

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 23 AUGUST 2018

PRESENT

County Councillor K Lewis (Chair)

County Councillors E M Jones, L George, H Hulme, M J Jones, F H Jump, K Laurie-Parry, I McIntosh, D R Price, D Selby, K S Silk, E Vaughan, G I S Williams and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillors H Lewis, G Pugh and D H Williams and County Councillor J Williams who was on other council business. County Councillor J Wilkinson was on leave of absence.

2. MINUTES OF THE PREVIOUS MEETING

A question was raised regarding P/2018/0587 Abermule Business Park which had been agreed at the previous meeting. The Committee had been advised that an Environment Impact Assessment [EIA] was not needed. However, it was understood that Welsh Government Guidance 2017 stated that an EIA was required for the size of such a development. It was understood that a number of individuals from the community had written to the Welsh Government concerned that an EIA had not been carried out.

The Professional Lead for Development Management advised that the Authority had completed a screening opinion and this indicated that an Environmental Statement was not required. The Professional Lead for Development Management advised that the Principal Planning Officer had confirmed to him that the screening had been done correctly but he indicated that he was going to review what had been done and would report back to the Committee if required.

The Chair was authorised to sign as a correct record the minutes of the meeting held on 5 July, 2018 subject to the following amendment:

Page 5 3(b) second paragraph should read as follows - County Councillor D R Price requested that a record be made of his membership of Duhonw Community Council....” rather than “Tregynon Community Council”.

The Chair was authorised to sign as a correct record the minutes of the meeting held on 2 August 2018.

Planning

3. DECLARATIONS OF INTEREST

(a) There were no declarations of interest.

(b) County Councillor E.M. Jones advised that he attended a meeting of Gladestry Community Council but he attended a meeting, where discussion had taken place in respect of P/2018/0610. When the item was discussed he left the Community Council meeting room.

(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.

The Chair advised that he would change the order of the Agenda.

4.2 P/2016/0509 Land in former Walled Garden at Glanhafren Hall Glanrhyd Llanidloes Road Newtown Powys SY16 4HZ

Grid Ref:	308349.2 290482.49
Valid Date:	09/05/2016
Officer:	Tamsin Law
Community Council:	Mochdre Community Council
Applicant:	Paolo Re Llanidloes Road, Glanrhyd, Newtown, Powys SY16 4HZ
Location:	Land in former Walled Garden at Glanhafren Hall Glanrhyd Llanidloes Road Newtown Powys SY16 4HZ
Proposal:	Erection of a dwellinghouse, installation of septic tank and all associated works including demolition of two storage buildings
Application Type:	Application for Full Planning Permission

The Professional Lead for Development Management advised that the wall had been granted listed building consent. He advised that if the Committee minded to approve the application the conditions were those contained in the Update report, which also included a Section 106 agreement to ensure that the works to the listed wall would be undertaken prior to the construction of the dwelling.

In response to a question the Professional Lead for Development Management advised that it would not in his opinion be reasonable to condition the future maintenance of the wall. He advised that if the application was refused Development Management could serve a notice to repair the wall. If the owner did not comply the Council would potentially be liable to meet the costs of repair which were estimated to be £100k. He advised that appropriate enabling development was a good mechanism to improve the quality of listed buildings.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the Update report which is filed with the signed minutes and subject to a Section 106 agreement to ensure that the works to the listed wall would be undertaken prior to the construction of the dwelling.	<p>As officers recommendation as set out in the report which is filed with the signed minutes.</p> <p>To ensure that the works to the listed wall are undertaken.</p>

4.3 P/2018/0610 Land Adjacent to The Old Rectory, Newchurch, Powys, HR5 3QF

Grid Ref: 321495.67 250766.04

Valid Date: 03/07/2018

Officer: Thomas Goodman

Community Council: Gladestry Community Council

Applicant: Xafinity Pension Trustees Ltd, The Elisabeth Barker SIPP, Castle Business Park, Scotia House, Stirling, FK9 4TZ

Location: Land Adjacent to The Old Rectory, Newchurch, Powys, HR5 3QF

Proposal: Full: Erection of 2 dwellings, installation of a package treatment plant, construction of 2 accesses and all associated works

Application Type: Application for Full Planning Permission

The Professional Lead for Development Management advised that if the Committee was minded to approve the application the conditions were those

contained in the Update report and that a legal agreement be included to ensure that only one of the consented planning permissions are developed.

