cwm-Hir Llandrindod Wells LD1 6PG
	Unknown	25/12/2525	XXXX/2025/2525	Full application	25/07/2525	Proposal of development	La_Name La_Street La_Locality La_Town La_County La_Postcode
Aberedw Community	Prel Closed	15/12/2023	23/1923/PRL	Preliminary enquiry	26/02/2024	Potential DNS application - CAS-03009-N5D9K8 refers	Aberedw Energy Park Aberedw Hill 3km East Of Builth Wells Powys
Aberhafesp Community	Approve	06/06/2023	23/0740/FUL	Full Application	25/01/2024	Proposed siting of a chalet to be used as holiday accommodation, access improvements, installation of a drainage field and all associated works.	Tan Y Coed Field Bwlch-Y-Ffridd Newtown SY16 3JA
Abermule And Llandyssil Community	Application Withdrawn	17/10/2023	23/1432/HH	Householder	22/01/2024	Extensions to rear of property at ground and first floor levels, additional rooflights.	1 Belvedere Cottage Llanmyrewig Montgomery SY15 6NR

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

← Go Back



## Delegated List

309 Applications

Page 68

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Abermule And Llandyssil Community	Approve	24/04/2023	23/0633/HH	Householder	09/02/2024	Proposed extension to residential curtilage and erection of a detached residential annexe for disabled use	Brynhyfryd Abermule Montgomery SY15 6NA
	Approve	25/01/2024	24/0099/TRE	Works to trees in Conservation Area	19/02/2024	Tree works in conservation area - removal of pear tree	The Spires Llandyssil Montgomery SY15 6LQ
	Closed	01/02/2024	24/0143/PRL	Preliminary enquiry	08/02/2024	2470 Norification - upgrade of telecommunications site	Telecommunication Mast Upper Bolbro Abermule Montgomery Powys SY15 6LD
	Refused	08/03/2023	23/0052/OUT	Outline planning	24/01/2024	Proposed residential development to create 53 dwellings with associated access and highways improvements (some matters reserved)	Land To The Rear Of The Meadows Abermule Montgomery Powys
Banwy Community	Permitted Development	28/12/2023	23/1898/AGR	Agricultural Notification	05/01/2024	Steel frame agricultural building	Land Between Coedleos And Ty'n Y Bwlch Llanfihangel SY22 5JE

Page 69

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 70

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Beguildy Community	Closed	15/01/2024	24/0001/PRE	Pre-Planning Application Enquiry	26/01/2024	Pre-planning application enquiry in relation to erection of 8 semi-detached properties and 1 detached bungalow	Land At Lloyney Inn Lloyney Knighton Powys LD7 1RG
	Prel Closed	02/02/2024	24/0152/PRL	Preliminary enquiry	20/02/2024	Installation of woode telecommunication poles - WFGTWH5H refers	Land At Beguildy Knighton Powys LD7 1RN
Berris Community	Application Withdrawn	10/01/2024	23/1933/OUT	Outline planning	07/02/2024	Outline application for erection of 3 dwellings and all associated works	Crimond Nursery Refail Welshpool SY21 8QB
	Approve	01/06/2022	22/0877/OUT	Outline planning	25/01/2024	Outline: Erection of a rural enterprise dwelling, detached garage and associated works (some matters reserved)	Land At Llidiardau Manafon Welshpool Powys SY21 8QT

Page 71

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

← Go Back



## Delegated List

309 Applications

Page 72

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Berriew Community	Approve	23/10/2023	23/1653/HH	Householder	19/02/2024	Demolition of covered area and erection of porch extension and single storey extension to property, together with demolition of part of outbuilding and erection of extension to provide garage, workshop and home office	Tan Yr Allt Berriew Welshpool SY21 8AZ
	Approve	09/11/2023	23/1734/DIS	Discharge of Condition	02/02/2024	Application to discharge conditions 6,7,8, 16 and 17 attached to permission 23/0050/FUL in respect of Landscaping Plans, Broadband Scheme Plan, Passing Place Plan, Pollution Prevention Plan and Hedgerow Replacement Planting Plan	Land Ar Maes Yr Afon Caravan Park Berriew Welshpool Powys SY21 8BQ

Page 73

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 74

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Berriew Community	Approve	10/11/2023	23/1638/CLP	Certificate of Lawfulness - Proposed	26/01/2024	Certificate of lawfulness (Section 192) for proposed conversion of barn to dwelling and access as granted by planning permission M/2007/0212 which remains extant and has been lawfully commenced and to continue with remainder of development	Penyrhallt Brithdir Lane Berriew Welshpool SY21 8AP
Bronllys Community	Consent	23/06/2023	23/0971/FUL	Full Application	07/02/2024	Siting of 2 no. Shepherds Huts (for holiday use), installation of new sewage treatment plant, formation of access tracks and all associated works	Land At Church Farm Church Road Llyswen Brecon LD3 0UU
	Refused	06/11/2023	23/1531/OUT	Outline planning	12/01/2024	Outline: Erection of an affordable dwelling, creation of access, installation of treatment plant and all associated works (some matters reserved)	Land Known As Caemawdy Slough Bronllys Brecon Powys LD3 0LH

Page 7/5

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 76

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Builth Wells Community	Closed	16/02/2024	24/0232/PRL	Preliminary enquiry	06/03/2024	Installation of wooden telecommunication pole - WFHK232D refers	Opposite 34 Castle Street Builth Wells Powys LD2 3BN
	Prel Closed	19/12/2023	24/0010/PRL	Preliminary enquiry	10/01/2024	Premise Licence Application	Barley Mow Hotel West Street Builth Wells Powys LD2 3AH
Cadfarch Community	Approve	28/11/2023	23/1718/HH	Householder	04/03/2024	Extension and Improvements	Bwlch Y Groes Faen Glas Pwll Machynlleth SY20 8TY
Caersws Community	Application Withdrawn	08/12/2023	23/1781/DIS	Discharge of Condition	25/01/2024	Discharge of conditions 10 and 14 of permission P/2017/0368 in relation to drainage and associated works	Land At Church House Farm Llanwnog Caersws SY17 5JG
	Application Withdrawn	02/02/2024	24/0105/FUL	Full Application	05/03/2024	Erection of a rural enterprise dwelling and garage, installation of package treatment plant and all associated works	Land Adjacent To Castle Wood Llanwnog Caersws SY17 5PD

Page 77

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 78

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Caersws Community	Approve	27/01/2023	23/0143/REM	Removal or Variation of Condition	12/01/2024	Section 73 application to vary condition no. 7 (amend to 3 passing places) and remove condition no's 4, 5, 6, 10, 11, 13, 14 & 15 attached to planning approval 22/0057/FUL	1 - 3 Garthpwt Farm Clatter Caersws Powys SY17 5NR
	Approve	27/01/2023	23/0144/REM	Removal or Variation of Condition	12/01/2024	Section 73 application to vary condition no. 7 (amend to 3 passing bays) and remove condition no's 4, 5, 6, 10, 11, 12, 14, 15 & 16 attached to planning approval 22/0058/FUL	4 - 11 Garthpwt Farm Clatter Caersws Powys SY17 5NR
	Approve	29/08/2023	23/0897/FUL	Full Application	27/02/2024	Installation of steel container housing biomass boiler and associated flue	Lluast Llanwnog Caersws Powys SY17 5NE
	Approve	02/10/2023	23/1453/HH	Householder	31/01/2024	Construction of 2 story side extension to dwelling and improvements to access	Maes Gwasted Trefeglwys Road Caersws SY17 5HT

Page 79

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 80

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Caersws Community	Approve	02/01/2024	23/1936/DIS	Discharge of Condition	06/02/2024	Discharge of condition 14 of planning approval 23/1012/REM in relation to colour of proposed windows and doors	Church House Farm Llanwnog Caersws SY17 5JG
	Approve	11/01/2024	24/0014/DIS	Discharge of Condition	12/02/2024	Discharge of condition 6 of planning approval 23/1201/LBC in relation to details of the windows.	Plas Maldwyn Ty Gwyn Road Caersws SY17 5HA
	Approve	23/01/2024	24/0129/ELE	Electricity Overhead Line	22/02/2024	Application made under Section 37 of the Electricity Act 1989 to upgrade an existing overhead power line from 2-wires to 3-wires	Llwyngwyn Llanwnog Caersws Powys SY17 5NZ
	Refused	14/11/2023	23/1699/FUL	Full Application	09/02/2024	Conversion and extension of former cowhouse (agricultural building) into holiday accommodation together with formation of vehicular access and installation of sewage treatment tank	Building At Castle Wood Llanwnog Caersws Powys SY17 5PD

Page 81

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 82

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Carno Community Council	Application Withdrawn	02/10/2023	23/1415/FUL	Full Application	11/01/2024	Creation of lorry parking spaces associated with the adjacent leather factory	Former Site Of Laura Ashley Carno Caersws Powys SY17 5LG
	Approve	02/10/2023	23/1468/HH	Householder	15/02/2024	Erection of a ground floor extension including extension of residential curtilage, creation of new residential access, replacement foul drainage system and associated works	Dolfriog Carno Caersws Powys SY17 5JY
	Prel Closed	02/02/2024	24/0151/PRL	Preliminary enquiry	09/02/2024	Clarification of S106 agreement	Llwynygog Carno Caersws Powys SY17 5JY
Carreghofa Community	Closed	19/01/2024	24/0090/PRL	Preliminary enquiry	16/02/2024	Instalation of wooden telecommunications pole - WFGH040B V9016 Reg 5 refers	Land Opposite Ivy Cottage Llanymynech Powys SY22 6JZ



## Delegated List

309 Applications

Page 84

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Carreghofa Community	EIA not Required	18/12/2023	23/1960/SO	Screening Opinion	22/02/2024	Screening Opinion for the need for an EIA for proposed construction of a new bridge including landscaping and associated enabling works	Land At Carreghofa Lane (B4398) Llanymynech
Carreghofa Community	NMA Approved	22/01/2024	24/0032/NMA	Non-Material Amendment	15/02/2024	Non material amendment to planning permission P/2016/0326 in relation to changing the wording of conditions 5, 6 and 7	Land Off Gwelfryn Carreghofa Llanymynech Powys SY22 6LJ
Castle Caereinion Community	Application Withdrawn	23/06/2023	23/0965/FUL	Full Application	15/01/2024	Erection of 3 no. dwellings (terraced) to replace approved 1 no. dwelling (approved under 22/0030/RES & 18/0395/OUT) and all associated works	Land At Tynllan Farm Castle Caereinion Welshpool SY21 9AL
Castle Caereinion Community	Permitted Development	02/02/2024	24/0097/AGR	Agricultural Notification	15/02/2024	Erection of agricultural grain store and all associated works	Land Opposite Hydan Fawr Cyfronydd Welshpool Powys SY21 9EU

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 86

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Churchstoke Community	Approve	08/09/2023	23/1372/FUL	Full Application	11/01/2024	Change of use of agricultural land to domestic curtilage adjacent to allocated housing site (19/0993/OUT)	Land Adjacent To Hollydene Hall Bank Churchstoke Montgomery Powys SY15 6EN
Page 87	Approve	19/12/2023	23/1795/REM	Removal or Variation of Condition	04/03/2024	Section 73 application to vary condition 16 of planning permission 19/1798/REM (residential development of up to 45 dwellings) to allow for amended plans	Development At Land Adjoining Fir House Churchstoke Montgomery Powys
	Approve	03/01/2024	23/1839/FUL	Full Application	15/02/2024	Extension of existing agricultural building for vehicle workshop	The Broads Churchstoke Montgomery SY15 6DU
	Approve	19/01/2024	24/0139/DIS	Discharge of Condition	06/02/2024	Application to discharge condition 3 attached to permission 23/1372/FUL in relation to biodiversity enhancement	Land Adjacent To Hollydene Hall Bank Churchstoke Montgomery Powys SY15 6EN

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 88

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Churchstoke Community	Approve	26/01/2024	24/0107/DIS	Discharge of Condition	01/03/2024	Application to discharge condition 9 attached to permission 19/0993/OUT, relating to land contamination	Land Adjacent To Hollydene Hall Bank Churchstoke Montgomery Powys SY15 6EN
	Approve	12/02/2024	24/0028/AGR	Agricultural Notification	22/02/2024	A new agricultural building to store tools and machinery.	Todleth View Churchstoke Montgomery Powys SY15 6DU



