

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 14 SEPTEMBER 2017

PRESENT

County Councillor D R Price (Chair)

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

1. APOLOGIES

Apologies for absence were received from County Councillor M.J. Jones. County Councillor K. Laurie-Parry had advised that she would be late.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 24th August, 2017.

Planning

3. DECLARATIONS OF INTEREST

- (a) There were no declarations of interest.
- (b) The Committee noted that no Member requested that a record be made of their membership of a Community Council where discussion had taken place of matters for the consideration of this Committee.
- (c) The Committee noted that no Member (who is a member of the Committee) would be acting as 'local representative' in respect of any application on the agenda.
- (d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application on the agenda.

4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

The Committee considered the report of the Head of Regeneration, Property and Commissioning (copies filed with the signed minutes).

4.1 Updates

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

4.2 P/2017/0455 Cae A Llwyn, Llwyn Lane, Nantmel, Rhayader, LD6 5PE

Application No: P/2017/0455

Grid Ref: 302308.22 267083.4

Valid Date: 24/05/2017

Officer: Thomas Goodman

Community Council: Nantmel Community Council

Applicant: Mr Steve Rowlands, Llanyre, Dan-y-Graig, Llandrindod Wells, Powys, LD1 6EF

Location: Cae A Llwyn, Llwyn Lane, Nantmel, Rhayader, LD6 5PE

Proposal: Full: Change of use of agricultural building and yard for parking of commercial vehicles together with alterations to roof design of building previously approved under permission P/2016/0149 (part retrospective)

Application Type: Application for Full Planning Permission

The Committee noted the change in the description of the proposal which should read "Full: Change of use to 'Mixed Use' of agricultural building and yard for parking of commercial vehicles together with alterations to roof design of building previously approved under permission P/2016/0149 (part retrospective)." The Principal Planning Officer advised that if the Committee was minded to approve the application the officer's recommendation was contained in the Update report.

The Committee noted that the applicant had not previously complied with conditions imposed relating to a previously approved planning consent. In response to questions the Principal Planning Officer advised that there had been a lot of discussion with the agent and applicant and a condition requiring the work to be completed within 4 to 6 weeks was recommended and that this would be monitored by Development Management. Changing the site to "mixed use" allowed Development Management to impose more controls on the highways and hours of operation. The number of vehicles stored on the site would be limited by the curtilage, any extension of this area would need to be considered via a planning application.

In response to a question regarding the safety of people using the rights of way the Principal Planning Officer advised that Countryside Services had not raised any concerns.

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

<p>with the signed minutes and that it be delegated to the Professional Lead Development Management to develop appropriate wording of a condition requiring the applicant to provide information to Development Management regarding the implementation of the highways conditions.</p>	<p>To enable Development Management to ensure that the Highway conditions are complied with, within the required timescale.</p>
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County Councillor K Laurie-Parry arrived at the meeting.

The Chair altered the order of the applications as follows.

4.4 P/2017/0574 Land at Gate Farm, Criggion Lane, Trewern, Welshpool, Powys SY21 8DU

Application No: P/2017/0574

Grid Ref: 327624.53, 311465.74

Valid Date: 18/05/2017

Officer: Bryn Pryce

Community Council: Trewern Community Council

Applicant: Mr Chapman Fronhaul, Trewern, Welshpool, Powys SY21 8DU

Location: Land at Gate Farm, Criggion Lane, Trewern, Welshpool, Powys SY21 8DU

Proposal: Outline application for residential development for up to 9 dwellings, garages, improvement to vehicular access, demolition of existing buildings and all associated works

Application Type: Application for Outline Planning Permission

The Professional Lead Development Management stated that the Highways Authority had advised that a Traffic Regulation Order [TRO] was not required to make the development acceptable. The Highways Authority confirmed this position.

<p>RESOLVED: that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</p>	<p>Reason for decision: As officers recommendation as set out in the report which is filed with the signed minutes.</p>
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4.5 P/2017/0299 Land adj to Belin Mount, Crewgreen, Shrewsbury SY5 9FB

Application No: P/2017/0299

Grid Ref: 332459.64, 315599.25

Valid Date: 17/03/0299

Officer: Bryn Pryce

Community Council: Bausley with Criggion Community Council

Applicant: Mr & Mrs JT & GM Vaughan The Firs, Crewgreen, Shrewsbury SY5 9FB

Location: Land adj to Belin Mount, Crewgreen, Shrewsbury SY5 9FB

Proposal: Outline: Proposed residential development of up to 9 no. dwellings, formation of a new vehicular access and associated works (with some matters reserved)

Application Type: Application for Outline Planning Permission

The Professional Lead Development Management advised that Crewgreen had 23 houses allocated during the development of the Unitary Development Plan [UPD] but all had been built before its adoption. Crewgreen was classed as a large village and the development was considered to be sustainable.

