

# Original update report – PTLRW Committee 2019-01-17

## Planning, Taxi Licensing and Rights of Way Committee Report

### UPDATE REPORT

**Application Number:** 18/0390/REM  
**Grid Ref:** E: 315759  
N: 301953  
**Community Council:** Berriew Community  
**Valid Date:** 24.07.2018

**Applicant:** D Davies

**Location:** Maes Y Nant, Berriew, Welshpool, Powys, SY21 8BG

**Proposal:** Section 73 application to remove planning condition no. 3 attached to planning permission M2004/0930 (occupancy restriction)

**Application Type:** Removal or Variation of Condition

### Consultee Responses

#### Principal Planning Solicitor

*Correspondence received 16<sup>th</sup> January 2019*

The Council's Planning Solicitor confirms that, in accordance with paragraph 19.69 of the Planning Protocol, he has had an opportunity to review the file on this application and is content that it has been processed normally.

### Representations

Notwithstanding the published Committee Report, it has been brought to the attention of Development Management that a representation expressing an objection was submitted by a third party. Unfortunately, the representation was forwarded to an inaccurate email address and therefore was not received by the handling officer or detailed within the original report. This update report therefore acknowledges receipt of the third party comments and summarises the points raised below;

- Contests that the property has been actively marketed with few adverts in the local papers with no price disclosed.
- Property not advertised online.
- Property advertised with no land which was part of the original planning application for the granting of the agricultural dwelling.

- States that there is demand for agricultural dwellings in the area and lists two dwellings sold in the last few years.

### **Officer Appraisal**

In considering the third party concerns expressed, Officers would refer Members to the original Officer report which considers the submitted property valuation justification and marketing information in support of the proposal. Notwithstanding the concerns expressed, Officers remain satisfied that the removal of the condition has been justified by robust evidence and therefore complies with planning policy.

### **RECOMMENDATION**

The officer's recommendation remains one of consent as set out in the original officer's report.

---

Case Officer: Bryn Pryce, Planning Officer  
Tel: 01597 827126 E-mail: [bryn.pryce@powys.gov.uk](mailto:bryn.pryce@powys.gov.uk)