The Highways Authority in response to a question advised that access to the site would be level and an appropriate condition was recommended. The Professional Lead for Development Management advised that the Land Drainage Officer had confirmed that the soakaway calculations were satisfactory for the surface water drainage disposal. He also advised that the applicant was in consultation with Countryside Services regarding the diversion of the public footpath.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the Update report which is filed with the signed minutes and to a legal agreement to ensure that only one of the consented planning permissions are developed.	As officers recommendation as set out in the report which is filed with the signed minutes.

4.4 P/2017/0218 Ystym Colwyn, Meifod, Powys, SY22 6XT

Grid Ref: 319179.76 316429.83

Valid Date: 02/03/2017

Officer: Tamsin Law

Community Council: Meifod Community Council

Applicant: Mr. Gittins, Ystym Colwyn Farms, Ystym Colwyn, Meifod, Powys, SY22 6XT

Location: Ystym Colwyn, Meifod, Powys, SY22 6XT

Proposal: Section 73 application to vary condition 2 attached to planning permission P/2015/1083 to allow change in size of poultry unit

Application Type: Application for Removal or Variation of a Condition

The Professional Lead for Development Management advised that this was a retrospective application as the building had already been constructed and was not in line with the original planning permission because the building was shorter and wider. He confirmed that if the Committee was minded to approve the application the number of birds would be conditioned to be limited to 100,000.

In response to questions as to how this number of birds would be monitored the Professional Lead for Development Management advised that a planning

contravention notice could be served on the applicant to secure information on bird numbers. He also advised that Natural Resources Wales [NRW] monitors facilities of this scale. He advised that Development Management did undertake enforcement but this was not undertaken proactively and only when issues are raised with them.

The Professional Lead for Development Management advised that he hoped that NRW would attend a training session with the Committee prior to the next Committee, to enable the Committee to discuss issues around poultry developments etc. The Committee raised strong concerns regarding retrospective applications and individuals flaunting the planning process. The Professional Lead for Development Management advised that other Councils had similar concerns and were speaking with the Welsh Government with a view to making such development without planning permission a criminal offence.

The Committee raised concerns about the landscaping and noted the condition requiring this. The officer advised that Development Management would monitor the implementation of the 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.

County Councillor K Silk voted against the application due to the unacceptable landscape impact of the development.

4.5 P/2018/0509 Dyffryn, Meifod, Powys, SY22 6HL

Grid Ref: 314892.67 312699.42

Valid Date: 18/05/2018

Officer: Louise Evans

Community Council: Meifod Community Council

Applicant: J R Wilkinson & Son, Dyffryn, Meifod, Powys, SY22 6HL

Location: Dyffryn, Meifod, Powys, SY22 6HL

Proposal: Full: Erection of an agricultural building and associated works

Application Type: Application for Full Planning Permission

The Professional Lead for Development Management although not recommending that condition 3 was removed, requested that Councillors considered whether condition 3 was reasonable and necessary, in light of the fact that the proposed building was grouped with the other farm buildings. In response to a question as to why this was being recommended, when the previous application landscaping conditions were approved, the Professional Lead for Development Management advised that each application had to be considered on its own merits and conditions had to be considered as being reasonable. In the previous application the buildings were not grouped with others and this was considered to justify the need for landscaping.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions, excluding condition 3 requiring a landscaping plan, 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/2018/0651 Community Centre, Meifod, Powys, SY22 6DF

Grid Ref: 315294.97 313358.91

Valid Date: 18/06/2018

Officer: Louise Evans

Community Council: Meifod Community Council

Applicant: Mr Nigel Baldwin, Meifod Village Hall Committee, 5 Pentre Barog, Meifod, SY22 6DU

Location: Community Centre, Meifod, Powys, SY22 6DF

Proposal: Full: Erection of a porch and extension to provide disabled entrance lobby to meeting room and DDA WC

Application Type: Application for Full Planning Permission

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

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 1 August, 2018 and 16 August, 2018.

Taxi and other licensing

6.	MINUTES OF TAXI REVIEW PANELS
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The Chair presiding at the Taxi Review Panel held on 1 May, 2018 was authorised to sign the minutes as a correct record.

The Committee noted future meeting dates.

County Councillor K Lewis (Chair)