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

4.6 P/2017/0245 Land Adjoining Trem Hirnant, Manafon, Welshpool, Powys SY21 8BX

Application No: P/2017/0245

Grid Ref: 310991.61 302302.72

Valid Date: 14/03/2017

Officer: Eddie Hrustanovic

Community Council: Manafon Community Council

Applicant: Mr JPR & JR Andrew JPR & JR Andrew, Bronheulog, Manafon, Welshpool Powys SY21 8BW

Location: Land Adjoining Trem Hirnant, Manafon, Welshpool, Powys SY21 8BX

Proposal: Outline: Residential development of up to 5 dwellings and all associated works

Application Type: Application for Outline Planning Permission

It was noted that Severn Trent Water had no objections to the application. The Planning Officer confirmed that the application was for 4 open market houses and one affordable home.

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

Concerns were raised regarding what weight should be given to the Local Development Plan [LDP]. The Professional Lead Development Management advised that Planning Policy Wales states that weight can be given to an emerging LDP. However, the Planning Inspector can change or delete policies in the LDP and so there is only certainty when the Planning Inspector's binding report has been received by the Council. He advised that the information regarding affordable housing could be used as this was up to date evidence.

In response to concerns raised, the Solicitor agreed to clarify the Planning Protocol in respect of Committee members' attendance at town and community council meetings.

4.7 P/2017/0320 Land east of Maes Hyfryd, Llanfair Caereinion, Welshpool, Powys, SY21 0RY

Application No: P/2017/0320

Grid Ref: 309511.65 305977.04

Valid Date: 29/03/2017

Officer: Dunya Fourie

Community Council: Llanfair Caereinion Community Council

Applicant: Mr Steve Andrew, Pear Tree Lane, Highbury, Llanfair Caereinion, Powys, SY21 0BH.

Location: Land east of Maes Hyfryd, Llanfair Caereinion, Welshpool, Powys, SY21 0RY

Proposal: Outline: Erection of a detached dwelling, installation of a sewage treatment plant and improvements to existing access

Application Type: Application for Outline Planning Permission

Concerns were raised regarding the distance between the application site and settlement boundary. Comment was also made that houses should be developed in the public interest and not for specific people and the application, in the open countryside, was not for an affordable house. The Solicitor confirmed that the personal circumstances of the applicant must not be considered other than in exceptional circumstances. In response to comments about consistency of decisions the Professional Lead Development Management advised that each application should be considered on its own merits and taking policy into account.

The officer's recommendation, as contained in the update report, was duly moved and seconded. This was put to the vote and lost.

RESOLVED:	Reason for decision:
that contrary to the officer's recommendation, the application be refused.	The proposed development was an unacceptable distance from the settlement boundary and amounted to unjustified development in the open countryside.

4.8 P/2017/0318 Land at Oakleigh, Refail, Berriew, Powys SY21 8AJ

Application No: P/2017/0318

Grid Ref: 319245.69, 299822.98

Valid Date: 23/03/2017

Officer: Bryn Pryce

Community Council: Berriew Community Council

Applicant: Lucy & Dominic Freeman Brithdir, The Horseshoes, Berriew, Welshpool Powys

Location: Land at Oakleigh, Refail, Berriew, Powys SY21 8AJ

Proposal: Full : Erection of 2 dwellinghouses with detached garages, installation of new septic tank for plot 2 only and all associated works

Application Type: Application for Full Planning Permission

The Planning officer advised that Refail was classed as a large village in the Unitary Development Plan [UDP]. The application site was adjacent to the settlement boundary.

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

Prior to adjourning for a lunch break the Chair advised the Committee that the next Committee on 5th October would be in Neuadd Maldwyn, Welshpool and that a request had been made for a site visit in respect of an application for a pig rearing unit south of Montgomery. The Chair and Vice Chair had agreed that there were exceptional circumstances to warrant a site visit. It was noted that in addition to planning applications, a village green application was scheduled for consideration at this meeting. It had been agreed with officers that the planning application site visit would take place in the morning, with the Committee then initially considering the village green application and the planning section of the meeting starting at a specific time.

The Committee adjourned for lunch at 12.45 p.m. and the Committee resumed at 1.15 p.m.

County Councillor R. Williams left the meeting. County Councillor P. Roberts arrived at the meeting as he had been on other Council business.

County Councillors M Barnes, H. Hulme and L. George were not in the room when the meeting recommenced.

4.9 P/2017/0542 Twin Oaks, Guilsfield, Welshpool, Powys, SY21 9PX

Application No: P/2017/0542

Grid Ref: 322767.05 311683.64

Valid Date: 17/05/2017

Officer: Sara Robinson

Community Council: Guilsfield Community Council

Applicant: Mr & Mrs Griffiths, Twin Oaks, Guilsfield, Welshpool, Powys, SY21 9PX

Location: Twin Oaks, Guilsfield, Welshpool, Powys, SY21 9PX

Proposal: Outline - Erection of one detached dwelling, formation of a new vehicular access and associated works

Application Type: Application for Outline Planning Permission

In response to comments regarding the proposed development of one dwelling on a large site, the Professional Lead Development Management advised that a previous application was for three dwellings, but officers were considering refusal on highways grounds. The Highways Authority considered that the development of three houses was not sustainable and the applicant withdrew the application.

