

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT HYBRID MEETING - ZOOM - COUNTY HALL ON THURSDAY, 25 APRIL 2024

PRESENT

County Councillor K Lewis (Chair)

County Councillors A Davies, D Edwards, C Hall, P James, A Jones, G E Jones, C Kenyon-Wade, G Morgan, G Pugh, E Roderick, E Vaughan, J Wilkinson and D H Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillors G D Jones and T Colbert.

2.	MINUTES OF THE PREVIOUS MEETING
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 14 March 2024 subject to the following amendment:
Item 4.2 24/0062/FUL Land 3800 Metres West of Staylitttle, Staylitttle, Llanbrynmair, Powys – bottom of Page 6 in the agenda pack the following should be added “ The motion was lost on the vote.” The paragraph now states “It was moved and duly seconded to approve the application as per the officer’s recommendation with an additional condition stating that concrete should not be used on the site. The motion was lost on the vote”.

Planning

3.	DECLARATIONS OF INTEREST
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- (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 County Councillor A Jenner (who is not a member of the Committee) would be speaking as the ‘local representative’ in respect of an application on the agenda.

4.	PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
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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.

4.2 23/1406/FUL Land Adj. Poplar Drive, Leighton, Welshpool, SY21 8HJ

Grid Ref: E: 324630 N: 305158

Valid Date: 20.09.2023

Community Council: Forden With Leighton & Trelystan Community Council

Applicant: Mr & Mrs Walton

Location: Land Adj Poplar Drive , Leighton, Welshpool, SY21 8HJ

Proposal: Proposed siting of 3 lodges and associated works (resubmission 20/2103/FUL)

Application Type: Full Application

County Councillor A Jenner spoke as the local representative.
Mr S Newby-Wootton spoke against the application.
Mr G Davies spoke as the agent.

In response to a question as to whether the site near the top access was suitable for development the Principal Planning Officer advised that there were constraints in this area which restricted development and access. The Built Heritage Officer advised that Brook House Tank is Grade 2 listed. The Trysor assessment provided with the application concluded that the development is acceptable and does not harm the setting of the listed building.

A question was raised whether the three parking spaces allocated were sufficient for the development. The Highways Officer advised that as this was private land the Highway Authority did not have jurisdiction over this area. It was noted that each parking space was large enough for two cars. In response to questions the Principal Planning Officer advised that a condition could not be added to enforce the use of Poplar Drive for vehicular access. It was noted that a quarter of the site was being used for the three lodges and comment was made whether the rest of the site could be developed. The Principal Planning Officer advised that planting scheme indicated planting across the site.

The Professional Lead Planning advised that the Land Registry website had been checked and the applicant owns the Poplar Drive section and access rights along this would be a civil matter. In response to a question the Professional Lead Planning advised that a condition could not be added to restrict access to the site via Poplar Drive only. He advised that an informative could be added encouraging the applicant to promote the use of Poplar Drive for vehicular access only.

The Highways Officer advised in response to a question that two passing bays were requested by the Highways Authority when the previous application was submitted. However, the applicant could not demonstrate that these could be provided or was not willing to provide these. These had now been included in this application.

It was moved and duly seconded to approve the application as recommended by the officer and that an informative be added encouraging the applicant to promote the use of Poplar Drive for vehicular access only.

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 and that an informative be added encouraging the applicant to use Poplar Drive for vehicular access only.	As officer's recommendation as set out in the report which is filed with the signed minutes.

5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
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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 7 March 2024 and 18 April 2024. The Committee noted the significant number of applications processed by officers.

6.	DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE
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The Committee considered the Development Management Performance report for quarters 1 – 3 (April 2023 - Dec 2023). The Professional Lead Planning highlighted that the percentage of all applications determined within the required time periods was above 80% in all quarters since October 2022. 80% is the Welsh Government's good (highest) category. For the same period the percentage of major applications determined within the required time periods was above the Welsh Government's good (highest) category of 60%.

The Professional Lead Planning advised meetings were held with agents usually every six months and the feedback from these has been positive. It was noted that a Duty Line Officer is now available each day for enquires and positive feedback has been received. Comments were made that a document explaining the planning process with a video, for the layperson, would be useful and could be added to the website. The Professional Lead Planning advised that the Planning website will be reviewed.

The Committee congratulated the Development Management Team for their work.

Resolved to receive and note the workload and performance data for Development Management for the period April 2023 to December 2023.

7. ENFORCEMENT UPDATE

The Development Management Team Leader introduced two new Enforcement Officers. These appointments had been made in response to the Audit Wales report on the Planning Service. The Development Management Team Leader advised that the Planning Service target is to investigate 80% of reported enforcement cases within 84 days. It was noted that anyone wishing to report an alleged planning enforcement breach should use the enforcement complaint form available on the Council's website. This has an interactive map enabling sites to be identified. It was noted that some people are concerned about making complaints and that it was appropriate for councillors to log complaints for members of the public using the online form.

It was noted that an Enforcement FAQ was being developed and a video may also be produced. The Development Management Team Leader advised that the planning system seeks to resolve confirmed planning enforcement breaches through negotiation rather than by punishing individuals. When an alleged enforcement complaint is received an investigation is undertaken and the outcome can be:

- No breach.
- A breach but enforcement is not expedient as the breach is trivial.
- A breach has occurred and enforcement action will follow.

During the 84 days in which officers investigate alleged breaches to determine whether a breach has occurred and whether enforcement action is necessary, the public might perceive that nothing is happening and so communication is important and is an area the Service is seeking to improve.

Taxi and other licensing

8. DECLARATIONS OF INTEREST

There were no declarations of interest.

9. ANIMAL ESTABLISHMENT LICENSING FEES REVIEW

The Committee considered the report regarding revised fees for the licensing of animal establishments to commence from April 2024. It was noted that the fees are reviewed annually and the proposed fees have been set in line with the Local Government Association (LGA) guidance on locally set licence fees. Fees are only set to ensure that the full recovery of costs is achieved.

Resolved that the proposed licence fees set out in Appendix 1 to the report be approved and implemented with effect from 1st April 2024.

County Councillor K Lewis (Chair)