## Delegated List

309 Applications

Page 90

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Cilmery Community	Refused	22/11/2022	22/1973/REM	Removal or Variation of Condition	30/01/2024	Section 73 application to remove conditions 17 and 18 of planning permission P/2017/0871 in relation to provision of affordable housing Condition Number(s): 17 & 18 Conditions(s) Removal: The applicant is seeking removal of Conditions 17 & 18 as the economic viability of the development is such that it can no longer support the provision of either on-site affordable housing or off-site commuted sum payment in lieu of on-site contribution n/a	Site Adjacent To Belmont (Maeshendre) Cilmery Built Wells Powys LD2 3NY
Disserth And Trecoed Community	Application Withdrawn	24/10/2023	23/1657/HH	Householder	22/01/2024	Installation of a free standing Monobloc Air Source Heat Pump	Hill View Howey Built Wells LD1 5PN

Page 91

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

← Go Back



## Delegated List

309 Applications

Page 92

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Dissert And Trecoed Community	Closed	29/11/2023	23/1844/PRL	Preliminary enquiry	05/01/2024	Installation of 1 wooden telecommunications pole WF9K6J9Z refers	Rear Of 4 Crossways Park Howey Llandrindod Powys LD1 5RD
	Prel Closed	01/02/2024	24/0144/PRL	Preliminary enquiry	20/02/2024	Installation of 3 telecommunications poles - WFGT399M refers	Land At Mill View Close Howey Llandrindod Wells Powys LD1 5RA
Duhonw Community	Approve	21/06/2023	23/1076/VAR	Discharge/Modification of S106	26/02/2024	Discharge of Section 106 legal agreement from planning approval B/02/0165	Caer Pant Maesmynis Builth Wells Powys LD2 3HT
	Approve	29/11/2023	23/1814/DIS	Discharge of Condition	27/02/2024	Discharge of condition 12 and 14 of planning approval 23/0194/FUL in relation to RAMs and External Lighting Design	Pant Y Rhiw Llandewi'r-Cwm Builth Wells LD2 3RZ
Dwyriw Community	Approve	19/10/2023	23/1633/CLP	Certificate of Lawfulness - Proposed	19/01/2024	Section 192 application for a proposed use in relation to proposed loft conversion with installation of 2 no rooflights to the rear of the existing roof.	Noddfa Adfa Newtown SY16 3BX



## Delegated List

309 Applications

Page 94

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Dwyriw Community	Permitted Development	21/02/2024	24/0171/AGR	Agricultural Notification	05/03/2024	Proposed building for agricultural storage	Tyn Yr Wtra New Mills Newtown SY16 3BT
Erwood Community	Prel Closed	19/12/2023	23/1931/PRL	Preliminary enquiry	09/01/2024	Installation of telecommunication pole - SML5151WN refers	Main, Adfa Village Hall Adfa Newtown Powys SY16 3DB
	Prior Approval Approved	09/11/2023	23/0922/AGR	Full Application	01/03/2024	Erection of agricultural livestock building and all associated works.	Cefn Coch Welshpool SY21 0AP
	Closed	15/09/2023	23/0154/PRE	Pre-Planning Application Enquiry	07/02/2024	Pre-planning application enquiry in relation to conversion of traditional barns to 2 residential dwellings	Barns At Erwood Hall Erwood Builth Wells Powys LD2 3EZ
	Closed	21/12/2023	23/1950/PRL	Preliminary enquiry	19/01/2024	Removal of Powys Payphones - several (14) locations	BT Payphone Erwood Builth Wells Powys LD2 3EX

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 96

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Felin-Fach Community	Approve	24/11/2023	23/1688/HH	Householder	23/01/2024	Replacement of existing ground floor window of south elevation with patio doors which match, both in materials and colour, the existing patio doors of west and east elevations	Castlewood Barn Llandefalle Brecon LD3 0NR
Forden With Leighton & Trelystan Com	Approve	24/10/2023	23/1647/NMA	Non-Material Amendment	19/01/2024	Non Material Amendment to approval 21/1454/HH (for substitute plans) for replacement building to be timber post and beam method of construction instead of a steel and block basis	Pleasant View Trelystan Leighton SY21 8HZ
	Approve	21/11/2023	23/1621/HH	Householder	02/02/2024	Erection of a conservatory	36 Heritage Green Forden Welshpool Powys SY21 8LH
	Approve	14/12/2023	23/1841/HH	Householder	19/02/2024	Loft conversion, alterations to dwelling and all associated works	Glyndeiw Cilcewyd Welshpool SY21 8RT

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 98

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Forden With Leighton & Trelystan Com	Approve	08/01/2024	24/0019/CLE	Certificate of Lawfulness - Existing	26/02/2024	Section 191 application for a lawful development certificate for an existing use in relation to the continued use of a Caravan, Nissen Hut and surrounding land as a residential dwelling	Dyke Lands Forden Welshpool SY21 8LZ
	Prel Closed	02/01/2024	24/0002/PRL	Preliminary enquiry	26/01/2024	Upgrade of single phase overhead lines	Land At Edderton Hall Forden Welshpool Powys SY21 8RZ
	Refused	23/10/2023	23/1733/CLE	Certificate of Lawfulness - Existing	06/02/2024	Certificate of lawfulness for an existing use/operation (Section 191) for continued use of chalet as a residential chalet without complying with condition 3 (holiday use restriction) of planning approval M/2001/0726	Pinecrest Forden Welshpool Powys SY21 8LE



## Delegated List

309 Applications

Page 100

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Gladestry Community	Approve	12/06/2023	23/0709/HH	Householder	15/02/2024	Two storey extension to rear and sides of existing dwelling and associated works (part retrospective)	Glenhaven Newchurch Kington HR5 3QF
Glantwymyn Community	Application Withdrawn	06/07/2023	23/0120/PRE	Pre-Planning Application Enquiry	20/02/2024	Pre-planning application enquiry in relation to resubmission of replacement of existing industrial building (23/0567/FUL refused)	Existing Building Abertwymyn Glantwymyn Machynlleth Powys SY20 8LX
	Approve	14/09/2023	23/1368/FUL	Full Application	17/01/2024	Erection of a ground mounted solar array	Blaenplwyf Isaf Cwmlinau Machynlleth SY20 9AD
	Approve	03/10/2023	23/1481/FUL	Full Application	26/02/2024	Replacement of existing building with workshop and office B1 light industrial together with improvements to existing access and installation of a package treatment plant	Existing Building Abertwymyn Glantwymyn Machynlleth Powys SY20 8LX



## Delegated List

309 Applications

Page 102

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Glantwymyn Community	Closed	27/02/2024	24/0264/PRL	Preliminary enquiry	27/02/2024	Update of electronic communications apparatus at existing site	Communication Station And Premises Corris Machynlleth Powys SY20 9HD
Glasbury Community	Approve	16/01/2023	22/2051/FUL	Full Application	07/02/2024	Renovation and extension of building to facilitate its use as an office (B1), and a residential space for use ancillary to the neighbouring dwelling house	Grangeton Glasbury Hereford HR3 5LH
	Approve	26/09/2023	23/1497/DIS	Discharge of Condition	02/02/2024	Discharge of condition 10 of planning approval 22/0632/LBC in relation to detailed drawings windows and doors	Lamb House Glasbury Hereford HR3 5LH
	Approve	20/10/2023	23/1646/LBC	Listed Building Consent	18/01/2024	Listed building consent for underpinning of existing brick boundary wall and replacement of the timber section with brick and timber gate	Lamb House Glasbury Hereford HR3 5LH

Page 103

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 104

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Glasbury Community	Approve	26/10/2023	23/1586/HH	Householder	31/01/2024	Proposed extensions to the existing property, to provide additional living and bedroom accommodation for the family.	Haycroft Boughrood Brecon LD3 0BX
	Approve	02/11/2023	23/1645/HH	Householder	18/01/2024	Underpinning of existing brick boundary wall and replacement of the timber section with brick and timber gate	Lamb House Glasbury Hereford HR3 5LH
Glasbury Community	Approve	19/12/2023	23/1902/FUL	Full Application	15/01/2024	Installation of a 30m lattice tower supporting 6 no. antennas, 4 no. transmission dishes, 4 no. equipment cabinets, 1 no. meter cabinet, and ancillary development there to including 15 no. Remote Radio Units (RRUs), a 1.8m palisade fence and GPS module.	Land To The North Of Llyntudor Rhulen Llandrindod Wells Powys

Page 105

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 106

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Guilsfield Community	Approve	02/03/2023	23/0347/RES	Reserved Matters	22/01/2024	Application for reserved matters following the approval of 19/1529/OUT for a residential development of up to 22 dwellings, formation of vehicular access and estate roadway including all associated works and formation of field access (appearance, landscaping, layout and scale)	Land East Of Groes-lwyd (West Of Rhoslan) Groesllwyd Guilsfield Powys
	Approve	15/08/2023	23/1266/DIS	Discharge of Condition	30/01/2024	Application to discharge conditions 16, 22 and 23 of planning approval 19/1984/OUT	Tan Y Gaer Guilsfield Welshpool SY21 9PR
	Approve	11/09/2023	23/1285/FUL	Full Application	09/01/2024	Proposed pond and associated works	Burgedin Hall Pool Quay Welshpool SY21 9LN

Page 107

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 108

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Guilsfield Community	Approve	11/10/2023	23/1454/DIS	Discharge of Condition	14/02/2024	Discharge of conditions 4,7,8,9,10,14,15,16,17, 18 and 19 of planning permission 20/0387/OUT in relation to affordable housing, drainage, biodiversity enhancement plan, contamination and detailed remediation scheme, reasonable avoidance measures scheme, pollution prevention plan, foul & surface water drainage, amphibian friendly drainage scheme, landscaping plan and external lighting scheme	Fairview Garage Guilsfield Welshpool Powys
	Approve	03/11/2023	23/1702/FUL	Full Application	23/01/2024	Erection of an agricultural building and associated works	Holly Bank Guilsfield Welshpool SY21 9JA

Page 109

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 110

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Guilsfield Community	Closed	31/10/2023	23/0177/PRE	Pre-Planning Application Enquiry	23/01/2024	Pre-planning application enquiry in relation to change of use of outbuilding to ancillary accommodation	Haf Frondeg School Road Guilsfield Welshpool Powys SY21 9NQ
	Permitted Development	02/02/2024	24/0095/AGR	Agricultural Notification	20/02/2024	Erection of agricultural buildings to be used for straights (feed) and all associated works	Stonehouse Farm Maes Mawr Welshpool SY21 9DB
	Refused	23/01/2024	24/0054/DIS	Discharge of Condition	23/02/2024	Discharge of condition 5, 6 and 7 of planning approval 22/2038/FUL in relation to Ground Investigation	Hardings Shed & Garden Supplies Guilsfield Welshpool Powys
Gwernyfed Community	Approve	12/09/2023	23/1268/DIS	Discharge of Condition	16/02/2024	Application to discharge condition 5 attached to permission 23/0049/FUL in relation to Pollution Prevention Plan	1 And 2 Pentwyn Three Cocks Brecon LD3 0SW

Page 111

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 112

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Gwernyfed Community	Approve	21/09/2023	23/1474/HH	Householder	05/01/2024	Erection of a garage/outbuilding to replace existing outbuilding (resubmission of 23/0055/HH)	Whinmoor Glasbury Hereford HR3 5NU
	Approve	03/01/2024	23/1903/NMA	Non-Material Amendment	09/02/2024	Application for non-material amendments to planning permission 22/0535/FUL in respect to amendments to chalets	Caeronen Farm Felindre Brecon LD3 0SG
	Consent	28/07/2021	21/1389/DIS	Discharge of Condition	16/01/2024	Discharge of conditions 3, 8, 9 and 10 of planning permission P/2016/1298 (archaeology, schedule of works, detail drawings and window details)	Old Gwernyfed Velindre Brecon Powys LD3 0SU

Page 113

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 114

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Gwernyfed Community	Consent	28/07/2021	21/1390/DIS	Discharge of Condition	16/01/2024	Discharge of conditions 3, 8, 9 and 10 of listed building consent P/2017/0014 (archaeology, schedule of works, detail drawings and window details)	Old Gwernyfed Velindre Brecon Powys LD3 0SU
Hay Community	Approve	04/12/2023	23/1848/DIS	Discharge of Condition	26/01/2024	Discharge of condition 12 from planning approval 23/0343/FUL (Demolition Method Statement and timings)	1 The Burlands Gipsy Castle Lane Hay-On-Wye Hereford HR3 5PW
Kerry Community	Application Withdrawn	01/08/2022	22/1262/FUL	Full Application	29/02/2024	Proposed Holiday-let Development, formation of a new access and associated works	Land At New House Sarn Newtown Powys SY16 4ER
	Approve	10/05/2023	23/0630/FUL	Full Application	06/03/2024	Full planning application for a proposed replacement school, ancillary buildings, a MUGA, landscaping and associated works	Land Adjacent To Brynlywarch Hall School Kerry Newtown SY16 4PB