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

4.3 P/2017/0230 Former British Legion Hall, Waterfall Street, Llanrhaeadr, Powys, SY10 0JS

Application No: P/2017/0230

Grid Ref: 312302 326164

Valid Date: 21/03/2017

Officer: Kate Bowen

Community Council: Llanrhaeadr Ym Mochnant Community Council

Applicant: Mr Keith Sandell, Dolawel, Waterfall Street, Llanrhaeadr-ym-Mochnant, Oswestry, SY10 0JS

Location: Former British Legion Hall, Waterfall Street, Llanrhaeadr, Powys, SY10 0JS

Proposal: Full: Conversion of community hall (Use Class D1) to residential use (Use Class C3) including alterations

Application Type: Application for Full Planning Permission

In response to questions regarding parking the Highways Authority advised that a dwelling would have lower use than a hall. The Principal Planning Officer advised that as this was a proposed reuse of an existing building, Natural Resources Wales [NRW] did not object to the application, even though the site was in a C2 flood zone.

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

set out in the report which is filed with the signed minutes.	the signed minutes.
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County Councillors L. George and H. Hulme resumed their seats in the Committee.

County Councillor D Price left the meeting to attend other Council business and County Councillor K Lewis took the Chair.

4.10 DIS/2017/0088 Clyro Primary School, Clyro, Hereford, Powys, HR3 5LE

Application No: DIS/2017/0088

Grid Ref: 321162.66 243368.85

Valid Date: 18/04/2017

Officer: Kevin Straw

Community Council: Clyro Community Council

Applicant: Powys County Council, Ithon Road, The Gwalia, Llandrindod Wells, Powys, LD1 6AA

Location: Clyro Primary School, Clyro, Hereford, Powys, HR3 5LE

Proposal: Discharge of conditions no.4, 5, 6 & 23 of P/2016/0802

Application Type: Application for Approval of Details Reserved by Condition

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

4.11 DIS/2017/0091 Clyro Primary School, Clyro, Hereford, HR3 5LE

Application No: DIS/2017/0091

Grid Ref: 321161.58 243367.94

Valid Date: 24/04/2017

Officer: Kevin Straw

Community Council: Clyro Community Council

Applicant: Powys County Council, Spa Road East, County Hall, Llandrindod Wells, Powys, LD1 5LG

Location: Clyro Primary School, Clyro, Hereford, HR3 5LE

Proposal: Discharge of Conditions: Conditions 9, 10 and 12 of P/2016/0802.

Application Type: Application for Approval of Details Reserved by Condition

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

4.12 DIS/2017/0099 Clyro C in W Primary School, Clyro, Hereford, HR3 5LE

Application No: DIS/2017/0099

Grid Ref: 321163.64 243371.81

Valid Date: 27/04/2017

Officer: Kevin Straw

Community Council: Clyro Community Council

Applicant: Powys County Council, Spa Road East, Powys County Hall, Llandrindod Wells, Powys, LD1 5LG

Location: Clyro C in W Primary School, Clyro, Hereford, HR3 5LE

Proposal: Discharge of conditions no. 3,15,19, 20 & 21 of P/2016/0802

Application Type: Application for Approval of Details Reserved by Condition

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

4.13 DIS/2017/0119 Land at Baskerville Hall Hotel, Clyro Court, Clyro, Hereford, Powys, HR3 5LE

Application No: DIS/2017/0119

Grid Ref: 321081.74 243017.78

Valid Date: 06/06/2017

Officer: Kevin Straw

Community Council: Clyro Community Council

Applicant: Powys County Council, Spa Road East, County Hall, Llandrindod Wells, Powys, LD1 5LG

Location: Land at Baskerville Hall Hotel, Clyro Court, Clyro, Hereford, Powys, HR3 5LE

Proposal: Discharge of conditions no. 3 of P/2017/0159

Application Type: Application for Approval of Details Reserved by Condition

RESOLVED: that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	Reason for decision: As officers recommendation as set out in the report which is filed with the signed minutes.
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5.	DECISIONS OF THE HEAD OF REGENERATION AND REGULATORY SERVICES ON DELEGATED APPLICATIONS
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The Committee received for information a list of decisions made by the Head of Regeneration and Regulatory Services during the period between 16th August, 2017 and 7th September, 2017.

6.	APPEAL DECISION
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The Committee received a copy of the Planning Inspectorate's letter regarding the appeal in respect of application P/2017/0275 Frondirion, Penegoes, Machynlleth SY20 8NH. The Committee noted that the Inspector had dismissed the appeal.