

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER, COUNTY HALL - COUNTY HALL ON THURSDAY, 24 OCTOBER 2019**

**PRESENT**

County Councillor K Lewis (Chair)

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

**1. APOLOGIES**

Apologies for absence were received from County Councillors L George 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 3 October, 2019.

**Planning**

**3. DECLARATIONS OF INTEREST**

(a) County Councillor D Selby declared an interest in application 19/1059/FUL because he is a member of Newtown Town Council who are a partner in the scheme.

(b) County Councillor D Selby requested that a record be made of his membership of Newtown Town Council where discussion had taken place of matters for the consideration of this Committee.

(c) The following County Councillors (who are members of the Committee) declared that they would be acting as 'local representative' in respect of the following applications:

County Councillor G Pugh – application 18/0805/FUL

County Councillor F Jump – application 19/0558/FUL

(d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application on the agenda.

**4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE**

The Committee considered the report of the Head of Property, Planning and Public Protection (copies filed with the signed minutes).

#### 4.1 Updates

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

County Councillor D Selby, having declared an interest, left the meeting room for the next application.

#### 4.2 19/1059/FUL Former Radio Hafren Building, Wesley Street, Newtown, Powys, SY16 2NZ

<b>Grid Ref:</b>	E: 310576 N: 291580
<b>Valid Date:</b>	12/07/2019
<b>Community Council:</b>	Newtown and Llanllwchaiarn Community Council
<b>Applicant:</b>	Open Newtown
<b>Location:</b>	Former Radio Hafren Building, Wesley Street, Newtown, Powys, SY16 2NZ
<b>Proposal:</b>	Demolition of former 'Radio Hafren' building and construction of two storey community building with associated paddle sport/cycle hiring facilities, and landscaping
<b>Application Type:</b>	Full Application

Mr A Finch spoke against the application.  
Mr B Davies spoke as the Agent.

The Committee noted the update report. In response to questions regarding the commercial use and the community use of the kitchen facilities the Planning Officer advised that he did not have details of the business model. The Chair agreed to adjourn the meeting to allow the officers to speak to the agent and applicant in the company of the objector, to seek clarification on this point. On reconvening the meeting, the Professional Lead Development Management advised that the community kitchen was a bookable facility and it was hoped that the café would be run on a franchise basis. In response to questions the Planning Officer advised that Planning Policy Wales states that it is not the function of planning to inhibit competition. He advised that where proposed retail facilities are more than 2500 sq. metres a retail impact assessment was required. The proposed development was for an area of 137 sq. metres.

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

The Professional Lead Development Management in response to questions advised that the operation of the proposed development was not a planning consideration. He advised that the size of the café was reduced by the applicant as a result of consultation with the community. Questions were asked whether the size of the retail development could be restricted. The Principal Planning

Officer advised that the floor space allocated to A1 and A3 use could be restricted to 137 sq. metres via condition, if the Committee was minded to approve the application.

The proposer and seconder agreed that they were content with adding a condition restricting the floor space for retail activity to 137 sq. metres and delegating the wording of this condition to the Professional Lead for Development Management in consultation with the Chair and Vice Chair.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and that it be delegated to the Professional Lead for Development Management in consultation with the Chair and Vice Chair to add a condition restricting the floor space for retail activity to 137 sq. metres.</b>	<p><b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b></p> <p><b>To ensure that the gross retail floorspace does not exceed 137sqm in order to control the use and any future development of the site.</b></p>

County Councillor D Selby returned to the meeting room.

County Councillor F Jump moved to the public seating area for the next application.

4.3 19/0558/FUL Library, Brook Street, Welshpool, SY21 7PH

**Grid Ref:** E: 322392 N: 307712

**Valid Date:** 29/07/2019

**Community Council:** Welshpool Town Council

**Applicant:** Powys County Council

**Location:** Library, Brook Street, Welshpool, SY21 7PH

**Proposal:** Change of use from Library (D1) to Offices (B1)

**Application Type:** Full Application

Councillor F Jump spoke as the local representative, as the application impacted on her ward.