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 116

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Kerry Community	Approve	28/09/2023	23/1511/HH	Householder	09/02/2024	Demolition of flat roof rear extension and the erection of a two-storey side extension plus single storey front and rear extensions.	Maesysarn Sarn Newtown SY16 4HG
	Approve	16/10/2023	23/1544/HH	Householder	30/01/2024	Erection of single storey extension and modification to means of access.	The Smithy Kerry Newtown SY16 4LL
	Approve	04/12/2023	23/1913/TPO	Works to Trees subject to a TPO	16/01/2024	Works to trees subject to Tree Preservation Orders	Dolforgan Park Kerry Newtown SY16 4DE
	Refused	24/10/2023	23/1534/CLP	Certificate of Lawfulness - Proposed	06/02/2024	Section 192 application for a proposed certificate in relation to conversion of agricultural barn to board dogs including installation of solar panels and associated works	Lower Penygelli Farm Kerry Newtown SY16 4LX

Page 117

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 118

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Knighton Community	Application Withdrawn	04/06/2015	P/2015/0527	Outline planning	09/02/2024	Outline: Residential development of 25 affordable dwellings, formation of vehicular access, community open space and formation of a lake and other auxiliary works	Knighton Sheep Sale Field Ludlow Road Knighton Powys LD7 1DT
	Approve	25/10/2023	23/1160/FUL	Full Application	25/01/2024	Application for the change of use of domestic storage to commercial	Flat 5 High Street Knighton Powys LD7 1AT
	Approve	13/02/2024	24/0153/DIS	Discharge of Condition	23/02/2024	Discharge of condition 3 of planning approval 20/2086/FUL in relation to Biodiversity enhancements.	Heartsease Farm Bottling Plant And Premises, Knighton LD7 1LU
	Refused	24/10/2023	23/1600/DIS	Discharge of Condition	24/01/2024	Discharge of condition 5 of planning approval 23/0832/REM in relation to archaeology	Land North Of West Street West Street Knighton Powys
Llanafan-Fawr Community	Approve	21/08/2023	23/1357/VAR	Discharge/Modification of S106	26/02/2024	Application to Discharge of Section 106 agreement attached to planning application B/05/0121	Tyrosser Llanafan-fawr Built Wells Powys LD2 3LW



## Delegated List

309 Applications

Page 120

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanafan-Fawr Community	Consent	23/12/2022	22/2073/LBC	Listed Building Consent	19/02/2024	Listed building consent to strip the existing roof of the Inn, re-slate, and re-new fascias, bargeboards, lead dressing where necessary and replace rainwater goods.	Red Lion Inn Llanafanfawr Builth Wells LD2 3PN
Llanbister Community	Approve	02/11/2023	23/1634/FUL	Full Application	04/03/2024	Construction of new farm road	Cwmllechwedd Fawr Llanbister Llandrindod Powys LD1 6UH
Llanbrynmair Community	Approve	08/08/2023	23/1164/FUL	Full Application	11/01/2024	Erection of 3 no. 3 bed dwellings (terraced) including landscaping, vehicular access and all associated works	Land At Cae Bryncoch Llanbrynmair Powys SY19 7DL

Page 121



## Delegated List

309 Applications

Page 122

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanbryn-mair Community	Approve	05/10/2023	23/1491/CLP	Certificate of Lawfulness - Proposed	19/01/2024	Certificate of lawfulness for a proposed use/operation (Section 192) for "Change of use of agricultural land in connection with existing caravan site, together with siting of 10 static caravans, installation of access paths, hardstandings and all other associated works." as granted by planning permission P/2014/0638 which remains extant and has lawfully commenced and to continue with the remainder of the development	Cringoed Caravan Park Llanbryn-mair SY19 7DR
	Approve	20/11/2023	23/1631/HH	Householder	29/02/2024	Proposed Single Storey Extension	Fronlwyd Bontdolgadfan Llanbryn-mair SY19 7AS
	Closed	07/02/2024	24/0164/PRL	Preliminary enquiry	08/02/2024	Installation of 37 wooden telecommunication poles - WF6H1T4G refers	Land Around Hafan Talerddig Llanbryn-mair Powys SY19 7AJ

Page 123

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 124

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanddew Community	Closed	24/01/2024	24/0092/PRL	Preliminary enquiry	12/02/2024	Affordable Housing Eligibility	8 Maes Maldwyn Llanddew Brecon Powys LD3 9AJ
Llandinam Community	Approve	27/10/2023	23/1667/DIS	Discharge of Condition	05/02/2024	Discharge of conditions 5 and 10 of planning permission 23/0363/FUL in relation to external materials and engineering drawings	Land At Tyncelyn Oakley Park Llanidloes Powys SY18 6LP
	Approve	31/10/2023	23/1577/FUL	Full Application	23/01/2024	Continuation of use of 90m guyed meteorological monitoring mast with lightning protection (overall height not exceeding 92m)	Land NW Of Garn Fach Forestry Llandinam Newtown Powys
	Closed	07/02/2024	24/0016/PRE	Pre-Planning Application Enquiry	23/02/2024	Pre-planning application enquiry in relation to erection of a two storey side extension to an existing local needs dwelling	Bron Felyn Llandinam Powys SY17 5BY

Page 125

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 126

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llandinam Community	Permitted Development	24/01/2024	24/0066/AGR	Agricultural Notification	20/02/2024	Agricultural notification for the erection of a pole barn	Waen Llwydion Llandinam Powys SY17 5AH
	Prior Approval Approved	07/09/2023	23/1215/AGR	Full Application	05/02/2024	Forestry notification in respect of proposed new and upgraded roads	Y Foel East Of C2186 South Of Llandinam Powys
Llandrindod Wells Community	Approve	24/10/2023	23/1570/FUL	Full Application	05/02/2024	Erection of a new dwelling, garage and all associated works.	Land Adjacent To Trehelyg Walnut Close Llandrindod Wells Powys LD1 5PE
	Approve	15/11/2023	23/1757/CAC	Conservation Area Consent	15/01/2024	Conservation Area Consent for demolition of an existing garage	Tudor Lane Garage Tudor Lane Llandrindod Wells Powys LD1 5UL
	Approve	14/12/2023	23/1901/REM	Removal or Variation of Condition	05/02/2024	Section 73 application to vary condition no's 2 and 4 attached to planning approval 23/0815/FUL (to allow amended plans and to increase the number of flats approved from 8 to 9)	The Manor Lindens Walk Llandrindod Wells LD1 5EA

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 128

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llandrindod Wells Community	Approve	10/01/2024	24/0047/TRE	Works to trees in Conservation Area	21/02/2024	Works to trees within a conservation area.	9 Rock House Court Llandrindod Powys LD1 6AX
	Refused	24/03/2023	23/0265/DIS	Discharge of Condition	16/01/2024	Discharge of condition 3 of planning permission 20/1390/FUL in relation to window details	Carlton House Middleton Street Llandrindod Wells LD1 5ET
	Refused	27/06/2023	23/0992/FUL	Full Application	15/01/2024	Construction of 10 holiday lodges and reception building / shop, siting of 5 camping pods, formation of access and tracks, car parking areas, installation of sewage treatment plant, formation of ponds, landscaping and all associated works	Land At Caregwiber Llandrindod Wells Powys LD1 5NY
Llandrinio And Arddleen Community	Application Withdrawn	18/10/2023	23/1503/FUL	Full Application	08/01/2024	Use of existing log cabin as holiday accommodation	Cabin At Cefn Farm Llansantffraid-Ym-Mechain Powys SY22 6TF

Page 129

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 130

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llandrinio And Arddleen Community	Approve	12/06/2023	23/0645/FUL	Full Application	08/02/2024	Conversion of agricultural unit into 2 residential units and installation of sewage treatment plant	Brynffynon Sarnau Llanymynech SY22 6QN
	Approve	02/11/2023	23/1793/VAR	Discharge/Modification of S106	08/02/2024	Application to discharge to Section 106 legal agreement attached to outline planning approval M2002/0195	Neathwood Trederwen Lane Llandrinio Llanymynech Powys SY22 6SA
Llandysilio Community	Application Withdrawn	11/09/2023	23/1092/FUL	Full Application	09/02/2024	Erection of 9 dwellings and all associated works	The Four Crosses Inn Four Crosses Llanymynech SY22 6RE
	Approve	01/12/2023	23/1845/REM	Removal or Variation of Condition	08/02/2024	Section 73 application to vary condition 5 of planning permission 22/2012/RES in respect to change of wording.	Land Adjacent 'The Street' Llandysilio Llanymynech Powys SY22 6RB
	Closed	15/01/2024	24/0002/PRE	Pre-Planning Application Enquiry	31/01/2024	Pre-planning application enquiry in relation to erection of commercial buildings at site with industrial land allocation	The Village Workshops Four Crosses Llanymynech Powys SY22 6ST

Page 131

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 132

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llandysilio Community	Permitted Development	13/12/2023	23/1825/AGR	Agricultural Notification	10/01/2024	Erection of a straw storage building.	Rhandregynwen Four Crosses Llanymynech SY22 6SN
Page 133	Prel Closed	25/01/2024	24/0100/PRL	Preliminary enquiry	29/01/2024	Clarification that person meets Affordable Housing criteria of S106	46 Parc Hafod Four Crosses Llanymynech Powys SY22 6NZ
	Refused	11/09/2023	23/1071/FUL	Full Application	30/01/2024	Siting of 4 x Geodome tents for holiday use on decking areas, 4 x associated decking areas for outdoor seating, baths & bbq area provision of composting toilet for each unit including formation of access pathway and car parking area (retrospective)	Land At Laburnum House Brynmawr Llanymynech Powys SY22 6PQ
Llanelwedd Community	Approve	03/10/2023	23/1211/HH	Householder	05/02/2024	Erection of a porch, extension to the front and two storey rear extension.	Dulas View Builth Road Builth Wells LD2 3RL

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 134

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanelwedd Community	Closed	28/02/2024	24/0292/PRL	Preliminary enquiry	06/03/2024	Full Variation to Premises Licence	Asda Express Builtth Wells PFS (formerly Asda Express North Road Garage) Station Road Llanelwedd Builtth Wells Powys LD2 3SS
Llanerfyl Community	Approve	03/10/2023	23/1440/HH	Householder	25/01/2024	Single storey rear extension and two storey side extension (part retrospective)	Glan Menial Llanerfyl Welshpool SY21 0HZ
Llanfair Caereinion Community	Permitted Development	01/02/2024	24/0025/AGR	Agricultural Notification	21/02/2024	Extension to existing muck store.	Cannon Farm Llanerfyl Welshpool Powys SY21 0JJ
Llanfair Caereinion Community	Approve	30/06/2023	23/0972/RES	Reserved Matters	09/02/2024	Application for reserved matters for appearance, layout, landscaping and scale following the approval of 20/0010/OUT, for the erection of 3 dwellings and all associated works	Tanyfron Broncafnt Lane Llanfair Caereinion Welshpool Powys SY21 0BW



## Delegated List

309 Applications

Page 136

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanfair Caereinion Community	Permitted Development	09/02/2024	24/0170/AGR	Agricultural Notification	05/03/2024	Proposed agricultural building for storage	Cross Farm Llanfair Caereinion Welshpool SY21 0DP
Llanfechain Community	Approve	08/03/2023	23/0384/HH	Householder	05/02/2024	Householder application for extensions and alterations at Pen Y Parc Mawr	Pen Y Parc Mawr Llanfechain SY22 6XB
	Approve	11/04/2023	23/0569/LBC	Listed Building Consent	22/01/2024	Removal of porch and erection of replacement porch, internal and external alterations to dwelling, to include the replacement of windows, alterations to roof and the installation of PV solar panels	Cain Villa Ystryd Y Ceunant Llanfechain SY22 6UP



## Delegated List

309 Applications

Page 138

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanfechain Community	Approve	21/04/2023	23/0568/HH	Householder	22/01/2024	Removal of porch and erection of replacement porch, internal and external alterations to dwelling, to include the replacement of windows, alterations to roof and the installation of PV solar panels	Cain Villa Ystryd Y Ceunant Llanfechain Powys SY22 6UP
	Approve	23/11/2023	23/1749/CLE	Certificate of Lawfulness - Existing	19/01/2024	Section 191 application for a certificate of lawful development for the existing use of the barn at Pentre as domestic purposes associated with Pentre House and Pentre Bach	Pentre Llanfechain SY22 6XB
	Approve	17/01/2024	24/0080/TRE	Works to trees in Conservation Area	15/02/2024	Works to trees within a conservation area	Bronafon Llanfechain Powys SY22 6UJ
Llanfihangel Community	Approve	11/12/2023	23/1880/FUL	Full Application	09/02/2024	Erection of a roof over existing sheep handling pens	Cefn Rhyd Dolanog Welshpool SY21 0LJ

