

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at The Old Council Chamber, Shire Hall, Agincourt Square, Monmouth, NP25 3DY on Tuesday, 4th December, 2018 at 2.00 pm

PRESENT: County Councillor R. Edwards (Chairman)
County Councillor P. Clarke (Vice Chairman)

County Councillors: L. Brown, A. Davies, D. Dovey, D. Evans, M. Feakins, R. Harris, J. Higginson, P. Murphy, M. Powell and A. Webb

County Councillors M. Groucutt and F. Taylor attended the meeting by invitation of the Chair.

County Councillor M. Feakins left the meeting during consideration of application DC/2011/00083 and did not return.

County Councillor D. Dovey left the meeting following consideration of application DC/2011/00083 and did not return.

OFFICERS IN ATTENDANCE:

Mark Hand	Head of Planning, Housing and Place-Shaping
Philip Thomas	Development Services Manager
Craig O'Connor	Development Management Area Team Manager
Andrew Jones	Development Management Area Team Manager
Joanne Chase	Solicitor
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillor G. Howard

1. Declarations of Interest

There were no declarations of interest made by Members.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 6th November 2018 were confirmed and signed by the Chair.

The Head of Planning, Housing and Place Shaping informed the Committee that the Welsh Government had come to a decision to not call-in application DM/2018/00880 - Church Road, Caldicot. That means that the Council is free to issue the approval.

It was noted that a nearby Scheduled Ancient Monument, on the other side of the SSSI valley, had not been considered and Cadw had not been consulted.

However, the Welsh Government has consulted Cadw as part of its consideration of the call-in request. Cadw has highlighted the Authority's error but has also confirmed that it

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does not object to the proposed development. As such, the assessment of the application is not affected.

3. Application DC/2015/00554 - Construction of detached dwelling with parking and turning provision for 3 cars on existing domestic curtilage. Site adjacent to Cefn-y-Bryn, Grosmont, NP7 8ES

We considered the report of the application, and late correspondence, which was recommended for approval subject to the five conditions as outlined in the report.

The Planning Committee had previously considered this application on 3rd July 2018 where it had been deferred to allow officers to negotiate with the applicant with a view to establishing a better solution to accommodate safer parking provision at the site with appropriate conditions in respect of the materials to be used.

It was noted that the Highways Department still has some concerns but had not commented formally on the revision. It was considered that the applicant had done enough to provide a reasonable level of parking provision and that this application was the best compromise that could be achieved. With regard to the turning area, it was considered that a vehicle could leave the proposed dwelling in a forward gear.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor R. Harris that application DC/2015/00554 be approved subject to the five conditions as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2015/00554 be approved subject to the five conditions as outlined in the report.

4. Application DC/2018/00138 - Erection of 2 no. Stable Blocks (amended to 1 no.) Land off Great Oak Farm Road, Bryngwyn, Raglan, Monmouthshire, NP15 2AN

We considered the report of the application, and late correspondence, which was recommended for approval subject to the conditions as outlined in the report.

The Planning Committee had previously considered this application on 7th August 2018. After discussions about the merits of the application, The Planning Committee had deferred consideration of the application until a revised site layout had been produced showing the stable block to be moved further away from the adjacent neighbour's property at Box Bush Barn.

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Having received the revised plan, the application was then re-presented to Planning Committee. The development was then noted as being major development, as the site area exceeded one hectare and thus the proposal needed appropriate publicity to be regarded as a valid application. Following this, the application had been amended so that the site area was now under one hectare, having been reduced to the single field adjacent to the highway. The site measures 0.99 hectares. The proposed stable block has been moved further down the field away from the immediate neighbouring property Box Bush Barn and is now sited 43 metres away from the adjoining boundary. The proposed location of the manure heap is 60 metres away from the neighbouring boundary at Box Bush Barn.

A condition would be added, if consent is granted, as follows:

“No waste from the stabling and keeping of horses on the site shall be permitted other than in the location shown on the approved drawing.”

Reason: in the interest of local residential amenity.

Having considered the report of the application it was considered that improvements had been made to the access and the stables would be relocated.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2018/00138 be approved subject to the conditions as outlined in the report with an additional condition to ensure waste from the development is only stored in the location for the waste shown on the approved layout plan.

Upon being put to the vote, the following votes were recorded:

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2018/00138 be approved subject to the conditions as outlined in the report with an additional condition to ensure waste from the development is only stored in the location for the waste shown on the approved layout plan.

5. Application DM/2018/00417 - Improved visibility vehicular access to New House, close up existing access. New House Usk Road Llangwm Usk Monmouthshire

We considered the report of the application, and late correspondence, which was recommended for approval subject to the five conditions as outlined in the report.

