

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD AT COUNCIL CHAMBER, COUNTY HALL - COUNTY HALL ON THURSDAY, 3 OCTOBER 2019

PRESENT

County Councillor K Lewis (Chair)

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

1. APOLOGIES

Apologies for absence were received from County Councillors L George, F H Jump and P C Pritchard.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 12 September, 2019.

Planning

3. DECLARATIONS OF INTEREST

(a) County Councillor G Pugh declared a prejudicial interest in applications 19/1236/DIS and 19/1356/DIS because he had been involved in discussions regarding the applications.

(b) County Councillor L Corfield requested that a record be made of her membership of Forden with Leighton and Trelystan Community Council where discussion had taken place of matters for the consideration of this Committee, but she had not taken part in those discussions.

(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 the following Members (who are not members of the Committee) would be speaking as the 'local representative' in respect of applications:

Councillor D Jones – 19/0050/FUL

Councillor L Roberts – 18/0532/RES

Councillor K Roberts-Jones – P/2017/1144 and 19/1374/NMA

Councillor B Baynham – 19/0963/FUL [noted when application considered].

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 19/0050/FUL Llidiart Wood, Laundry Lane, Moelygarth, Welshpool, SY21 9JF

Grid Ref:	E: 319608 N: 310036
Valid Date:	21/01/2019
Community Council:	Guilfield Community Council
Applicant:	Ms Sophia Perkins
Location:	Llidiart Wood, Laundry Lane, Moelygarth, Welshpool, SY21 9JF
Proposal:	Erection of a holiday cabin, improvements to the existing vehicle access and formalisation of a parking space and turning area
Application Type:	Full Application

County Councillor D Jones spoke as the local representative.
Mrs M Blackburn spoke against the application.
Mrs M Wellsford spoke against the application.
Mr P Bartley spoke on behalf of the applicant.

The Committee noted the letter from Welsh Government on behalf of the Welsh Minister regarding the request to call-in the application. In response to questions, the Solicitor explained that the Committee was able to consider the application. If it was minded to approve the application, it would only be prevented from granting the planning permission and would need to await the Welsh Minister's decision regarding the call-in.

The Principal Planning Officer advised that the recommendation was as contained in the Update, amended to read: Should Members be minded to approve the application then no planning permission shall be issued until confirmation of no call-in has been received from the Welsh Minister. It be delegated to the Professional Lead in consultation with the Chair and Vice Chair to issue the decision in the event that the Welsh Minister does not call-in the application.

The Highways Authority confirmed that it was content with the application and that the new passing bay could be accommodated within the existing highway verge. The Principal Planning Officer advised that Natural Resources Wales [NRW] had been consulted on the application and no objections had been received from it. If a third party prevented the applicant from improving the visibility splays at the access to the site, the applicant would not be able to

comply with the recommended conditions and the development would need to stop. The applicant would then need to come back to Development Management.

In response to questions about the ancient woodland and trees the Principal Planning Officer advised that ancient woodland and trees were protected from development which would result in their loss or deterioration. She considered that the proposed development would not have such an impact and in addition the applicant proposed a management scheme for the woodland which would have a positive impact on the area. She advised that under the Forestry Act 1967 woodland owners are allowed to carry out exempted works to manage and clear woods.

Comments were made about the application being acceptable under Policy TD1. The Professional Lead Development Management advised that support would be approved for developments in the open countryside, where applications would not detract from the overall character and appearance of the area. In response to questions the Principal Planning Officer advised that the building currently on site was ancillary to the main dwelling. If the applicant wished to change the use of this, planning permission may be required. The Committee was advised that the existing stone access track did not require any upgrading.

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

RESOLVED:	Reason for decision:
<p>That the Committee be minded to approve the application subject to the conditions set out in the report which is filed with the signed minutes and that no planning permission shall be issued until confirmation of no call-in has been received from the Welsh Minister. It be delegated to the Professional Lead in consultation with the Chair and Vice Chair to issue the decision in the event that the Welsh Minister does not call-in the application.</p>	<p>As officer's recommendation as set out in the update report which is filed with the signed minutes.</p> <p>To comply with the Welsh Minister's letter.</p>

Councillor D Price left the meeting.

4.3 18/0532/RES Land Near Plas Foxen, Foxen Manor Road, Four Crosses, Llanymynech, Powys SY22 6RG

Grid Ref: E: 327624 N: 318306

Valid Date: 03/10/2018

Community Council: Llandrinio and Arddleen Community Council

Applicant: Messrs W.R, J. R & T.J. Bowker

Location: Land near Plas Foxen, Foxen Manor Road, Four Crosses, Llanymynech, Powys SY22 6RG

Proposal: Reserved matters application for details of access, appearance, landscaping, layout and scale in connection with proposed 49 dwellings, garages, access road, footpaths, public open space and associated works

Application Type: Reserved Matters

The Principal Planning Officer advised that the proposal description was incorrect and should not refer to access, as this had been considered as part of the outline planning permission.

County Councillor L Roberts spoke as the local representative.
Mrs C Davies, Clerk spoke on behalf of Llandrinio and Arddleen Community Council.
Mr P Richards spoke as the Agent.

In response to questions the Principal Planning Officer advised that the proposed layout of the site was considered acceptable. In response to questions regarding flooding she advised that NRW had considered the application at the Outline Planning stage and was satisfied with the application. The ditch would be accessible for dredging purposes over the proposed fence.

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

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.	As officers recommendation as set out in the report which is filed with the signed minutes.

Councillor J Wilkinson left the meeting.