Page 139

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 140

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanfihangel Community	Refused	26/01/2024	24/0104/NMA	Non-Material Amendment	07/02/2024	Non material Amendment to planning approval 21/1451/FUL (to alter design of roundhouse approved to a smaller & rectangular cabin design)	Nant Y Pandy Llanfihangel Llanfyllin Powys SY22 5JF
Llanfihangel Rhydithon Community	Approve	30/10/2023	23/1505/FUL	Full Application	31/01/2024	Erection of General Purpose Steel Portal Framed Building, together with all other associated works	Tan House Farm Dolau Llandrindod Wells LD1 5TL
Llanfyllin Community	Approve	08/12/2023	23/1871/NMA	Non-Material Amendment	24/01/2024	Application for non-material amendments to planning permission M227 to vary condition 2 - relating to new rural enterprise condition as per TAN6	Y Dderwen Llanfihangel Llanfyllin SY22 5HZ
	Approve	18/12/2023	23/1914/HH	Householder	15/02/2024	Erection of detached garage	The Granary Pendalog Farm Llanfyllin Powys SY22 5ET



## Delegated List

309 Applications

Page 142

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanfyllin Community	Closed	23/01/2024	24/0005/PRE	Pre-Planning Application Enquiry	12/02/2024	Pre-planning application enquiry in relation to demolition of part of property and rebuilding	Ty-doli Ketch Bach Llanfyllin Powys SY22 5ET
Llangammarch Community	Application Withdrawn	05/06/2023	23/0838/NMA	Non-Material Amendment	22/01/2024	Non-Material Amendment application for the addition of new planning condition to planning consent P/2017/0823	Lan At Cefn Llan Llangammarch Wells Powys LD4 4BF
	Approve	13/09/2023	23/0994/FUL	Full Application	07/02/2024	Erection of agricultural yard roof covering, construction of two farm underground slurry stores within existing farm complex, and associated works	Gelli Crugiau Cefn Gorwydd Llangammarch Wells LD4 4DP
	Consent	05/06/2023	23/0811/FUL	Full Application	08/01/2024	Erection of stables, feed store and tack room and formation of manege	Land Opposite Cefn-Brith Cefn-Gorwydd Llangammarch Wells LD4 4ES

Page 143

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 144

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llangedwyn Community	Approve	27/10/2023	23/1555/LBC	Listed Building Consent	15/02/2024	Listed building consent for the installation of a raised loft, bat box and creation of insulated cool chamber	Hendre Llangedwyn Oswestry Powys SY10 9LH
Llangors Community Council	Approve	09/08/2023	23/1235/HH	Householder	07/02/2024	Construction of a rear extension	Llys Newydd Berllan Deg Llanfihangel Tal-Y-Llyn Brecon LD3 7TG
	Refused	05/09/2023	23/1203/CLE	Certificate of Lawfulness - Existing	05/02/2024	Section 191 application in relation to mixed use of agricultural, agricultural contracting and general building/construction operating base	Coed Farm Llan-Y-Wern Brecon Powys LD3 0TL
Llangunllo Community	Permitted Development	09/02/2024	24/0185/AGR	Agricultural Notification	01/03/2024	Improvement to existing forestry road	Radnor East Thin Fish Pools Forestry Nr Bleddfa Powys
Llangurig Community	Approve	23/10/2023	23/1546/HH	Householder	12/02/2024	Refurbishment to existing house and upgrading of existing side extension	Glanbidno Isaf Llangurig Llanidloes SY18 6SW



## Delegated List

309 Applications

Page 146

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llangurig Community	Approve	07/12/2023	23/1721/FUL	Full Application	01/02/2024	Installation of an additional 3no. antennas, 4no. transmission dishes and ancillary radio apparatus on top of the existing lattice tower extending the overall height of the structure to 32 metres, installation of additional 2no. supporting equipment cabinets, 1no. meter, 1no. GPS module and ancillary ground-based apparatus and the relocation of the existing 2no. OLO antennas from the top of the existing structure at 22.5 metres, to the top of the extended structure at 32 metres	Ngw Mast Llanidloes Powys SY18 6RS

Page 147

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 148

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llangurig Community	Closed	21/12/2023	23/0197/PRE	Pre-Planning Application Enquiry	16/01/2024	Pre-planning application enquiry in relation to proposed rural enterprise dwelling to serve existing farm unit	Land At Cwmpenllydan Farm Glynbrochan Llanidloes Powys SY18 6PL
	Closed	08/02/2024	24/0204/PRL	Preliminary enquiry	15/02/2024	Upgrade of existing electronic equipment	Wind Farm, Bryntitli Llangurig Llanidloes Powys SY18 6RZ
	Permitted Development	08/01/2024	23/1921/AGR	Agricultural Notification	23/01/2024	Proposed agricultural building	Belan Cwmbelan Llanidloes SY18 6QL
	Planning Permission Required	28/02/2024	24/0175/AGR	Agricultural Notification	06/03/2024	Proposed agricultural building for storage of fodder, farm equipment and machinery	Caeynycoed Old Hall Llanidloes Powys SY18 6PJ
	Prior Approval Required	19/01/2024	24/0055/AGR	Agricultural Notification	06/02/2024	A new building for agricultural storage.	Bwlch Y Pridd Pantmawr Llanidloes Powys SY18 6SX



## Delegated List

309 Applications

Page 150

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llangyniew Community	Approve	14/08/2023	23/1261/REM	Removal or Variation of Condition	05/01/2024	Section 73 application to vary condition 5(i) of planning permission P/2016/1337 in relation to number of affordable dwellings	Development At Land Adjacent To Pant Y Ddafad Pont Robert Meifod Powys SY22 6JF
	Approve	14/08/2023	23/1262/REM	Removal or Variation of Condition	24/01/2024	Section 73 application to vary condition 2 of reserved matters application 20/1187/RES in relation to approved plans (change to house types)	Development At Land Adjacent To Pant Y Ddafad Pont Robert Meifod Powys SY22 6JF
	Approve	11/12/2023	23/1847/AGR	Agricultural Notification	08/01/2024	Erection of a grain store.	Mathrafal Meifod SY22 6HT
	NMA Approved	18/01/2024	24/0031/NMA	Non-Material Amendment	19/02/2024	Application for a non material amendment to planning permission 22/2016/FUL in respect of amended solar panel plans	Land At Pen Pentre Llangyniew Welshpool Powys SY21 0JT
Llanidloes Community	Approve	31/10/2023	23/1596/HH	Householder	16/01/2024	New boiler flue to the principal elevation (within conservation area)	19 Bethel Street Llanidloes SY18 6BS



## Delegated List

309 Applications

Page 152

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanidloes Community	Approve	10/11/2023	23/1745/DIS	Discharge of Condition	08/01/2024	Application to discharge condition 7 attached to permission 23/1045/LBC in respect of a photographic survey	Old Market Hall Great Oak Street Llanidloes Powys SY18 6BN
	Approve	18/12/2023	23/1916/DIS	Discharge of Condition	29/02/2024	Application to discharge condition 4 attached to permission 22/2203/FUL in respect of drainage plans	Llys Nant Flats Brook Street Llanidloes Powys
	Closed	25/01/2024	24/0102/PRL	Preliminary enquiry	30/01/2024	Full Variation Premises Licensing Certificate	Cricket Ground Llangurig Road Llanidloes Powys SY18 6EX
	Prel Closed	09/01/2024	24/0035/PRL	Preliminary enquiry	16/01/2024	Installation of telecommunication poles - 10 locations within same postcode - WF0T0T2R refers	Land Around Penrallt Lodge Van Llanidloes Powys SY18 6LG
	Refused	29/06/2022	22/1190/DEE	Deed of Variation	31/01/2024	Deed of revocation to discharge the S106 agreement attached to permission P/2017/0765 in relation to affordable housing contribution	Dyfnant Llanidloes Powys SY18 6HR



## Delegated List

309 Applications

Page 154

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanidloes Without Community	Refused	06/06/2023	23/0857/HH	Householder	24/01/2024	Erection of single storey side extension linking outhouse to main dwelling (resubmission of 23/0307/HH)	18 Van Terrace Van Llanidloes SY18 6NW
Llanigon Community	Application Withdrawn	23/11/2023	23/1714/FUL	Full Application	07/02/2024	Construction of dwelling for rural enterprise worker together with all associated works	The Old Orchard Llanigon Hereford Powys
Llanrhaeadr-Ym-Mochnant Community	Application Withdrawn	17/07/2023	23/1108/FUL	Full Application	23/01/2024	Subdivision of an existing dwelling to 3 dwellings including internal and external alterations, creation of new vehicular access and parking area, creation of new stone steps and partial removal of boundary wall (part retrospective)	Castle Buildings Llanrhaeadr-Ym-Mochnant SY10 0JU
	Application Withdrawn	29/12/2023	23/1777/FUL	Full Application	05/03/2024	Conversion of barn to holiday let accommodation	Rhyd Y Galed Llanrhaeadr-Ym-Mochnant Oswestry SY10 0DY

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 156

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanrhaeadr-Ym-Mochnant Community	Approve	17/10/2023	23/1445/LBC	Listed Building Consent	09/02/2024	Renovation to existing dwelling	Castle Buildings Llanrhaeadr-Ym-Mochnant SY10 0JU
	Closed	01/12/2023	23/0183/PRE	Pre-Planning Application Enquiry	23/01/2024	Pre-planning application enquiry in relation to proposed residential development and associated works	Land West Of Maes Yr Esgob Llanrhaeadr-ym-Mochnant
	Refused	24/01/2023	23/0124/REM	Removal or Variation of Condition	06/03/2024	Section 73 application in relation to variation of condition 4 of planning permission P/2017/0230 (proposed windows)	Capel Glanafon Waterfall Street Llanrhaeadr-ym-mochnant Oswestry Powys
Llansantffraid Community	Approve	12/07/2023	23/0837/FUL	Full Application	26/01/2024	Removal of 14 No. touring caravan pitches and replacement with 9 No. static caravans & associated works	Bryn Vyrnwy Holiday Park Llansantffraid-Ym-Mechain SY22 6AY
	Approve	06/12/2023	23/1788/CLE	Certificate of Lawfulness - Existing	31/01/2024	Certificate of lawfulness for an existing use and operation (Section 191) for the siting of a manège, stables and field shelter	Yew Tree Cottage Llansantffraid-Ym-Mechain SY22 6TF



## Delegated List

309 Applications

Page 158

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llansantffraid Community	Refused	06/09/2023	23/1263/REM	Removal or Variation of Condition	05/01/2024	Application under Section 73 to remove conditions 4 and 5 and vary condition 2 attached to permission 20/1910/RES (amended plans)	Land At Parc Bronhyddon Parc Bronyddon Llansantffraid-ym-mechain Powys SY22 6DZ
Llansantffraid Community	Refused	25/10/2023	23/1574/LBC	Listed Building Consent	04/03/2024	Listed building consent to make energy efficiency measures to include internal solid wall and roof insulation	6 Victoria Terrace Llansantffraid-Ym-Mechain SY22 6AB
Llansilin Community	Approve	13/12/2023	23/1837/FUL	Full Application	12/02/2024	Erection of an agricultural livestock building and all associated works	Priddbwl Mawr Llangedwyn Oswestry SY10 9JZ
Llansilin Community	Approve	13/12/2023	23/1888/FUL	Full Application	19/02/2024	Erection of covered manure store and all associated works	Priddbwl Mawr Llangedwyn Oswestry SY10 9JZ
Llansilin Community	Approve	22/12/2023	23/1944/FUL	Full Application	23/02/2024	Erection of a replacement dwelling and all associated works	Pentre-Gwyn Llansilin Oswestry SY10 9BS

Page 159

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 160

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llansilin Community	Closed	26/01/2024	24/0012/PRE	Pre-Planning Application Enquiry	12/02/2024	Pre-planning application enquiry in relation to conversion of former Mission Church to a holiday home	Rhiwlas Church Rhiwlas Powys SY10 7JH
	Closed	12/02/2024	24/0009/PRE	Pre-Planning Application Enquiry	29/02/2024	Pre-planning application enquiry in relation to erection of a replacement dwelling and associated works	Ty Newydd Rhiwlas Oswestry Powys SY10 7JJ

