

## MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT BY ZOOM ON WEDNESDAY, 17 MAY 2023

### 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, I McIntosh, G Morgan, G Pugh, E Roderick, R G Thomas, E Vaughan and D H Williams

### 1. APOLOGIES

Apologies for absence were received from County Councillors T Colbert, 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 6 April 2023.

## 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 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.

#### 4.2 21/2343/FUL The Vine, Arddleen, Llanymynech, Powys, SY22 6RU

**Grid Ref:**

E: 325436 N: 315011

**Valid Date:** 13/01/22

**Community Council:** Llandrinio and Arddleen Community Council

**Applicant:** Ruth Neville

**Location:** The Vine, Arddleen, Llanymynech, Powys, SY22 6RU

**Proposal:** Formation of hardcore over storage area (retrospective) together with erection of a 2.4 metre high security perimeter fence with gates and the construction of 8No. bollard lights at a maximum height of 800mm and improvements to existing access

**Application Type:** Full application

Mrs C Davies, Clerk, Llandrinio & Arddleen Community Council spoke on behalf of the Community Council.

The Planning Officer advised that the site would require SAB approval and disposal of surface water from the site would be subject to this process. In response to a question the Planning Officer advised that the 2.4 metre security fence would be screened by the 3 metre hedge which was conditioned under the planning consent 20/0495/FUL. Comment was made about the 3 metre corridor for the bridleway on the site and whether this was adequate. The Planning Officer advised that this was the width the Rights of Way Team had proposed.

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

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

### Rights of Way

#### 5. DECLARATIONS OF INTEREST

There were no declarations of interest regarding the next item.

#### 6. APPLICATION 17-001CA TO CORRECT THE REGISTER OF COMMON LAND

The Committee considered the application to correct the Register of Common Land, sections 22 and Schedule 2 of the Commons Act 2006 – Application 17-

001CA, Register unit MCL76, area Y – Land at Rhiwgriafol, community of Glantwymyn.

The Professional Lead - Countryside Access & Recreation took the Committee through the application and summarised the evidence presented by the applicant and objections made by the Open Spaces Society. The Committee noted that, as discussed with the Committee on 2 August 2018, Counsel's opinion has been obtained in relation to this case and the objection and she referred to this advice.

The Committee noted that the objector had submitted further information after the closing date for submissions. One issue raised was in relation to a typing error in respect of paragraph 37 of the report; the words 'Commons Commissioners' should read 'Tithe Commissioners'. The officer advised that the other issues raised had been reviewed and it was considered that there was no significant new evidence or case law being raised and also the applicant had not had an opportunity to consider these.

In response to a question the Professional Lead - Countryside Access & Recreation advised that under the 2006 legislation The Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017 the Council is required by law to determine the application.

It was moved and duly seconded that application 17-001CA be granted as made and that 19.27 hectares of land be removed from the Register of Common Land, as shown on the plan at appendix C.

#### **RESOLVED**

**That application 17-001CA be granted as made and that 19.27 hectares of land be removed from the Register of Common Land, as shown on the plan at appendix C.**

<b>7.</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 1 April 2023 and 11 May 2023.

**County Councillor K Lewis (Chair)**