

**MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER, COUNTY HALL - COUNTY HALL ON THURSDAY, 22 AUGUST 2019**

PRESENT

County Councillor K Lewis (Chair)

County Councillors E M Jones, L V Corfield, L George, H Hulme, M J Jones, F H Jump, H Lewis, I McIntosh, D R Price, D Selby, K S Silk, E Vaughan, J Wilkinson, G I S Williams and R Williams

<b>1. APOLOGIES</b>
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Apologies for absence were received from County Councillors G Jones, P C Pritchard, G Pugh, D H Williams and J Williams.

<b>2. MINUTES OF THE PREVIOUS MEETING</b>
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The Chair was authorised to sign as a correct record the minutes of the meeting held on 1 August, 2019.

<b>Rights of Way</b>
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<b>3. DECLARATIONS OF INTEREST</b>
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There were no declarations of interest in respect of the next item.

<b>4. TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 PUBLIC PATH ORDER PROPOSAL</b>
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The Committee considered the application in respect of the proposal to divert part of public footpath 29 on land at Severnside, Forden (Community of Forden).

In response to a question the Acting Professional Lead - Countryside Access & Recreation advised that dogs were expected to be kept under close control. Small signs reminding dog owners of this were available and such signs could be placed on gateposts. She advised that these could be added to the new signage which would be used on the new route.

Concerns were raised that as a planning application had been approved, this footpath diversion application had been given priority over other applications, many of which had been in the system for years. The Acting Professional Lead - Countryside Access & Recreation stated that under the current approach, priority is given to any applications affected by approved planning developments. However, she advised that developers were encouraged to design a development, wherever possible, which did not have an impact on a footpath.

The officer advised that officers do not consider that the development is substantially complete at Severnside, as the legal line of the footpath can still be

used, so a diversion Order can be made under the Town and Country Planning Act 1990.

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 an Order be made to divert footpath 29, on the land at Severnside, Forden as shown on the plan at appendix B.</b>	<b>As the officer's report.</b>

## Planning

### 5. 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.

### 6. 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).

#### 6.1 Updates

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

#### 6.2 19/1161/NMA Abermule Business Park, Abermule, Newtown, SY15 6NU

**Grid Ref:** E: 315775 N: 294250

**Valid Date:** 16/07/2019

**Community Council:** Abermule and Llandyssil Community Council

**Applicant:** Powys County Council

**Location:** Abermule Business Park, Abermule, Newtown, SY15 6NU

**Proposal:** Application for a non-material amendment to permission P/2018/0587 to alter the wording of conditions 9, 10, 13 & 14

**Application Type:** Non-Material Amendment

Councillor M Aymes spoke on behalf of Abermule and Llandyssil Community Council.

Mr S Kendrick spoke on behalf of the applicant.

Comments were made that the conditions were added to the approval and should be adhered to, implemented and not changed. It was considered that if the conditions were appropriate when the application was approved they should remain. The Contaminated Land Officer advised that work had been undertaken by a consultant and the site is classed as low risk. Asbestos had been found on one part of the site and this will be made safe. The asbestos management plan would control the finding of asbestos elsewhere on site.

It was moved and duly seconded that the application be refused because the conditions should not be changed.

In response to this proposal the Principal Planning Officer advised the Committee had to consider whether the proposed changes to the conditions are material. She stated that the Contaminated Land Officer had considered the proposed changes to the wording of the conditions and he considered that they were non material. He advised that in his view, the developer had completed sufficient work on the site to identify the potential risks and had agreed a contamination contingency plan to enable it the deal with unforeseen risks.

The Principal Planning Officer reminded the Committee that the application is for the wording of the conditions to be changed and there were no changes to the information which needs to be submitted to the Committee. She advised that in respect of condition 8 some information had already been considered by the Committee and further information had been received which would be considered in due course.

In light of the above, the proposer and seconder of the original amendment, replaced this with a proposal to defer the application until the information currently being considered by Development Management was ready for consideration by the Committee. The amendment was put to the vote and lost.

It was moved and duly seconded that the application to change the wording of the conditions be approved as the amendments do not materially alter the approved scheme.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application to change the wording of the conditions be</b>	<b>As officers recommendation as set out in the report which is</b>

<b>approved.</b>	<b>filed with the signed minutes.</b>
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6.3 19/0524/FUL Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU

**Grid Ref:** E: 309008 N: 306394

**Valid Date:** 26/03/2019

**Community Council:** Llanfair Caereinion Community Council

**Applicant:** Gareth Jones

**Location:** Rhiwhiriaeth Isaf, Llanfair Caereinion, Welshpool, Powys, SY21 0DU

**Proposal:** Erection of a poultry unit, associated silos and associated works

**Application Type:** Full Application

The Principal Planning Officer corrected her report in that the application site was 1.3 miles to the east of Llanfair Caereinion. She advised that if the Committee was minded to approve the application, the conditions were those contained in the update report.

It was moved and duly seconded that the application be approved subject to the conditions contained in the update report.

The Solicitor noted that the application was made by a Councillor. The Solicitor advised that he had reviewed the application file and confirmed that it had been processed “normally”, as required under the Planning Protocol.

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

6.4 19/1025/AGR Maesgwyn Uchaf, Guilsfield, Welshpool, Powys, SY21 9DE

**Grid Ref:** E: 317704 N: 311411

**Valid Date:**

**Community Council:** Community Council

**Applicant:** Powys County Council

**Location:** Maesgwyn Uchaf, Guilsfield, Welshpool, Powys, SY21 9DE

**Proposal:** Erection of agricultural buildings

**Application Type:** Agricultural Notification

It was moved and duly seconded that the application is permitted development and prior approval is not required.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<b>that the application is permitted development and prior approval is not required.</b>	<b>As officers recommendation as set out in the report which is filed with the signed minutes.</b>

<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 24 July, 2019 and 13 August, 2019.

It was noted that application 19/0407/FUL Ladywell Shopping Centre, New Church Street, Newtown, SY16 1AF had been refused under delegated authority [page 71 in agenda pack]. The Principal Planning Officer advised that the applicant had not provided the required information in respect of the economic justification for the proposal outweighing the harm to built heritage. The application had been refused on the impact on listing buildings and the conservation area.

<b>Taxi and other licensing</b>
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<b>8.</b>	<b>MINUTES OF TAXI LICENSING SUB-COMMITTEES</b>
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The Chair presiding at the Taxi Review Panel held on 30 July, 2019 was authorised to sign the minutes as a correct record.

**County Councillor K Lewis (Chair)**