Page 161

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 162

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanwddyn Community	Permitted Development	20/12/2023	23/1925/TEL	Telecommunications notification	13/02/2024	Application under Part 24 of Schedule 2 of the GPDO 1995 for 5m tower extension to the existing installation and relocation of 3 no. antennas and 2 no. dishes to the top of the extension (approved under previous application). Installation of 6 no. new antennas and 7 no. ground-based equipment cabinets. Installation of remote radio units, mast head amplifiers, GPS node and associated ancillary works.	Land Se Of Rhiwargor Powys SY10 0NE
	Planning Permission Required	17/01/2024	23/1930/AGR	Agricultural Notification	02/02/2024	A new polytunnel and shed.	Land Near Rhiwargor Bridge Cerfnddwysarn Llanwddyn Oswestry SY10 0NE

Page 163

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 164

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanwrthwl Community	Refused	02/08/2023	23/1255/REM	Removal or Variation of Condition	31/01/2024	Variation of condition 2 & 3 attached to planning approvals 20/0454/REM and P/2018/0376 to to extend the outline consent and submission of reserved matters (for erection of a bungalow)	Dol-y-coed Llanwrthwl Llandrindod Wells Powys LD1 6NU
Llanwrtyd Wells Community	Approve	30/10/2023	23/1761/CLP	Certificate of Lawfulness - Proposed	19/01/2024	Section 192 application in relation to siting of mobile home for ancillary residential accommodation	Gwalia Irfon Terrace Llanwrtyd Wells Powys LD5 4RH
Llanwrtyd Wells Community	Approve	08/11/2023	23/1707/DIS	Discharge of Condition	27/02/2024	Discharge of condition 4 and 6 of planning approval 20/0647/FUL in relation to external lighting scheme and photographic survey	Ffos Y Fign Cottage Llanwrtyd Wells LD5 4SN
Llanwrtyd Wells Community	Prel Closed	05/12/2023	23/1861/PRL	Preliminary enquiry	05/02/2024	Elgibility Section 106 criteria	Tir Gorsaf Station Road Llanwrtyd Powys LD5 4RW

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 166

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Llanwrtyd Wells Community	Prel Closed	30/01/2024	24/0128/PRL	Preliminary enquiry	06/02/2024	Affordable Housing eligibility	Tir Gorsaf Station Road Llanwrtyd Wells Powys LD5 4RW
Llanyre Community	Approve	20/11/2023	23/1785/REM	Removal or Variation of Condition	06/02/2024	Section 73 application to vary conditions 2 and 4 of 19/1885/RES (approved plans) including additional information to discharge condition 3 of 19/1855/RES (external materials)	Land Adjacent To Moorlands Llanyre Llandrindod Wells Powys LD1 6EA
Llywel Community	Closed	12/02/2024	24/0021/PRE	Pre-Planning Application Enquiry	01/03/2024	Pre-planning application enquiry in relation to establishment of 3 no glamping structures consisting of converted caravans (2 no) and a horse box (1 no) rental units for seasonal use	Blaenclydach Llywel Trecastle Brecon Powys LD3 8RD
	Permitted Development	27/02/2024	24/0115/AGR	Agricultural Notification	06/03/2024	Upgrading of forest access track	Track Is Located Approximately 1.25km North East Of Halfway Llywel Brecon

Page 67

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 168

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Machynlleth Community	Application Withdrawn	28/04/2023	23/0682/FUL	Full Application	23/01/2024	Demolition of dilapidated former bakehouse and construction of a terrace of 3 two bedroom dwellings and associated works	Store Rear Of 14 Arvonja Bakery House Maengwyn Street Machynlleth SY20 8DT
	Application Withdrawn	28/04/2023	23/0774/CAC	Conservation Area Consent	23/01/2024	Conservation Area consent for demolition of dilapidated former bakehouse (in connection with proposed construction of a terrace of 3 two bedroom dwellings)	Store Rear Of Arvonja Bakery House 14 Maengwyn Street Machynlleth Powys
	Application Withdrawn	09/01/2024	23/1947/DIS	Discharge of Condition	24/01/2024	Discharge of condition 3 and 5 of planning approval 21/1115/LBC in relation to materials and roof light specifications	Former Council Storage Building The Plas Heol Pentrethedyn Machynlleth Powys



## Delegated List

309 Applications

Page 170

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Machynlleth Community	Approve	15/05/2023	23/0766/LBC	Listed Building Consent	19/02/2024	Listed building consent for repairs / renovation works, internal alterations and external alterations to include demolition of flat roof extension to rear & installation of solar panels to roof	Wynnstay House 7 Penrallt Street Machynlleth SY20 8AG
	Approve	16/05/2023	23/0765/FUL	Full Application	19/02/2024	Change of use of offices to residential accommodation together with repairs / renovation works, internal alterations and external alterations to include demolition of flat roof extension to rear & installation of solar panels to roof	Wynnstay House 7 & 9 Penrallt Street Machynlleth SY20 8AG
	Approve	23/10/2023	23/1554/HH	Householder	17/01/2024	Proposed removal of existing out building and erection of a replacement single storey extension	Llys Madian Heol Powys Machynlleth Powys SY20 8AY

Page 171

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 172

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Machynlleth Community	Approve	20/11/2023	23/1737/CAC	Conservation Area Consent	17/01/2024	Proposed demolition of existing out building	Llys Madian Heol Powys Machynlleth Powys SY20 8AY
	Approve	27/11/2023	23/1537/FUL	Full Application	31/01/2024	Change of use to A3 Coffee Shop (Retrospective)	Cambrian House 12 Penrallt Street Machynlleth Powys SY20 8AJ
	Approve	03/01/2024	24/0009/DIS	Discharge of Condition	20/02/2024	Application to discharge condition 6 attached to permission 23/0408/HH in respect of roof light details	35 Penrallt Street Machynlleth Powys SY20 8AG
	Closed	26/11/2023	23/1822/PRL	Preliminary enquiry	05/01/2024	Proposed Ground Mounted Electricity Substation - AJ/E117428 refers	Substation At Glantwymyn Machynlleth Powys SY20 9AZ
Meifod Community	Application Withdrawn	28/11/2023	23/1897/CLE	Certificate of Lawfulness - Existing	22/01/2024	Certificate of Lawfulness for an existing use / operation (Section 191) namely 2 dwellings and all associated works as approved under planning approval P/2015/0432	Plots 1 & 2 Land North West Of Stumble Inn Bwlch-y-cibau Llanfyllin Powys SY22 5LL



## Delegated List

309 Applications

Page 174

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Meifod Community	Approve	16/06/2023	23/0818/FUL	Full Application	30/01/2024	Formation of a menage and all other associated works	Alltfawr Meifod SY22 6DT
	Approve	03/01/2024	23/1856/FUL	Full Application	22/02/2024	Proposed realignment of existing driveway	Cae Glas Meifod Powys SY22 6DN
	Approve	04/01/2024	24/0007/DIS	Discharge of Condition	23/02/2024	Discharge of condition 18 of planning approval 21/1193/FUL in relation to tree protection plan and method statement.	Pen Y Lan Uchaf Meifod SY22 6YB
	Closed	04/01/2024	24/0034/PRL	Preliminary enquiry	12/02/2024	Installation of Upgrades to existing telecommunications site	Moel - Y Sant Ty Cerrig Farm Meifod Powys SY22 6YG
	Permitted Development	02/02/2024	24/0096/AGR	Agricultural Notification	20/02/2024	Erection of agricultural livestock building and all associated works	Land East Of Pwll Meifod Powys SY22 6XZ
Montgomery Community	Application Withdrawn	17/11/2023	23/1772/FUL	Full Application	25/01/2024	Erection of 3 residential units and associated works	The Cottage Inn Forden Road Montgomery SY15 6QT



## Delegated List

309 Applications

Page 176

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Montgomery Community	Approve	06/06/2023	23/0855/LBC	Listed Building Consent	26/02/2024	Listed building consent for replacement of slates on front slope of roof and roof and cheeks of dormer window	Brynhyfred Princes Street Montgomery SY15 6PZ
	Approve	12/10/2023	23/1520/HH	Householder	27/02/2024	Replacement of single storey side extension, and the erection of garage and workshop to replace existing garden store.	Rock House Montgomery SY15 6PA
	Approve	12/10/2023	23/1521/LBC	Listed Building Consent	26/02/2024	Listed building consent for the replacement of a single storey side extension, demolition of existing garden store to be replaced by the erection of garage and workshop.	Rock House Montgomery SY15 6PA



## Delegated List

309 Applications

Page 178

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Montgomery Community	Approve	05/12/2023	23/1807/HH	Householder	19/02/2024	To convert part of existing garage/workshop into additional living accommodation associated with the house	The Dingle Llandyssil Montgomery Powys SY15 6HH
	Prel Closed	01/03/2024	24/0296/PRL	Preliminary enquiry	06/03/2024	Eligibility confirmation	46 Mortimer Road Montgomery Powys SY15 6UP
Nantmel Community	Approve	14/07/2023	23/1060/LBC	Listed Building Consent	16/02/2024	Conversion of 2 barns to 2 residential properties and associated works	Daverneithon Rhayader LD6 5PD
	Approve	14/07/2023	23/1061/FUL	Full Application	16/02/2024	Conversion of 2 barns to 2 residential properties and associated works	Daverneithon Rhayader LD6 5PD
Newtown And Llanllwchaiarn Community	Application Withdrawn	20/11/2023	23/1585/HH	Householder	22/01/2024	Erection of a wooden close board fence with brick pillars on boundary.	2 The Orchard Newtown SY16 2DA

Page 179

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 180

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Newtown And Llanllwchaiarn Community	Approve	13/09/2023	23/1346/FUL	Full Application	05/02/2024	Change of use & associated works to subdivide existing dwelling into two dwelling units	The Lodge Old Kerry Road Newtown SY16 1BH
	Approve	13/09/2023	23/1347/LBC	Listed Building Consent	05/02/2024	Change of use & associated works to subdivide existing dwelling into two dwelling units.	The Lodge Old Kerry Road Newtown SY16 1BH
	Approve	22/09/2023	23/1460/DIS	Discharge of Condition	26/02/2024	Discharge of conditions 4, 14 and 15 of planning permission 23/0577/FUL in relation to highway engineering details and long sections, drainage plans and scheme to enable provision of gigabit capable broadband infrastructure	Unit 45 Heol Ashley Newtown SY16 4LE

Page 181

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 182

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Newtown And Llanllwchaiarn Community	Approve	10/10/2023	23/1314/FUL	Full Application	10/01/2024	Part-retrospective application to regularise use of existing building as community use including ground floor extension and additional accommodation on first floor	Rear Of 49 Broad Street Newtown SY16 2AU
Page 183	Approve	16/10/2023	23/1594/FUL	Full Application	28/02/2024	Conversion of ground floor shop to a 2 bedroom self-contained flat	11 Bryn Street Newtown Powys SY16 2HW
	Approve	16/10/2023	23/1595/LBC	Listed Building Consent	28/02/2024	Listed building consent for alterations involved with the proposed conversion of ground floor shop to a self-contained flat	11 Bryn Street (Stan's Store) Newtown Powys SY16 2HW

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 184

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Newtown And Llanllwchaiarn Community	Approve	08/11/2023	23/1615/FUL	Full Application	10/01/2024	Installation of two rapid electric vehicle charging stations, alterations to four existing parking spaces to become EV charging bays, along with associated equipment.	McDonald's Restaurant Cambrian Way Newtown SY16 1DG
	Approve	17/11/2023	23/1740/DIS	Discharge of Condition	31/01/2024	Discharge of conditions 3, 4 and 5 of planning permission 22/0870/FUL in relation to affordable housing proposal, photographic survey and bicycle storage proposal	31 Market Street Newtown SY16 2PG
	Approve	23/11/2023	23/1876/NMA	Non-Material Amendment	19/01/2024	Non-material amendment for planning permission 22/0464/RES in respect of amended plans	Encl 9190 Upper Dolfor Road Newtown Powys

Page 185

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 186

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Newtown And Llanllwchaiarn Community	Approve	27/11/2023	23/1762/FUL	Full Application	31/01/2024	Change of use of part of the ground floor of the planning unit from office use (B1 use class) to an office use (B1 use class) and mental health clinic and consulting rooms (D1 use class)	The Park Office Park Street Newtown Powys SY16 2PL
	Approve	28/11/2023	23/1778/DIS	Discharge of Condition	23/01/2024	Discharge of condition 4 of planning approval 23/1325/REM in relation to engineering drawings	Land Off Glyndwr Garth Owen Newtown Powys SY16 1JP
	Approve	05/01/2024	23/1909/FUL	Full Application	06/03/2024	Single storey rear extension to form additional production area and associated work	Unit 46 Heol Ashley Newtown SY16 4LE
	Closed	07/02/2024	24/0173/PRL	Preliminary enquiry	08/02/2024	Plant Apparatus Enquiry - R--23-100670, Cedan , Newtown	Land At Cledan Newtown Powys SY16 1NB
	Closed	21/02/2024	24/0240/PRL	Preliminary enquiry	22/02/2024	Application for Premises Licence	Filling Station Pool Road Newtown Powys SY16 3AH