4.4 P/2017/1144 Land adj Uchel Dre, Common Road, Kerry, Powys, SY16 4PS.

Grid Ref: E: 314882 N: 289543

Valid Date: 03/10/2017

Community Council: Kerry Community Council

Applicant: Mr M Evans

Location: Land adj Uchel Dre, Common Road, Kerry, Powys, SY16 4PS

Proposal: Outline: Proposed residential development of 5 no. dwellings, formation of a vehicular access and all associated works (some matters reserved)

Application Type: Outline Planning

County Councillor K Roberts-Jones spoke as the local representative.

Mr A Kirk spoke as an objector.

Mr T Watkin spoke as the agent.

In response to questions the Principal Planning Officer advised that the proposed calming measures would not use third party or private land. The Highway Authority advised that although the road was tight in places, this was a small development of five dwellings and with the mitigation measures proposed by the applicant the development was acceptable with the appropriate conditions. The Highway Authority confirmed that if these conditions could not be met the development would not be able to continue.

In response to questions the Principal Planning Officer advised that a larger site for 17 dwellings was considered as a Candidate Site in the Local Development Plan [LDP]. However, due to the size and the associated highways issues the site was not included in the LDP. The Committee was advised that there was a proven need in the area for affordable housing. The Principal Planning Officer confirmed that condition 5 referred to affordable housing and the need to retain the dwellings as affordable housing in perpetuity.

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

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

The Committee adjourned for lunch at 13.35 hrs and reconvened at 13.55 hrs.

County Councillor E Vaughan left the meeting.

4.5 19/0963/FUL Land North Of Clatterbrune, Clatterbrune, Presteigne, Powys, LD8 2LB

Grid Ref: E: 332056 N: 264116

Valid Date: 20/06/2019

Community Council: Presteigne Town Council

Applicant: Mr & Mrs Griffiths
Location: Land North of Clatterbrune, Clatterbrune, Presteigne, Powys, LD8 2LB
Proposal: Erection of a dwelling and all associated works
Application Type: Full application

County Councillor B Baynham spoke as the local representative.
Mrs J Charlton spoke against the application.
Mr A Crow spoke against the application.
Mr A Carr spoke as the Agent.

In response to questions the Planning Officer advised that due to the topography of the site the ridge height of the proposed dwelling would be at the same height as the nearest bungalow. He also advised that the footprint for the dwelling had been turned 90 degrees from the previous application, so no windows would be overlooking other properties. The Highways Authority confirmed that the road was not a public highway and did not oppose the application subject to conditions being agreed.

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

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

The Chair brought the following application forward.

4.6 19/1374/NMA Village Hall, Sarn, Newtown, SY16 4EJ

Grid Ref: E: 320376 N: 290839
Valid Date: 27/08/2019
Community Council: Kerry Community Council
Applicant: Powys County Council
Location: Village Hall, Sarn, Newtown, SY16 4EJ
Proposal: Application for a non-material amendment to planning permission 18/0922/RES / P/2017/1489 in respect of previously approved plans
Application Type: Non-Material Amendment

County Councillor K Roberts-Jones spoke as the local representative.

It was moved and duly seconded to approve the application as recommended in the officer's report.

RESOLVED:	Reason for decision:
that the application be granted consent.	As officer's recommendation as set out in the report which is filed with the signed minutes.

County Councillor G Pugh having declared an interest left the meeting room for the next two applications.

4.7 19/1356/DIS : Abermule Business Park, Abermule, Montgomery, Powys

Grid Ref: E: 315775 N: 294250

Valid Date: 08/08/2019

Community Council: Abermule and Llandyssil Community Council

Applicant: Powys County Council

Location: Abermule Business Park, Abermule, Montgomery, Powys

Proposal: Application to discharge condition 17 of planning approval P/2018/0587

Application Type: Discharge of Condition

It was moved and duly seconded to approve the application as recommended in the officer's report.

RESOLVED:	Reason for decision:
that the condition be discharged.	As officer's recommendation as set out in the report which is filed with the signed minutes.

4.8 19/1236/DIS Abermule Business Park, Abermule, Newtown, Powys, SY15 6NU

Grid Ref: E: 315775 N: 294250

Valid Date: 08/08/2019

Community Council: Abermule and Llandyssil Community Council

Applicant: Powys County Council

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

Proposal: Discharge of conditions 8 and 19 (full) and 12 (outline) from planning consent P/2018/0587 in relation to contaminated land and the external colour of the bulking facility

Application Type: Discharge of Condition

It was moved and duly seconded to approve the application as recommended in the officer's update report.

RESOLVED: that the conditions be discharged.	Reason for decision: As officer's recommendation as set out in the update report which is filed with the signed minutes.
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County Councillor G Pugh returned to the meeting room.

The Professional Lead Development Management left the meeting room due to a prejudicial interest, as he knew a relative of the applicant.

4.9 19/1497/DIS Rock House, Rock House Farm, Trelystan, Leighton, Powys SY21 8HZ

Grid Ref: E: 327675 N: 304186

Valid Date: 09/09/2019

Community Council: Forden with Leighton & Trelystan Community Council

Applicant: Mr Richard Dearing

Location: Rock House, Rock House Farm, Trelystan, Leighton, Powys SY21 8HZ

Proposal: Discharge of condition 4 of planning consent P/2018/0713 (18/0043/FUL) (photographic survey)

Application Type: Discharge of Condition

It was moved and duly seconded to approve the application as recommended in the officer's report.

RESOLVED: that the condition be discharged.	Reason for decision: As officer's recommendation as
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	set out in the report which is filed with the signed minutes.
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The Professional Lead Development Management returned to the meeting room.

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 5 to 24 September, 2019.

County Councillor K Lewis (Chair)