In noting the detail of the application it was considered that the existing access was dangerous and needed to be closed. The proposed access had improved visibility and space.

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It was proposed by County Councillor P. Murphy and seconded by County Councillor R. Harris that application DM/2018/00417 be approved subject to the five conditions as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/00417 be approved subject to the five conditions as outlined in the report.

6. Application DM/2018/00466 - Provision of a new Public Lift to provide wheelchair access to the Library Hub on the first floor and Theatre on the second and third floor and staff access to the basement. Refurbish existing lift. Internal remodelling of existing ground floor office space to form Theatre foyer & office. Internal remodelling of existing first floor office space to form a new Library Hub & Mayor's Parlour offices. Provision of a new Library Extension. Provision of Stair lift access to provide wheelchair access to the Bar & WC in the Theatre on the second floor. Provision of a new rooftop plant deck. Abergavenny Town Hall, Abergavenny Town And Market Hall, Cross Street, Abergavenny

We considered the report of the application, and late correspondence, which was recommended for approval subject to the two conditions as outlined in the report.

In noting the detail of the application it was considered that this development was urgently needed to improve the existing facilities within the building.

It was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DM/2018/00466 be approved subject to the two conditions as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/00466 be approved subject to the two conditions as outlined in the report.

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7. Application DM/2018/00908 - Extend opening hours only on Friday and Saturday nights from 00:00 to 2:00am. 35 Frogmore Street Abergavenny Monmouthshire NP7 5AN

We considered the report of the application, and late correspondence, which was recommended for approval subject to the two conditions as outlined in the report.

The application seeks to extend the opening hours of an existing kebab shop in the centre of Abergavenny on Friday and Saturday nights from midnight to 2.00am.

An application to extend the opening hours to 2.00am was refused in 2017 as it was considered that there had been no material changes since a dismissed appeal in 2006. However, since this time the kebab shop has been granted a license by Monmouthshire County Council's Environmental Health Department to open until 2.00am. This application seeks to amend the condition on the original planning approval for the A3 use to match this licence.

In noting the detail of the application, it was proposed by County Councillor M. Powell and seconded by County Councillor L. Brown that application DM/2018/00908 be approved for a temporary period of twelve months to enable a review of how the use is being managed and that the Planning Department liaises with the Environmental Health Department to establish the Planning Committee's request to monitor this extended use over this period.

Upon being put to the vote, the following votes were recorded:

In favour of the proposal	-	11
Against the proposal	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/00908 be approved for a temporary period of twelve months to enable a review of how the use is being managed and that the Planning Department liaises with the Environmental Health Department to establish the Planning Committee's request to monitor this extended use over this period.

8. Application DC/2018/01143 - Outline permission for one building plot in garden of Brookside. Brookside, Well Lane, Llanfair Discoed

We considered the report of the application, and late correspondence, which was recommended for approval subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement.

We resolved that we be minded to defer consideration of application DC/2018/01143 to the next Planning Committee meeting to ensure that public speaking takes place.

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9. Application DM/2018/01283 - Development of 2 no. residential dwellings and associated works. Infill Plot 1 And 2 At Garden Of Hillcrest Lansdown Road Abergavenny Monmouthshire

We considered the report of the application, and late correspondence, which was recommended for approval subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement.

The local Member for Lansdown, attending the meeting by invitation of the Chair, outlined for following points:

- The application is opposed by Abergavenny Town Council, Abergavenny Civic Society and local residents as it was considered that the proposed development would result in overdevelopment of the site and would be out of keeping with the surrounding area.
- Woodland would be removed to accommodate two large detached houses.
- Lansdown Road consists of listed and Victorian properties.
- The application does not comply with the Local Development Plan (LDP).
- The proposal will result in an adverse impact on the amenity of other properties along Lansdown Road and Highfield Crescent.
- The application process has not been totally transparent as Highfield residents had not been consulted on the proposal.
- The local Member and objectors would accept one property on the site but not two.
- Bungalows on the site would be appropriate.
- No further development of the site should be a condition should the application be approved.

Having considered the report of the application and the views expressed by the local Member, the following points were noted:

- The application has already received outline planning permission for two detached dwellings so changing the proposal to accommodate bungalows is not an option.
- Local residents have been consulted.
- Some Members considered that the proposed development is in keeping with the surrounding area.