Page 187

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 188

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Newtown And Llanllwchaiarn Community	Prel Closed	21/12/2023	23/1951/PRL	Preliminary enquiry	10/01/2024	Installation of 9m Medium Telecommunications Pole - ODEA11475157 refers	Land Near 6 Maesderwen Newtown Powys SY16 1DR
	Refused	12/12/2023	23/1889/CLP	Certificate of Lawfulness - Proposed	06/02/2024	Section 192 application in relation to use of unit as a high standard MOT Station/ Garage	Vastre Industrial Estate, Unit 18 Heol Vastre Newtown SY16 1DZ
Old Radnor Community	Application Withdrawn	30/12/2021	21/2371/LBC	Listed Building Consent	23/01/2024	Construction of a lean-to structure attached to Church to create an accessible WC accessed from the Porch	St Stephens Church Old Radnor Presteigne Powys
	Closed	15/01/2024	24/0052/PRL	Preliminary enquiry	08/02/2024	Proposed diversion of a section of Offa's Dyke Path National Trail	Land At Burfa Farm Evenjobb Llanandras Powys LD8 2SH
Painscastle Community	Approve	26/01/2021	21/0067/RES	Reserved Matters	19/01/2024	Reserved matters application for details of appearance, scale and layout in connection with outline approval P/2015/1231 for 10 no. dwellings	Development Land At Old Inn Rhosgoch Builth Wells LD2 3JY

Page 189

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 190

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Painscastle Community	Approve	21/12/2023	23/1894/HH	Householder	05/03/2024	Erection of detached garage with home office above	High Park Bryngwyn Kington HR5 3QN
Penybont Community	Prel Closed	09/01/2024	24/0037/PRL	Preliminary enquiry	16/01/2024	Installation of telecommunications pole - OGEA75517681 refers	Near To Ger Y Llyn Penybont Llandrindod Wells Powys LD1 5SW
Presteigne Community	Application Withdrawn	28/04/2023	23/0679/DIS	Discharge of Condition	31/01/2024	Discharge of conditions 6, 8, 9,10,11,13 & 14 attached to Listed building consent P/2017/0205	Norton Manor Hotel Norton Manor Park Norton Presteigne Powys LD8 2EG
	Approve	14/02/2022	22/0233/FUL	Full Application	18/01/2024	Conversion of hotel garage to form letting rooms and managers accommodation	The Radnorshire Arms Garage High Street Presteigne LD8 2BE
	Approve	09/10/2023	23/1420/HH	Householder	26/02/2024	Retrospective replacement of windows and proposed installation of a flue in association with new heating system	Millfields Hereford Street Presteigne LD8 2AT
	Approve	24/11/2023	23/1735/FUL	Full Application	04/03/2024	Proposed open fronted storage shed	Western Way Broadaxe Business Park Presteigne LD8 2UH



## Delegated List

309 Applications

Page 192

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Presteigne Community	Approve	09/01/2024	24/0022/DIS	Discharge of Condition	19/02/2024	Application to discharge conditions 3 and 11 attached to permission 21/0122/FUL in respect of detailed engineering drawings and certification from Welsh Water	Plots 2 And 3 Silia Meadows Slough Road Presteigne Powys LD8 2NY
	Consent	09/10/2023	23/1421/LBC	Listed Building Consent	26/02/2024	Listed building consent for the installation of gas fired central heating and domestic plumbing. Rewiring of the house, and repair of damaged walls and ceilings.	Millfields Hereford Street Presteigne LD8 2AT
	Consent	16/01/2024	24/0023/DIS	Discharge of Condition	01/03/2024	Application to discharge condition 4 attached to 21/0361/FUL in respect of a permit	St Andrew's Church Norton Presteigne LD8 2EY
Rhayader Community	Application Withdrawn	15/11/2023	23/1602/FUL	Full Application	08/02/2024	Change of use to D1 as a place of worship/community hall and studio (partially retrospective)	The Old Builders Trading Estate Unit 1 East Street Rhayader LD6 5EA

Page 193

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 194

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Rhayader Community	Approve	21/01/2024	24/0065/TRE	Works to trees in Conservation Area	15/02/2024	Works to x2 Sycamore Trees within a conservation area.	Fronllys St Harmon Road Rhayader LD6 5DE
Page 1 of 5	Closed	20/12/2023	23/0199/PRE	Pre-Planning Application Enquiry	25/01/2024	Pre-planning application enquiry in relation to erection of a single storey extension to form enlarged kitchen and new porch	Hollybush Cottage Triangle Cwmdeuddwr Rhayader Powys LD6 5AR
	Prior Approval Required	29/01/2024	24/0048/AGR	Agricultural Notification	23/02/2024	Erection of an agricultural building	Land Adjacent To Bryberth Industrial Estate Brynberth Industrial Estate Rhayader Powys LD6 5EN
St. Harmon Community	Approve	11/07/2023	23/1000/DIS	Discharge of Condition	17/01/2024	Discharge of conditions 6, 18 and 19 from planning permission 22/2062/FUL in respect of external lighting, pollution prevention plan, and passing place locations	Beili Ddol Rhayader LD6 5NS

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 196

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Tawe-Uchaf Community	Approve	20/09/2023	23/1403/RES	Reserved Matters	05/03/2024	Reserved matters application (appearance, access, layout and scale) in respect of outline planning consent 20/0448/OUT for the erection of 9 dwellings - 3 detached dwellings each having an integral garage and 6 semi-detached dwellings together with creation of new access	Land Adj To Colbren School Heol Eglwys Coelbren Castell-nedd Powys
	Approve	04/12/2023	23/1849/HH	Householder	15/02/2024	Erection of side and rear extensions	10 Llwyncelyn Terrace Coelbren Neath SA10 9PA
	Refused	13/11/2023	23/1661/HH	Householder	01/02/2024	Erection of two storey side/rear extension	46 Station Road Coelbren Neath SA10 9PN
Trallong Community	Approve	09/08/2023	23/1278/DIS	Discharge of Condition	10/01/2024	Discharge of condition 3 and 5 of planning approval 21/2342/FUL in relation to: Bio diversity and External lighting	Field In Front Of Tirmawr Trallong Brecon Powys LD3 8HS

Page 197

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 198

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Trallong Community	Refused	07/03/2023	23/0150/FUL	Full Application	09/02/2024	Proposed siting of free standing shepherd's hut with small decking.	Abergwnin Soar Brecon LD3 9LT
Trefeglwys Community	Approve	25/07/2023	23/0930/FUL	Full Application	19/02/2024	Change of use and renovation of summer house for holiday let accommodation, installation of solar panels and connection to existing septic tank	Talgarth Farm Trefeglwys Caersws SY17 5PU
	Approve	25/07/2023	23/0931/LBC	Listed Building Consent	19/02/2024	Change of use and renovation of summer house for holiday let accommodation including installation of solar panels	Talgarth Farm Trefeglwys Caersws SY17 5PU

Page 199

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 200

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Trefeglwys Community	Approve	26/09/2023	23/1494/DIS	Discharge of Condition	24/01/2024	Discharge of conditions 21, 44, 52 and 53 of planning permission 20/1610/REM in relation to Substation Finishes, Community Liason Scheme, Ecological Clerk of Works and Binding Provisions for Trannon Farmhouse.	Land Adj To Carno Wind Farm Llawr-y-glyn Caersws Powys
	Approve	18/12/2023	23/1817/FUL	Full Application	15/02/2024	Erection of a building to cover an existing manure store	Pen Y Graig Trefeglwys Caersws Powys SY17 5RG
	Consent Section 106	12/08/2022	22/1336/FUL	Full Application	10/01/2024	To re-locate the previously Approved Swimming Pool Building, previously Approved via 21/0063/FUL	Ffinant Farm, Mid Wales Shooting Centre Trefeglwys Caersws SY17 5QY
	Permitted Development	22/11/2023	23/1691/AGR	Agricultural Notification	10/01/2024	Erection of agricultural storage building and all associated works	Nant Yr Hafod Llanbrynmair Powys SY19 7DB

Page 201

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 202

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Treflys Community	Prel Closed	26/01/2024	24/0113/PRL	Preliminary enquiry	05/02/2024	Affordable Housing Questionnaire	Plot 4 Tir Gorsaf Station Road Llanwrtyd Wells Powys LD5 4RW
Tregynon Community	Approve	08/11/2023	23/1654/CLP	Certificate of Lawfulness - Proposed	27/02/2024	Section 192 application for a lawful development certificate in relation to building a dwarf wall	Gwgia Reservoir Tregynon Newtown Powys
	Closed	12/12/2023	23/1928/PRL	Preliminary enquiry	09/01/2024	Upgrade works to existing telecommunications base station	Telecommunications Base Station Land At Tyn Y Bryn Tregynon Newtown Powys SY16 3PJ
	Closed	31/01/2024	24/0130/PRL	Preliminary enquiry	05/02/2024	Installation of 1 wooden pole - 50GEA1268821 refers	Land At Lllys Derw Tregynon Newtown Powys SY16 3EY
Trewern Community	Approve	09/08/2023	23/1176/FUL	Full Application	30/01/2024	Siting of 2no (mobile) sheperds huts for holiday accommodation (resubmission).	The Sycamores Garreg Bank Trewern SY21 8EA
Unknown	Approve	22/10/2007	MPRE/2007/0627	Do Not Use (Old PRL)	15/12/2027	Proposed building of a car port	Property Of Montgomeryshire

Page 203

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 204

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Unknown	Approve	02/01/2024	23/1905/DIS	Discharge of Condition	05/02/2024	Application to discharge conditions 3 and 7 attached to permission 22/1430/LBC	Penarth House Llanllwchaiarn Newtown Powys SY16 3AN
	Closed	15/12/2023	23/1924/PRL	Preliminary enquiry	16/02/2024	Potential DNS Application CAS-03010-F0X0Q1 refers	Bryn Gilwern Energy Park Gilwern Hill 3kn Southwest Of Llandrindod Wells And South Of A\$\$ And A483 Junction
	Closed	22/12/2023	23/1953/PRL	Preliminary enquiry	16/02/2024	EIA Scoping Consultation	Bryn Cadwgan Energy Park (CAS-02917 - K8D5Z2) West Of Llyn Brianne
	Closed	24/01/2024	24/0111/PRL	Preliminary enquiry	21/02/2024	EN050035 - Green Gen Vyrnwy Frankton Project - EIA Scoping Notification and Reg 11 Notification	Land Between Proposed Llyn Lort Energy Park West Of Welshpool Heading North East Direction To Existing NETS Network In Shropshire

Page 205

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 206

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Unknown	Prel Closed	23/01/2024	24/0088/PRL	Preliminary enquiry	20/02/2024	DNS Scoping Consultation - Potential DNS application- CAS-03102-P5D2P3 refers The Proposed Development will comprise the construction and operation of up to 26 (twentysix) wind turbines and other associated infrastructure . Off-site highway improvements will be considered as part of the Proposed Development	Esgair Galed Energy Park 11km North-west Of Llanidloes
	Prel Closed	31/01/2024	24/0131/PRL	Preliminary enquiry	02/02/2024	Proposed construction of 30MW Solar Farm consultation	Land At Oatcroft Farm North Of Eywood Road Titley Kington Herefordshire HR5 3RU
	Refused	20/10/2023	23/1379/CLP	Certificate of Lawfulness - Proposed	27/02/2024	Certificate of lawfulness for a proposed use/operation for erection of stable building, yard and field sheleter	Land Adj. Meadow Vale Red Lane Berriew Welshpool Powys SY21 8AS

Page 207

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 208

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Welshpool Community	Approve	06/07/2023	23/1034/FUL	Full Application	29/02/2024	Erection of a covering of an existing silage store and extension to existing agricultural building and all associated works (retrospective)	Coedydinas Farm Belan Welshpool SY21 8RP
	Approve	27/07/2023	23/1050/FUL	Full Application	11/01/2024	Erection of agricultural storage building and all associated works	Wernllwyd Berriew Welshpool SY21 8AA
	Approve	26/09/2023	23/1333/FUL	Full Application	31/01/2024	Proposed Change of Use to A4 drinking establishment with food provision and C3 Residential Accommodation above with alterations to the facade of The Angel Public House, 11 and 12 Berriew Street, Welshpool	The Angel 11-12 Berriew Street Welshpool SY21 7SQ
	Approve	11/10/2023	23/1573/FUL	Full Application	08/01/2024	Erection of agricultural storage building and all associated works	Land At Park Farm Red Lane Powis Castle Welshpool SY21 8RN