Mr B Timmis speaking on behalf of objectors.

Mr G Richards representing the applicant.

In response to a question the Principal Planning Officer advised that condition 15 was included to ensure that the current building would not be used for the alternative use until the current library was relocated.

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

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

County Councillor F Jump resumed her seat in the Committee.

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

4.4 18/0805/FUL Tyn Yr Wtra, Brooks, Welshpool, Powys, SY21 8QN

<b>Grid Ref:</b>	E: 314448 N: 298627
<b>Valid Date:</b>	07/11/2018
<b>Community Council:</b>	Bettws Community Council
<b>Applicant:</b>	Ms Sarah Whitley
<b>Location:</b>	Tyn Yr Wtra, Brooks, Welshpool, Powys, SY21 8QN
<b>Proposal:</b>	Change of use of agricultural land to form a campsite, demolition of existing agricultural outbuilding and erection of building for toilets & washing facilities
<b>Application Type:</b>	Full Application

The Principal Planning Officer advised that as detailed in her update report the third party landowners had been approached regarding the use of their land for highways improvements.

Councillor G Pugh spoke as the local representative.  
Mr N James spoke on behalf of the residents of Brooks.  
Mr D Hughes, Agent spoke on behalf of the applicant.

In response to comments made by the objector, the Principal Planning Officer advised the Committee that notice had been served on third parties in October 2018, in respect of the need to use their land to accommodate the road improvements and the amended Certificate B had been received by Development Management in December 2018. She confirmed that all necessary information had been received to enable the planning application to be considered.

In response to questions the Highways Authority confirmed that with the proposed road improvements the proposed development was acceptable. The concerns expressed by the objectors regarding the unsuitability of the road for

such a development was noted and due to these it was moved and duly seconded to defer consideration of the application to allow for a site visit. The motion was put to the vote and duly lost on the Chair's casting vote.

The Principal Planning Officer advised that the Ecologist had no objections to the application. She advised that if the Committee was concerned with the disposal of the waste from the composting toilets a condition requiring the submission of a waste management plan could be added if the Committee was minded to approve the application.

The Principal Planning Officer advised that the health and safety issues in respect of the pond on the site was an operational matter rather than a planning matter. However, she advised that an advisory note could be added if the Committee was minded to approve the application.

In response to questions, the Highways Authority advised that it had taken into account all road users, including walkers and cyclist, when assessing the impact of the development on the roads.

It was moved and duly seconded to approve the application as recommended by the officer and that it be delegated to the Professional Lead for Development Management in consultation with the Chair and Vice Chair to add a condition regarding the submission of a waste management plan and an advisory note in respect of the need to address health and safety issues in respect of the pond on the site.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and that it be delegated to the Professional Lead for Development Management in consultation with the Chair and Vice Chair to add a condition regarding the submission of a waste management plan and an advisory note in respect of the need to address health and safety issues in respect of the pond on the site.</b>	<p><b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b></p> <p><b>To ensure the waste is managed correctly with no detriment to amenity or biodiversity and an informative added regarding health and safety in order to draw the applicant's attention to other legislation.</b></p>

County Councillor G Pugh resumed his seat in the Committee.

County Councillor D Selby left the meeting.

4.5 18/0461/LBC Dyffryn, Meifod, Powys, SY22 6HL

**Grid Ref:** E: 314827 N: 312864

**Valid Date:** 07/09/2018

**Community Council:** Meifod Community Council  
**Applicant:** Mr & Mrs Wilkinson  
**Location:** Dyffryn, Meifod, Powys, SY22 6HL  
**Proposal:** Construction of open porch, construction of garden room and internal alterations  
**Application Type:** Listed Building Consent

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

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to Consultation with Cadw and the conditions set out in the report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

