

# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of Planning Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 5th March, 2019 at 2.00 pm

**PRESENT:** County Councillor P. Clarke (Vice Chairman)

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

County Councillors A. Easson and J. Watkins attended the meeting by invitation of the Vice-Chair.

County Councillor J. Becker left the meeting during consideration of application DM/2018/00880 and before its determination.

### **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
John Rogers	Legal Officer
Shirley Wiggam	Senior Strategy & Policy Officer
Louise Corbett	Senior Strategy & Policy Officer
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillors: R. Edwards, D. Blakebrough and G. Howard

#### **1. Declarations of Interest**

County Councillor A. Davies declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/00880 as he is a resident of Church Road which is directly affected by the proposal. He left the meeting taking no part in the discussion or voting thereon.

County Councillor D. Evans declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/01635 as he is a member of Monmouthshire Housing Association Committee. He left the meeting taking no part in the discussion or voting thereon.

County Councillor A Webb declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/01635 as she is a Board Member of Monmouthshire Housing Association. She left the meeting taking no part in the discussion or voting thereon.

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### **2. Confirmation of Minutes**

The minutes of the Planning Committee meeting dated 5<sup>th</sup> February 2019 were confirmed and signed by the Vice-Chair subject to the following amendment.

Application DM/2018/01606 – Final sentence of the final paragraph to read as follows:

However, before issuing the decision, ensure design details of house types (including overhanging eaves, cills and headers) are reviewed and agreed via the Delegation Panel.

### **3. Application DM/2018/00880: Outline application for up to 130 dwellings, provision of new open space including a new community park and other amenity space - Land to east of Church Road, Caldicot**

We considered the report of the application which was recommended for approval subject to a Section 106 agreement and planning conditions as set out in the previous report to Planning Committee of 6<sup>th</sup> November 2018.

The application is re-presented to Planning Committee for consideration due to the data error on housing completions against Local Development Plan (LDP) targets, included in the 20<sup>th</sup> September 2019 Council report and duplicated in the 6<sup>th</sup> November 2018 Planning Committee report for this item. The Committee was invited to consider the application afresh. In addition, the application has been reviewed against Planning Policy Wales 10 (PPW10), which is an updated national planning policy which has been published since the Committee considered the application in November 2019. The impact on Scheduled Ancient Monuments has been considered by Cadw and no objection is offered.

The proposed development would make a significant and timely contribution to the Authority's housing land supply shortfall and the 35% affordable housing would help to address the significant affordability challenge facing Monmouthshire's communities. The proposal is considered to comply with the 11 ground rules agreed by Council on 21<sup>st</sup> February 2019, and it is considered to accord with the policies set out in PPW10.

The local Member for Caldicot Castle attended the meeting by invitation of the Vice-Chair and outlined the following points:

- The local Member stated that she was in attendance to represent the views of local residents in respect of this application which included many objectors and a small number of supporters for the application.
- Concerns were expressed regarding the infrastructure within Caldicot. The local GP surgery has long waiting times and there are difficulties for residents to obtain a NHS dentist.
- Local schools are at capacity.

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- Aneurin Bevan University Health Board has had difficulties with regard to recruitment.
- Schools are covered by the Section 106 arrangement. Schools are already full and it was considered that the Authority cannot wait for the houses to become occupied, obtain the Section 106 Funding before building the extra school places that are required.
- Concerns have been raised regarding the archaeological remains found in the Neddern Rise and whether more artefacts might be found on this site.
- Concerns have been raised regard the increased traffic flows and the impact on air quality which might cause damage to the Roman ruins in Caerwent.
- The site contains a public right of way. Although the site will retain the right of way, it will no longer be an attractive country walk as it will traverse a housing estate. There are concerns that this will force the walkers into the Site of Special Scientific Interest (SSSI) which could create a negative effect on the wildlife.
- Natural Resources Wales (NRW) has stated that it wishes to deter walkers from the SSSI while the birds are wintering at this location.
- Concerns have been expressed that people will chose to walk in the countryside rather that use the right of way.
- The local Member expressed her grave concerns regarding road safety on Church Road, especially at school drop off and pick up times. An increase in traffic on Church Road would exacerbate an already dangerous situation.
- Another road safety concern is having the main entrance to the site being through Heol Sirhowy and Heol Trothy. These are very small estate roads with children playing in the streets.
- There is a high pressure gas main through the site and there are concerns with regard to how this site will be developed. Recent incidents on the site have caused considerable stress and concern to residents.
- Concern was expressed regarding the increased strain on the roads surrounding Caldicot and the nearby areas, potentially leading to increased strain on all of these commuting routes.
- Noise pollution from the M48 will potentially become an increasing problem if the tree barrier is reduced.
- Several people have expressed concerns regarding increased flooding risks in the Castle grounds.