Page 209

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 210

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Welshpool Community	Approve	17/10/2023	23/1619/FUL	Full Application	23/02/2024	Conversion of an agricultural building to detached residential dwelling, installation of package treatment plant and all associated works	Barn At Coppice Lane Pool Quay Welshpool Powys SY21 9JY
	Approve	26/10/2023	23/1671/HH	Householder	11/01/2024	Demolition of single storey rear extension, Erection of replacement rear extension together with a single storey and two storey small side extensions.	Pwll Y Glo House Groes-Pluen Welshpool SY21 9BW
	Approve	23/11/2023	23/1703/FUL	Full Application	30/01/2024	Erection of a replacement building for use to include store, medical treatment room / changing rooms and shower / w.c. (revised proposal to 22/0081/FUL)	Maes Y Dre Football Field Howell Drive Welshpool Powys SY21 7SU

Page 211

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 212

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Welshpool Community	Approve	24/11/2023	23/1810/NMA	Non-Material Amendment	05/01/2024	Application for non-material amendments to permission 22/1137/FUL to allow for amended plans to the approved building and site layout to accommodate car parking arrangements and improvements to the drive thru lane, provision of a bin store.	The Moors Buttington Welshpool SY21 9JR
	Approve	24/11/2023	23/1813/DIS	Discharge of Condition	19/01/2024	Discharge of condition 5 and 6 of planning approval 22/0242/LBC in relation to floor details	The Pinewood Tavern Broad Street Welshpool SY21 7RZ
	Approve	16/01/2024	23/1958/CLP	Certificate of Lawfulness - Proposed	31/01/2024	Application for certificate of lawfulness for a proposed operation (Section 192) for proposed infill of existing garage / gates with brickwork and a door	Flats 1 - 6 Old Bakery Seven Stars Road Welshpool Powys SY21 7JE

Page 213

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 214

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Welshpool Community	Approve	02/02/2024	24/0146/DIS	Discharge of Condition	23/02/2024	Discharge of condition 4 of planning approval 23/1333/FUL in relation to bio diversity drawings for bat and bird box specifications.	The Angel 12 Berriew Street Welshpool SY21 7SQ
	Closed	08/02/2024	24/0174/PRL	Preliminary enquiry	22/02/2024	Plant Apparatus Enquiry - R-23-100713 - Welshpool High School	Land Around Welshpool High School Gallowstree Bank Welshpool Powys SY21 7RE
	Consent Section 106	29/07/2020	20/1113/REM	Removal or Variation of Condition	19/01/2024	Section 73 application to vary condition 2 of planning approval P/2013/0196 in relation to substituting plans	Land Off Red Bank Between Adeilade Drive (West) And Brynfa Avenue (East) Welshpool Powys
	Refused	08/12/2023	23/1874/DIS	Discharge of Condition	06/02/2024	Discharge of condition 7 of planning permission 23/0092/FUL in relation to Archaeological watching brief	9 Hall Street Welshpool SY21 7RY
Whitton Community	Permitted Development	15/12/2023	23/1693/AGR	Agricultural Notification	10/01/2024	Agricultural building	Cwmblewyn Farm Whitton Knighton LD7 1NP

Page 215

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 216

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Whitton Community	Refused	22/03/2023	23/0476/FUL	Full Application	26/02/2024	Construction of log cabin and associated development	Forest Green Cascob Presteigne LD8 2NT
Yscir Community	Approve	20/11/2023	23/1787/CLP	Certificate of Lawfulness - Proposed	26/01/2024	Certificate of lawfulness for a proposed use namely alterations to existing garage in connection with proposed use as carer's accommodation ancillary to main house	Battle House Battle Brecon LD3 9RW
Ystradgynlais Community	Approve	09/03/2022	22/0224/LBC	Listed Building Consent	26/02/2024	Listed building consent for retention of works already carried out: upgrade & modernisation of outer WC washroom; replace uninsulated asbestos corrugated roof with insulated pitch roof under slate; glass framed covered link between cottage and refurbished bathroom	82 Heol Giedd Ystradgynlais Swansea Powys SA9 1LS

Page 217

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 218

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Ystradgynlais Community	Approve	07/11/2023	23/1708/DIS	Discharge of Condition	09/01/2024	Discharge of planning condition 21 ( Highway Engineering drawings) and 22 ( Stage 1 & 2 Road Safety Audit) attached to planning approval 20/1314/FUL for residential development	Bryngroes Farm Parc Bryn Y Groes Ystradgynlais Swansea Powys SA9 1LF
	Approve	23/11/2023	23/1802/NMA	Non-Material Amendment	08/02/2024	Non material amendment to vary plans approved under 20/1696/FUL	Pont Aur Ystradgynlais Powys
	Approve	12/12/2023	23/1877/NMA	Non-Material Amendment	24/01/2024	Non Material Amendment to planning approval 20/1314/FUL for residential development (amended plans)	Land At Bryngroes Farm Ystradgynlais Swansea Powys SA9 1LF
	Approve	13/12/2023	23/1804/HH	Householder	30/01/2024	Installation of a free standing Monobloc Air Source Heat Pump together with internal works	62 Heol Tawe Abercrave Swansea SA9 1XR

Page 219

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 220

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Ystradgynlais Community	Approve	21/12/2023	23/1899/REM	Removal or Variation of Condition	30/01/2024	Section 73 application to vary conditions 1 and 2 attached to planning approval 20/1892/REM to allow an extension of time in which to submit the Reserved Matters	Land Adj. 50 Heol Twrch Lower Cwmtwrch Swansea Powys SA9 2TE
	Closed	28/11/2023	23/1833/PRL	Preliminary enquiry	07/02/2024	Notification of Works to Trees ICE ID 584833	Tesco Supermarket Wind Road Ystradgynlais Powys SA9 1AD
	Closed	05/12/2023	23/0193/PRE	Pre-Planning Application Enquiry	09/01/2024	Pre-planning application enquiry in relation to demolition of existing garage, lean to and shed and replace with one detached workshop and double garage building	Cornerways William Street Ystradgynlais Powys SA9 1AT
	Closed	20/12/2023	23/0198/PRE	Pre-Planning Application Enquiry	23/01/2024	Pre-planning application enquiry in relation to proposed detached dormer bungalow and ancillary garage	Land To Rear Of 89 Heol Twrch Lower Cwmtwrch Swansea Powys SA9 2TE

Page 221

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 222

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Ystradgynlais Community	Closed	26/01/2024	24/0114/PRL	Preliminary enquiry	08/02/2024	New Premise License Application	Picton's (Former Barclays Bank) 2 Brecon Road Ystradgynlais Abertawe Powys SA9 1HE
	Consent	06/04/2023	23/0560/FUL	Full Application	19/01/2024	Proposed detached dwelling together with detached garage and vehicular access	Land Adjacent Number 2 Tan Y Graig Cottages Caerlan Abercrave SA9 1TA
	Consent	07/08/2023	23/0947/HH	Householder	15/02/2024	Householder application to replace a boundary wall and for the creation of access on Gorof road (part retrospective)	41 Gorof Road Lower Cwmtwrch Swansea SA9 1DY
	Consent	01/09/2023	23/1366/FUL	Full Application	19/01/2024	Conversion of a disused commercial building to a dwelling and associated works	Building To The Rear Of 73 Brecon Road Ystradgynlais Swansea SA9 1HH

Page 223

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Delegated List

309 Applications

Page 224

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)





## Delegated List

### 309 Applications

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Ystradgynlais Community	Consent	27/09/2023	23/1485/REM	Removal or Variation of Condition	09/02/2024	Section 73 application to vary condition no. 2 attached to planning approval 19/1850/REM for a dwelling (to allow amended plans)	Land Adj Wharf Cottage Gurnos Road Ystradgynlais Powys
	Refused	10/10/2023	23/1471/FUL	Full Application	09/02/2024	Change of use of existing ground floor commercial (restaurant / hotel use ) to residential use so as to change whole property to form one residential dwelling	Copper Beech 133 Heol Tawe Abercrave Swansea Powys SA9 1XS
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## Delegated List

309 Applications

Page 226

[CODE: IDOX.PL.REP.05](#)

07/03/2024 12:41:14 POWYSCC\buftong

[← Go Back](#)



## Appeal Decision

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by Siân Worden BA DipLH MCD MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 23/02/2024

Appeal reference: CAS-02941-N3Z1P6

Site address: The Talkhouse, Pontdolgoch, Caersws SY17 5JE

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Jacqueline Garratt against the decision of Powys County Council.
  - The application Ref 23/0501/FUL, dated 27 March 2023, was refused by notice dated 20 June 2023.
  - The development proposed is the change of use from Pub/Restaurant/B&B/Self catering holiday let to dwelling.
  - A site visit was made on 6 February 2024.
- 

### Decision

1. The appeal is allowed and planning permission is granted for is the change of use from Pub/Restaurant/B&B/Self catering holiday let to dwelling at The Talkhouse, Pontdolgoch, Caersws SY17 5JE, in accordance with the terms of the application, Ref 23/0501/FUL, dated 27 March 2023, subject to the condition set out in the schedule to this decision.

### Procedural Matter

2. The appeal building ceased to be a pub and restaurant some years ago and is now occupied as a dwelling with holiday accommodation in a separate building. The application was, therefore, retrospective.
3. Since the submission of evidence Edition 12 of PPW has been published. As it consolidates previously published content it does not raise any new matters that have a significant bearing on the decision.

### Main Issue

4. I consider that the main issue in this case is whether the development has resulted in the loss of a community facility and, if so, whether that loss is justified.

## Reasons

5. The appeal property is at the edge of the small settlement of Pontdolgoch. It is a two storey, detached building and has previously been in use as a pub and restaurant. Next door, within the application site and also owned by the appellant, is a smaller, single storey building, the former stables to the pub, which is now self-contained, holiday accommodation. From outside, only the traditional, free-standing sign, which advertises the holiday let, is a clue to the former pub use.
6. The appellant acquired the property in 2003 and ran it as a pub and restaurant with some letting rooms until 2012 when the business became unviable. From 2012 until 2022 the main building operated as holiday accommodation, first as a bed and breakfast business and latterly as a single, self-catering unit. The appellant, together with family members, moved into the main building as her home in July 2022 as she needed more room than the former stables, which she had been occupying, could provide.
7. The proposal before me now, which would legitimise the residential use of the building, would not require any external physical alterations to the building or parking area. The separate holiday let in the former stables is tied by condition to the main building and there is no proposal to sever this link.
8. Policy DM11 of the Powys Local Development Plan (LDP), adopted 2018, protects existing community facilities and services. The appellant agrees with the Council that the lawful use of the property is as a pub and restaurant. The building has not been occupied as such for well over a decade, however, and cannot be described as an existing neighbourhood public house or service. There is nothing in Policy DM11 or its explanatory text stating that 'existing' should be defined as the lawful use of the building in question, or making any other provisions that would define the pub use as in existence for the purposes of the policy. The Council also states that the purpose of Policy DM11 is to ensure that community facilities, including pubs, are not lost. As the building has not been used as a pub for many years there is no facility to be lost. In my opinion, therefore, LDP Policy DM11 does not apply in this case.
9. Moreover, and notwithstanding that LDP Policy DM11 is not applicable in this case, there would be nothing to be gained by either party from the policy's requirement for a marketing exercise. The former pub ceased trading because it was unviable and, particularly in the light of the harm caused to the hospitality industry by the Covid pandemic, circumstances are unlikely to have improved since then. Although there is still a bar in the building there is no commercial kitchen. The floor plans also suggest that the existing toilets would not be adequate for a venue of this size. With the cost of installing or improving these essential facilities in mind, and without an established business in place, it is unlikely that the building would be an attractive proposition to a buyer as a new pub. Consequently, it is doubtful that a marketing exercise would result in anything other than expense for the appellant.
10. The circumvention of planning controls cannot be condoned and I agree that a breach of planning control is no justification for overlooking planning policy. I am certain, however, that there was no intention on the appellant's part to avoid the planning process. Indeed, that she had previously sought planning advice from the Council when contemplating the change from a pub to bed and breakfast accommodation, indicates otherwise. It would have been prudent for the appellant to have kept a written record of the earlier planning advice but, at that time, she possibly did not recognise its potential future significance. In any event, I have no doubt that the conversation with the planning office took place or that the advice proffered by him was as now stated by the appellant.

### **Other Matters**

11. I have not given any weight to the appellant's suggestion that a return to use as a pub would result in increased hazard on the highway. Any discrepancy in dates is not sufficient to have a bearing on my decision.

