

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD BY TEAMS ON WEDNESDAY, 24 FEBRUARY 2021**

PRESENT

County Councillor K Lewis (Chair)

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

**1. APOLOGIES**

Apologies for absence were received from County Councillors E Durrant, E Vaughan, G I S Williams and D H Williams.

**2. MINUTES OF THE PREVIOUS MEETING**

The Chair was authorised to sign as a correct record the minutes of the meeting held on 4 February 2021.

**Planning**

**3. DECLARATIONS OF INTEREST**

(a) County Councillor P Pritchard declared a prejudicial interest in applications 20/1354/FUL and 20/1142/LBC because he lived close to the application site.

(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) County Councillor P Pritchard (who is a member of the Committee) declared that he would be acting as 'local representative' in respect of application 20/1354/FUL.

(d) The Committee noted that County Councillor S McNicholas (who is not a member of the Committee) would be speaking as the 'local representative' in respect of application 20/1010/OUT.

**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

There were no updates.

4.2 20/1010/OUT Former School Playing Field At, James Street,  
Ystradgynlais, Powys, SA9 1EX

<b>Grid Ref:</b>	E: 278742 N: 209843
<b>Valid Date:</b>	08/07/20
<b>Community Council:</b>	Ystradgynlais Town Council
<b>Applicant:</b>	Mr G Price
<b>Location:</b>	Former School Playing Field At, James Street, Ystradgynlais, Powys, SA9 1EX
<b>Proposal:</b>	Erection of two detached dwellings and associated works
<b>Application Type:</b>	Outline planning

County Councillor S McNicholas spoke as the local representative.  
Mr G Price spoke as the applicant.

The Principal Planning Officer advised in response to a question that there was a very slight slope on the site. In response to questions regarding the weight the Committee should give to the flood consultant's report submitted by the applicant, the Principal Planning Officer advised that this was a Flood Risk Supporting Statement. She clarified that the applicant had submitted a Flood Consequences Assessment [FCA] with the application but advised that a FCA is not requested for a proposed highly vulnerable development in a C2 flood zone, as National and Local policy does not allow such developments in a C2 flood zone. She clarified that a FCA would only be assessed where highly vulnerable development had been justified in accordance with the tests set out in TAN15 and confirmed the application could not be justified against any of the tests and compliance with all are required. The Committee noted that the local representative and applicant had advised that they had not known the site to flood. The Principal Planning Officer advised that this was anecdotal evidence and the Flood Risk Statement indicated that the site was vulnerable to an extreme 0.1% annual probability event the site floods.

The Principal Planning Officer advised that hydrological data had not been reviewed as the application was contrary to policy. In response to questions regarding the Natural Resources Wales' [NRW] Development Advice Maps [DAM] she advised the Committee that it would be for the applicant to challenge the NRW regarding the map. She advised that the DAM for this area had been updated at the end of 2019 and the area remained in the C2 flood zone.

In response to questions regarding the applicant's proposal to raise the floor level of the buildings the Principal Planning Officer advised that this would risk displacing flood water to other areas.

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

<b>RESOLVED:</b> that the application be refused.	<b>Reason for decision:</b> The proposal will lead to the introduction of highly vulnerable development within Zone C2 as defined by the Development Advice Maps referred to under TAN15 Development and Flood Risk (2004). The development is contrary to policy DM5 of the Powys Local Development Plan (2011-26), Technical Advice Note 15: Development and Flood Risk (2004) and Planning Policy Wales (2018).
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County Councillor P Pritchard advised that he had abstained, as he was late arriving to the meeting and had not heard all the discussion.

4.3 20/1354/FUL Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

**Grid Ref:** E: 322398 N: 307332

**Valid Date:** 27.08.2020

**Community Council:** Welshpool Town Council

**Applicant:** Mr Jack Tavernor

**Location:** Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

**Proposal:** Erection of 1 no. residential dwelling and construction of vehicular access and parking

**Application Type:** Full Application

County Councillor P Pritchard spoke as the local representative.  
Mr D Hughes spoke as the agent.  
After Mr Hughes had spoken County Councillor Pritchard left the Teams Live meeting, as he had declared a prejudicial interest in the application.

In response to questions the Planning Officer advised that the development provided a betterment in respect of parking.

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

<b>RESOLVED:</b> that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	<b>Reason for decision:</b> As officer's recommendation as set out in the report which is filed with the signed minutes.
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Having declared a prejudicial interest in the following application County Councillor Pritchard remained outside the Teams Live meeting.

4.4 20/1142/LBC Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

**Grid Ref:** E: 322398 N: 307332

**Valid Date:** 22.07.2020

**Community Council:** Welshpool Town Council

**Applicant:** Mr Jack Tavernor

**Location:** Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

**Proposal:** Listed building consent for alterations to a stone wall involving removal of section of low stone wall, concrete post and fence and rebuild remaining wall

**Application Type:** Listed Building Consent

In response to a question the Planning Officer advised that lime mortar would be used on the new wall as recommended by the Built Heritage Officer and a condition was recommended in respect of this.

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

<b>RESOLVED:</b> that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	<b>Reason for decision:</b> As officer's recommendation as set out in the report which is filed with the signed minutes.
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County Councillors J Williams and D Selby left to attend other meetings.

<b>5. 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 28 January 2021 and 16 February 2021.

In response to questions regarding the level of applications to discharge planning conditions the Professional Lead Planning advised that there had to be good reasons for conditions. Some conditions can be discharged once further evidence has been submitted by an applicant and reviewed by Development Management.

<b>6.</b>	<b>APPEAL DECISION</b>
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The Committee received a copy of the Planning Inspectorate's letter regarding the appeal in respect of application 20/1023/HH - Fronlwyd, Hirnant, Pen Y Bont Fawr, SY10 0HP. The Committee noted that the Inspector had upheld the appeal.

<b>Taxi and other licensing</b>
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<b>7.</b>	<b>MINUTES OF TAXI LICENSING SUB-COMMITTEES</b>
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The Chair presiding at the Taxi Review Panel held on 3 February 2021 was authorised to sign the minutes as a correct record.

**County Councillor K Lewis (Chair)**