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- The primary area of concern has been the proximity of the proposed development to the ecology of the SSSI. The site is valuable to over wintering birds, bats and insects. Insect habitats are threatened.
- In permitting a development so close to the SSSI, there are concerns that this might set a precedent.
- The local Member would prefer that this site is considered as a candidate site as part of the review of the Local Development Plan (LDP).

Mr. R. Rice, representing objectors, attended the meeting by invitation of the Chair and outlined the following points:

- There was a major error in the supporting evidence concerning the availability of affordable housing which was a County Council error. The error had been identified by a member of the public.
- The evidence relied upon to justify the original decision to approve the application in November 2018 had changed significantly. The decision had been made based on incorrect data that indicated a shortfall in housing availability, particularly affordable housing. The shortfall is now significantly less. According to the Authority's targets, it is now 38.
- Concern was expressed that this incorrect information went unnoticed and had been used to justify a departure from the LDP.
- The Church Road Development is outside of the LDP.
- To ensure that there are no other errors, objectors consider that this site should go forward into the next LDP and go through proper considered and validated processes in scrutiny to ensure that all facts are known.
- It has been stated in previous meetings and supporting documents that the 45 affordable homes, included this development are non-negotiable.
- A question was raised regarding how many developments inside of the LDP have achieved the target on affordable homes.
- Similar questions regarding five key sites were asked by a County Councillor at the February 2019 Council meeting which have not been answered.
- The Sudbrook development will only achieve 9% affordable housing and not 25%. Sudbrook was in the LDP and was a brownfield site. If the 25% affordable housing had been achieved on this development, the target would have been met based on the corrected data.
- Penalties should be incurred by developers for not meeting the 25% / 35% affordable housing provision.

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- The consequences have resulted in approval of further developments in order to achieve the affordable housing targets, resulting in environmental and financial costs being associated with this course of action.
- The County Council's justification for this development is based on affordable housing without due regard for the local overstretched infrastructure or the SSSI.
- Safety has become a major concern. Wales and West Utilities was not given advanced notice of work being undertaken at the site which contains a high pressure gas line. This is critical to public safety.
- Previous Church Road developments have not delivered in what had been agreed at this stage of the process.
- The Planning Committee's decision must be made on facts linked to the revised evidence.
- This development should be rejected and put forward to the next LDP for full and considered appraisal on all facts.
- The principle reasons for allowing the departure from the LDP have been shown to be flawed and therefore invalid and that the original decision should be reversed as there is no justification for allowing this development.
- An overwhelming number of residents, Caldicot Town Council and Caerwent Community Council are against this development.

Mr. R. Hepher, the applicant's agent, attended the meeting by invitation of the Vice-Chair and outlined the following points:

- All the points raised over the previous 10 months since the planning application was submitted have been thoroughly assessed by the Planning Department and it had been concluded that, on balance, the application should be recommended for approval.
- The Planning Committee, in November 2018, had resolved to approve the application. The case in favour of the application is now even stronger than it was in November 2018.
- We now have the new PPW10 which sets out strong guidance on how sites for development should be selected and how they should be planned and developed. This scheme is in accordance with that advice.
- With regard to housing numbers, there is still a serious deficiency in terms of the five year supply.
- The economic and social needs of the County, which are impacted by that deficiency remain unchanged.