### **Conditions**

12. The application was retrospective and no physical alterations have been or will be made to the outside of the property. In this circumstance no conditions are necessary other than the provision of measures to enhance biodiversity in line with Policy 9 of Future Wales which is part of the development plan. It states that action towards securing the maintenance and enhancement of biodiversity to provide a net benefit must be demonstrated as part of development proposals.

13. As permission is being granted retrospectively it is not possible to require the approval of details before development takes place. The condition therefore requires the submission of a suitable scheme for the Local Planning Authority's approval, and its implementation and retention. In this instance, a modest scheme, such as the provision of bat boxes or the planting of some indigenous shrub or flower species as appropriate, would be sufficient to provide a biodiversity net benefit.

### **Conclusion**

14. I have found that the development has not resulted in the loss of a community facility. It is not necessary, therefore, for the appellant to carry out a marketing exercise.

15. For the reasons set out above I allow the appeal. I have taken all the matters raised into consideration and not found any good reason to refuse the appeal.

16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*Sian Worden*

Inspector

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### **Schedule of Conditions**

1. Within 3 months of the date of this decision a scheme for biodiversity enhancements shall be submitted in writing to the Local Planning Authority. The scheme shall include a timetable for its implementation. On approval by the Local Planning Authority the biodiversity enhancements shall be carried out in accordance with the scheme. The biodiversity enhancements shall be retained for as long as the development hereby approved remains in existence.

*Reason:* In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.

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## Appeal Decision

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by Siân Worden BA DipLH MCD MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 23/02/2024

Appeal reference: CAS-02945-N3Q0R0

Site address: Tregare, Gwenddwr, Builth Wells, LD2 3BZ

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Jefferies against the decision of Powys County Council.
  - The application Ref 22/1892/FUL, dated 8 November 2022, was refused by notice dated 28th February 2023.
  - The development proposed is the conversion and change of use of barns to a residential C3 dwelling to include part rebuilding and extension, the installation of PTSP and associated works.
  - A site visit was made on 6 February 2024.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Since the submission of evidence Edition 12 of PPW has been published. As it consolidates previously published content it does not raise any new matters that have a significant bearing on the decision.

### Main Issue

3. I consider that the main issue in this case is the effect of the proposed development on highway safety, particularly in respect of vehicles using the A470 trunk road.

### Reasons

#### *Highway safety*

4. The appeal site is in a rural location to the south of Builth Wells. The premises consist of two ranges of stone-built farm buildings set at right angles to one another on adjacent sides of a rectangular farmyard. The buildings are listed at grade II; one has been damaged by fire and has no roof but the other is intact and appears to be used on

occasion to house stock. I have noted that listed building consent for the proposal has been granted by the Council.

5. The appeal site is set back from, and elevated above, the A470 which is a trunk road. Vehicular access onto the A470 from the appeal site is along unclassified roads; either the U0071 which runs to the north, or the U0055 which joins the A470 to the southeast of the site.
6. In its capacity as the highways authority for trunk roads, Welsh Government (WG) directed that the Council should refuse the proposed development for the reason that it would result in the increased use of a substandard access prejudicial to the safety and free flow of traffic on the trunk road. This was the sole reason for the refusal of the application as the Council has no other concerns in respect of the proposed development.
7. In response to WG's direction, and in support of this appeal, the appellant has submitted a *Transport Statement of Case* (TSoC). As well as daily traffic flow information from the Department for Transport, it includes data on movements at the two junctions collected from traffic surveys. The numbers of trips likely to be generated by the proposal have been forecast from the widely-used and robust TRICS database. As this does not differentiate between dwelling sizes, the appellant has doubled up the number of trips to and from the proposed development to reflect its large capacity. With its nine bedrooms and ample living, dining and leisure areas this would be a sizeable house. To my mind, the forecasts provided by multiplying the trip rates by two will therefore be the minimum.
8. The appellant estimates that the proposed development would result in an additional 9 or 10 traffic movements each day. WG regards a 5% increase in turning movements as material; whether the appellant's or WG's figures are used, the forecast increase would greatly exceed that proportion. Although the traffic generated from the proposal and using the junctions would be low in numbers, and possibly not perceptible in the context of daily traffic flows, it would nonetheless be a significant increase.
9. When visiting the appeal property, I approached first from Builth Wells and turned right onto the U0071. On leaving the site, I took the U0055, turning right onto the A470 and heading towards Erwood. Returning to Builth Wells on the trunk road, I made a detour along the two unclassified roads, first turning left onto the U0055 and then, after travelling along the U0071, turning left from it back onto the A470.
10. Turning onto the unclassified roads from the A470 is not excessively difficult as visibility along them is adequate. The narrowness of the unclassified roads, particularly the U0071, makes it necessary, however, to slow down considerably and exercise great caution in making these manoeuvres. If a vehicle is approaching the A470 on either of the unclassified roads, drivers wishing to turn into them have no option apart from halting, waiting, and thus blocking the single on-going lane of the trunk road.
11. At the time of my visit - late morning on a weekday - there was a moderate flow of traffic on the A470. In using the junctions, I did not have to wait more than a few seconds for an adequate gap to occur between the passing vehicles. Nonetheless, the presence of stationary traffic on a single carriageway trunk road is likely to present a hazard to all road users. The risk would be increased when the road was busier, for example during holiday seasons.
12. Exiting the unclassified roads onto the trunk road is a more challenging operation, complicated by the acute angles at which they join. Turning to look behind over one's shoulder in order to find a suitable gap and then driving from a standstill onto a fairly fast-moving road is a difficult and risky manoeuvre. These are existing conditions and I am aware that there are no records of personal injury traffic accidents at these junctions



during the last twenty three years. Nevertheless, in the light of the substandard arrangements currently existing at the junctions, the increased number of traffic movements arising from the proposed development would result in an unacceptable increase in the risk of collision for road users.

13. The proposed development would not, therefore, ensure that highway safety for all transport users is not detrimentally impacted upon. Neither would it demonstrate that the strategic and local highway network could absorb its traffic impacts without adversely affecting the safe and efficient flow of traffic. The scheme would thus be contrary to Policy DM13 of the Powys Local Development Plan 2011 – 2026, adopted 2018. Moreover, the proposed development would not enable the safe and efficient flow of traffic for all transport users and would be inconsistent with LDP Policy T1.
14. During my visit, I did not attempt the very sharp turns to the left and right, onto and from, the UC0071, or those to the right and left, onto and from the UC0055. In my opinion, it would have been foolhardy and dangerous to do so, a concern which seems to be acknowledged by the usual, local usage of the junctions which avoids these movements. Had the proposal been permitted, however, these manoeuvres could be prevented by the installation of appropriate 'No left-hand/right-hand turn' signage on the trunk and unclassified roads.
15. The provision of additional passing places would be helpful to some extent. Being set back some distance from the junctions, however, they would not completely eradicate the potential for turning traffic having to wait on the trunk road.

#### **Other Matters**

16. I am aware that WG was consulted on an earlier, very similar if slightly smaller, proposal in December 2016 but did not find it necessary to issue a direction in that case. The fact that this was several years ago may explain in some part the inconsistency in WG's responses then and now. I appreciate that this shift in WG's position has been frustrating for the appellant. Even so, the existence of the earlier WG response is not a compelling reason for me to ignore the more recent WG objections.
17. It is not possible to control the number of occupants of a permitted dwelling. It is not, therefore, robust to base considerations on an assumed occupancy level, especially where this is significantly fewer than the number for which a dwelling has capacity. The same is so for the types of activity that visitors might undertake; a decision should not be made on the possibility of such occupiers staying in rather than exploring the local area.
18. As well as its nine bedrooms, the proposed dwelling would have eight shower or bathrooms and a small additional kitchen area on the first floor. It would thus be well-suited for use as holiday accommodation. The appellant has helpfully provided trip generation forecasts for holiday use of the proposed development which are marginally greater than those for residential use. I appreciate that there may be some difference in the ability of local residents and visitors to negotiate a challenging road network such as this safely. I do not consider, however, that the differences are sufficient to make the proposal acceptable for residential development and not for holiday accommodation.
19. With regard to the extant use, the site could be restored to full agricultural use although I have no evidence that this would be so. Due to their visibility to other road users and the high vantage point of their drivers, the use of the junctions by farm vehicles, whilst not ideal, is preferable to the use which would arise from the proposed development. In any event, the existing potential for use by agricultural vehicles is not a compelling reason for me to allow a proposal which I consider would result in increased hazard on the highway.

## **Conclusion**

20. I have found that the proposed development would have a harmful impact on highway safety at the junctions and on the A470 trunk road in this area. I have taken all the matters raised into account but not found any which would outweigh that harm and justify approval.
21. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective to make our cities, towns and villages even better places in which to live and work.
22. For the reasons given above, the appeal is dismissed.

*Sian E Worden*

Inspector

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**MINUTES OF A MEETING OF THE TAXI LICENSING SUB-COMMITTEE HELD BY TEAMS ON TUESDAY, 27 FEBRUARY 2024**

PRESENT

County Councillor G D Jones (Chair)

County Councillors A Davies and E Roderick

County Councillor P James [observer]

<b>1.</b>	<b>RESOLUTION TO EXCLUDE THE PUBLIC AND THE PRESS</b>
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**RESOLVED** that in accordance with Section 100(a)(4) of the Local Government Act 1972 the public and press were excluded from the meeting on the grounds that there would be disclosure to them of exempt information under Paragraphs 12 and 18 of Schedule 12a Part 7 of the above Act in respect of the following item[s].

<b>2.</b>	<b>APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - JD/01/24</b>
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2.1. Sub-Committee procedures

The Chair, Sub-Committee members and others introduced themselves.

The Chair explained the procedures to be followed by the Sub-Committee.

2.2. Application for a licence

**Applicant** – JD/01/24

Mr R Bowen, Licensing Officer, Dyfed-Powys Police

The Licensing Officer presented the Licensing Authority's position as outlined in the report [copy filed with the signed minutes]. She advised that the Sub-Committee was being asked to consider whether JD/01/24 is a 'fit and proper' (or safe and suitable) person to continue to hold a driver licence. There were no questions for the Licensing Officer.

JD/01/24 explained the circumstances around the two speeding offences in 2021 and that no customers were in the vehicle at the time of either offence. He referred the Sub-Committee to the letters of support received from customers and that he had never received any complaints from customers. He advised he took the wellbeing of his customers seriously and explained the range of work he undertook. In response to a question from the Licensing Officer he advised that no customers had complained about his driving. The Licensing Officer advised in response to a question from JD/01/24 that no complaints from customers had been received by the Licensing Authority against JD/01/24.

The Sub-Committee noted that JD/01/24 spoke passionately about his responsibility to customers but asked about his responsibility to other road users. JD/01/24 stated he was very sorry for speeding and that no further

offences had occurred since 2021. In response to a question about why he had not reported the two speeding offences to the Licensing Authority, he advised that this was because he did not know how to contact officers as this was during COVID and because of his personal circumstances. The Licensing Officer advised that during COVID officers were contactable by email and phone.

Mr Bowen, Police Licensing Officer advised the Sub-Committee that the two speeding offences occurred on B class roads, which increased the potential impact on other road users. In addition, the offences took place within two days of each other showing a propensity to speeding. JD/01/24 had no questions. In response to a question from the Sub-Committee, Mr Bowen advised that where a speeding offence is deemed to be severe the magistrate can impose more penalty points and this was the case with the second speeding offence.

In summing up JD/01/24 referred to the letters of support, that no paying passengers were in the car when the two offences occurred, that he takes the safety of customers seriously, the impact on his life and on his customers and that he has had no speeding offences since 2021.

In response to a question the Licensing Officer advised that speed awareness courses were available online during COVID.

All parties confirmed that they had been able to make their representations.

The Sub-Committee withdrew to consider, in private, the application and the evidence they had heard, with the support of the Clerk. Councillor P James, as observer, remained in the main meeting.

On their return the Chair announced their decision. In reaching the decision members took into account the relevant written and verbal representations.

<b>RESOLVED</b>	<b>Reason for decision</b>
<p><b>That JD/01/24 be suspended for a minimum of one month and that he successfully completes a speed awareness course approved by the Licensing Authority.</b></p>	<p><b>That the seriousness of the speeding offences cannot be avoided, JD/01/24 had failed to advise the Licensing Authority of the offences, had not understood the recklessness of the offences and had delayed the hearing.</b></p>

The Chair advised that the Authority would confirm the decision in writing and reminded JD/01/24 of their right to appeal. In response to a question the Licensing Officer advised that the suspension would be from today.

The Chair thanked all for attending.

**County Councillor G D Jones (Chair)**