4.6 18/0467/HH Dyffryn, Meifod, Powys, SY22 6HL

**Grid Ref:** E: 314827 N: 312864  
**Valid Date:** 13/08/2018  
**Community Council:** Meifod Community Council  
**Applicant:** Mr & Mrs Wilkinson  
**Location:** Dyffryn, Meifod, Powys, SY22 6HL  
**Proposal:** Construction of open porch and garden room.  
**Application Type:** Householder

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

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

4.7 19/1539/DEM Bodynfoel Farm, Llanfechain, Powys, SY22 6XF

**Grid Ref:** E: 318232 N: 321434

**Valid Date:** 03/10/2019  
**Community Council:** Llanfechain Community Council  
**Applicant:** Powys County Council (Estates Department)  
**Location:** Bodynfoel Farm, Llanfechain, Powys, SY22 6XF  
**Proposal:** Demolition of stone outbuilding  
**Application Type:** Demolition Notification

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

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

4.8 19/1541/DEM The Willows, Pool Quay, Welshpool, Powys, SY21 9LA

**Grid Ref:** E: 326510 N: 313517  
**Valid Date:** 03/10/2019  
**Community Council:** Llandrinio and Arddleen Community Council  
**Applicant:** Powys County Council (Estates Department)  
**Location:** The Willows, Pool Quay, Welshpool, Powys, SY21 9LA  
**Proposal:** Demolition of agricultural building  
**Application Type:** Demolition Notification

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

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and with the inclusion of an informative to inform the applicants of possible asbestos.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

4.9 19/1386/TRE Temple Avenue & Alexandra Terrace, Llandrindod Wells, Powys, LD1 5HW

**Grid Ref:** E: 305918 N: 260702

**Valid Date:** 03/09/2019

**Community Council:** Llandrindod Wells Town Council

**Applicant:** Powys County Council

**Location:** Temple Avenue & Alexandra Terrace, Llandrindod Wells, Powys, LD1 5HW

**Proposal:** Works to trees in a conservation area

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

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

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.</b>	<b>As officer's recommendation as set out in the report which is filed with the signed minutes.</b>

The Principal Planning Officer updated the Committee regarding the development at Lower House Farm Clyro [P/2016/0397]. She advised that the development had not been erected in accordance with the approved plans and was subject to enforcement action. She stated that a planning application was pending and would be considered by Committee in due course. The Committee noted this information.

<b>5.</b>	<b>DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS</b>
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The Committee received for information a list of decisions made by the Head of Property, Planning and Public Protection during the period between 25 September and 16 October 2019.

<b>6.</b>	<b>APPEAL DECISION</b>
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The Committee received the Planning Inspectorate's letters regarding the appeal in respect of the following applications:

Pen-y-Cae, Greenfields Farm, Four Crosses, Llanymynech SY22 6RF - The Committee noted that the Inspector had dismissed the appeal and that the application for costs had also been dismissed.

Gnoll House, Neath Road, Ystradgynlais, SA9 1PR - The Committee noted that the appeal had been dismissed.

## Rights of Way

### 7. DECLARATIONS OF INTEREST

There were no declarations of interest in respect of the following item.

County Councillor G Jones moved to the public seating area as he had not received the required training to enable him to consider the next item.

### 8. TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 PUBLIC PATH ORDER PROPOSAL

The Committee considered the report regarding the application for a diversion of footpath CF22 due to a development receiving planning permission.

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

RESOLVED	Reason for decision
<ol style="list-style-type: none"><li>1. That an Order be made to divert footpath CF22, on land to the East of Ithon Road, Llandrindod Wells as shown on the plan at appendix A [attached to the report];</li><li>2. That if the Order is made and opposed, unless significant new information comes to light, it is submitted to the Planning Inspectorate for determination;</li><li>3. That the Council takes a neutral stance with respect to confirmation of the Order, if it is submitted to the Planning Inspectorate for determination.</li></ol>	<p>As officer's recommendation as set out in the report which is filed with the signed minutes.</p>

County Councillor K Lewis (Chair)