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- There will be some trees retained on the site.
- Other Members considered that the application does not comply with Policy DES1 and that the proposed development is not in keeping with the existing street scene. In response, the Development Management Area Manager informed the Committee that the proposed development will be located on a lower density site in a large plot setting with a mix of houses in the area. The proposed development is therefore not considered to be out of keeping for the area.
- Conditions be added to the application to address samples of materials to be approved. The Delegation Panel to consider the palette of materials proposed and to consider future permitted development rights.

The local Member summed up as follows:

- The application was outside of the LDP.
- The proposed development will create a negative impact on the street scene.
- If approved, a request was made for future permitted development rights to be removed at this site.

It was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DM/2018/01283 be approved subject to:

- The six conditions as outlined in the report.
- A Section 106 Legal Agreement.
- Conditions being added to the application to address samples of materials to be approved.
- The Delegation Panel considering the palette of materials proposed.

However, the proposer and seconder were asked if they would amend their proposal to include no further permitted development rights on the site, which was agreed.

The Chair therefore asked the Committee to vote on whether to remove future permitted development rights on the site.

Upon being put to the vote, the following votes were recorded:

In favour of the removal of future permitted development rights	-	8
Against the removal of future permitted development rights	-	2
Abstentions	-	0

The proposal to remove future permitted development rights was carried:

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It was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DM/2018/01283 be approved subject to:

- The six conditions as outlined in the report.
- A Section 106 Legal Agreement.
- Conditions being added to the application to address samples of materials to be approved.
- The Delegation Panel considering the palette of materials proposed.
- Future permitted development rights being removed.

Upon being put to the vote, the following votes were recorded:

In favour of the proposal	-	11
Against the proposal	-	0
Abstentions	-	1

The proposition was carried.

We resolved application DM/2018/01283 be approved subject to:

- The six conditions as outlined in the report.
- A Section 106 Legal Agreement.
- Conditions being added to the application to address samples of materials to be approved.
- The Delegation Panel considering the palette of materials proposed.
- Future permitted development rights being removed.

10. Application DC/2011/00083 - Proposed retail development (detailed submission) (Amended plans received 12/09/2018). Magor Motors, Newport Road, Magor

We considered the report of the application, and late correspondence, which was recommended for approval subject to the 22 conditions as outlined in the report and subject to a Section 106 Legal Agreement.

The application was reported to Planning Committee on 17th January 2012 whereby the Committee resolved to approve the application subject to the applicant entering into a Section 106 legal agreement to provide:

- Use of the Wheatsheaf car park as an overflow car park in perpetuity.

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- The provision, maintenance and updating of signage and information boards about facilities available in the Magor central shopping area and the history of the locality including Magor Conservation Area.
- Off-site road works including in respect of the service exit onto Main Road and the provision of a section of footway past the site on Newport Road.

The local Member for Mill ward attended the meeting by invitation of the Chair and outlined the following points:

- The proposed development does not offer a sustainable future for Magor Square and does not enhance the central shopping area.
- The proposed retail development is neither a convenience store nor is it a trolley shop establishment.
- There were concerns as to how the proposed retail development will enhance footfall into Magor Square.
- Footfall to Magor Square is currently dropping.
- Approval of the proposed retail development would be detrimental to the existing Co-op store which might lead to the closure of the store.
- The Internal Drainage Board no longer exists. It is not clear from the report whether an up to date response has been received from the appropriate body in respect of surface water run-off into the adjacent river.
- The Committee was asked to defer consideration of the application in order to obtain a response from Natural Resources Wales (NRW) and Welsh Water.
- The Highways Department has reservations regarding egress onto the B4245.
- In recognition of the safe route to school, an enhanced footway would be required, due to increased vehicle movements.

Ms. S. Franklin, representing supporters of the application, attended the meeting by invitation of the Chair and outlined the following points:

- The proposed retail development will bring businesses and people into Magor Square.
- The Co-op is not located within Magor Square and does not bring people into the Square.
- Footfall to Magor Square has been declining over the last three years due to inadequate signage.

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- With further housing development coming into Magor there is a need for the proposed retail development.
- The proposed retail development will help to regenerate footfall to Magor Square.

Having considered the report of the application and the views expressed, the following points were noted:

- The area as a whole was developing and therefore required a retail development at this location.
- Car parking provision is an issue in this area. However, there were existing car parks in the area.
- Residents would be encouraged to shop locally if there was a choice. Approval of the application will provide this choice.
- The proposed retail development will help to retain the post office and be a benefit to the local community.
- It was considered that an amendment to condition 5 was required to include submission, approval and implementation of a Travel Plan for staff of the proposed store.
- Caldicot and Wentlooge Internal Drainage Boards had been incorporated into Natural Resources Wales (NRW). Therefore, consultation had been undertaken with the appropriate body. It was noted that under the original application, consultation had been undertaken and no objections had been received.

The local Member summed up as follows:

- Concern was expressed regarding the lack of consultation.
- The Internal Drainage Board being incorporated into Natural Resources Wales had not been made clear.

It was proposed by County Councillor A. Davies and seconded by County Councillor D. Evans that application DC/2011/00083 be approved subject to the 22 conditions as outlined in the report and subject to a Section 106 Legal Agreement. Condition 5 be amended to include submission, approval and implementation of a Travel Plan for staff of the proposed store.

Upon being put to the vote, the following votes were recorded:

In favour of the proposal	-	9
Against the proposal	-	0
Abstentions	-	2

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The proposition was carried.

We resolved that application DC/2011/00083 be approved subject to the 22 conditions as outlined in the report and subject to a Section 106 Legal Agreement. Condition 5 be amended to include submission, approval and implementation of a Travel Plan for staff of the proposed store.

11. Application DM/2018/01496 - Demolition of existing bungalow and erection of 2 no. two-storey dwelling houses with associated works. The Slades, Tump Lane, Undy

We considered the report of the application, and late correspondence, which was recommended for approval subject to the 10 conditions as outlined in the report and subject to a Section 106 Legal Agreement.

In noting the detail of the application, it was proposed by County Councillor D. Evans and seconded by County Councillor J. Higginson that application DM/2018/01496 be approved subject to the 10 conditions as outlined in the report and subject to a Section 106 Legal Agreement.

Upon being put to the vote, the following votes were recorded:

For approval	-	10
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/01496 be approved subject to the 10 conditions as outlined in the report and subject to a Section 106 Legal Agreement.

12. Application DM/2018/01525 - Proposed Cattle Building & Removal of Former Cattle Shed. Kemeys House Farm Church Lane Kemeys Commander Gwehelog Usk

We considered the report of the application which was recommended for approval subject to the three conditions as outlined in the report.

In noting the detail of the application, it was proposed by County Councillor P. Murphy and seconded by County Councillor R. Edwards that application DM/2018/01525 be approved subject to the three conditions as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	10
Against approval	-	0
Abstentions	-	0

The proposition was carried.

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We resolved that application DM/2018/01525 be approved subject to the three conditions as outlined in the report.

13. Application DM/2018/01526 - Agricultural building housing farm animals. Kemeys House Farm Church Lane Kemeys Commander Gwehelog Usk

We considered the report of the application, and late correspondence, which was recommended for approval subject to the three conditions as outlined in the report.

In noting the detail of the application, it was proposed by County Councillor P. Murphy and seconded by County Councillor R. Edwards that application DM/2018/01526 be approved subject to the three conditions as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	10
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/01526 be approved subject to the three conditions as outlined in the report.

14. Application DM/2018/01575 - Construction of 2no. Residential Dwellings. Cap House Grosmont Road, Llangua, Grosmont, Abergavenny

We considered the report of the application, and late correspondence, which was presented for refusal for one reason.

In noting the detail of the application and the recommendation for refusal, it was proposed by County Councillor P. Murphy and seconded by County Councillor R. Edwards that application DM/2018/01575 be refused for the one reason, as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For refusal	-	10
Against refusal	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/01575 be refused for the one reason, as outlined in the report.

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15. Appeal decision - 10 - 14 St. Mary Street, Monmouth

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 31st October 2018. Site address: 10 - 14 St. Mary Street, Monmouth.

We noted that the appeal was allowed and listed building consent was granted for the opening up of the floor at the rear of the courtyard to investigate lower layers and doorway to cellar at 10 - 14 St. Mary Street, Monmouth NP25 3DB in accordance with the terms of the application Ref DC/2017/01380, dated 27th November 2017 and the plans submitted with it subject to the conditions set out in the annex to the decision.

16. Appeal decision costs - 10 - 14 St Mary Street, Monmouth

We received the Planning Inspectorate report which related to a costs decision following a site visit that had been made on 31st October 2018. Site address: 10 - 14 St. Mary Street, Monmouth.

We noted that the application for an award of costs was refused.

17. Appeal decision - 1 Ramp Cottage, Undy, Caldicot

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 31st October 2018. Site address: 1 Ramp Cottage, Undy, Caldicot.

We noted that the appeal was dismissed.

18. Appeal decision costs - 1 Ramp Cottage, Undy, Caldicot

We received the Planning Inspectorate report which related to a costs decision following a site visit that had been made on 31st October 2018. Site address: 1 Ramp Cottage, Undy, Caldicot.

We noted that the application for an award of costs was refused.

The meeting ended at 4.30 pm.