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- There still remains the serious prospect of a shortfall in delivery by the end of the current Local Development Plan period.
- The need for affordable housing remains a high priority.
- There is no improvement in terms of the housing supply and delivery position. In fact, it remains even more acute than in November 2018.
- This is a well considered and sustainable scheme expected to create a distinctive place fostering social cohesion and the wellbeing of its residents.
- The scheme adheres to the Council's 11 ground rules.
- The scheme has been to Welsh Government who has indicated that it is content with it.
- There is an overwhelming planning logic for this land to be developed.
- If permission is granted to develop the site, work will commence quickly with the planning benefits also arriving quickly.

The Head of Planning, Housing and Place Shaping informed the Planning Committee that he had received some correspondence from Caldicot Town Council, details as follows:

Caldicot Town Council supports the need for affordable housing. However, the Town Council had refused the application.

- The proposed development is outside of the LDP.
- There is insufficient infrastructure.
- There is a lack of primary school places in the Caldicot area.
- The doctor's surgery will struggle due to the increased numbers of patients, not just from this development but from developments at Crick, Sudbrook, Magor and Undy.
- Church Road is the main road that traverses Caerwent and into the town centre. Additional traffic will cause a 'bottle neck', especially during school opening and closing times causing a risk to the children's safety.

Further information from Councillor Rachel Garrick of Caldicot Town Council was also provided, as follows:

'I am one of the town councillors for Caldicot Castle ward. As you are aware, the application for the Church Road housing development is due at the Planning Committee today. There appears to have been an oversight in that Caldicot Town

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Council did not receive any formal notification from Monmouthshire County Council on this application going back to Planning. As a result, the Town Council has missed the opportunity to formally nominate a councillor to address the planning meeting on behalf of the council and residents. The Town Council has previously objected to this development.

As a town council ward councillor for the area, residents have raised concerns with me on the development. Many concerns focus on the transport issues in and around Church Road at peak times. I am particularly concerned about this in light of the recent upheaval in Chepstow where additional planning is desperately needed to alleviate congestion. At the moment, Church Road is heavily congested during peak time and has similar geographic features to Chepstow in that the surrounding hill creates a basin which is, in effect, a sink for pollution.

Much of the congestion focuses around school pick-ups and drop offs and the congestion will affect young children who are particularly susceptible to air pollution. The concern has also been expressed about the safety of children who currently play and cycle in the local housing estate which will become a through route for the new development. This concern is particularly high as there does not seem to be a fully formed plan for an alternative access route to the development.

Further concerns have been raised by the residents on environmental factors with genuine worry that the building work will affect the species present in the adjacent site of special scientific interest. There is concern the tree screen that is proposed may be far from adequate and will take many years to reach maturity to actually provide the break needed between the development and the SSSI to protect its habitat (by which time it will be too late).

There are additional concerns running along pollution potential for the Neddern brook which has previously been affected by local housing developments. Whilst I appreciate that there will be no direct discharge into this body of water from the proposed houses, there is concern that a development will affect the area's ability to drain and that washings from activities such as car washing and window washing will ultimately pollute the Neddern. I am also concerned about the potential for construction discharges under any construction water discharge permits being able to affect this local body of water.

Concerns have been raised by local residents who use the public right of way for recreational purposes and feel that this will be changed and devalued as part of the development.

Significant concern has been raised by residents over the presence of the high pressure gas line running through the development. Having worked in the construction, electricity and utilities industries for around 20 years I am very familiar with the realities of utility strikes in construction work. Striking a high pressure gas line would be potentially devastating to the local community in terms of danger to life. Whilst safe systems of work will exist, a busy building site will inevitably suffer some utility strikes and this is a very real safety risk.

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The Town Council objected to this development based on a lack of planning for schools. The Town Council is aware of the County Council's plan to raise around £1.6 million for education contributions from local development across the Severnside area. However, no plans exist for an additional primary school and proposals are that the places will be created in already space compromised local schools. A proposal to extend the capacity of the local faith school as a principle solution to general requirements is not acceptable to many families who wish the children to either pursue other religions or enjoy a largely secular education and should not be the main solution to a dearth of educational places.

It should also be noted that some of the schools in Caldicot have now slipped to amber ratings, including the school located in the ward, and that an approach of cramming more children into the oversubscribed schools is not the way to improve education.'

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

- Members expressed sympathy for the objectors to the application. However, affordable housing is required at this location, in particular for local young people.
- There is not a requirement to wait for the funding to be provided in order to make improvements to schools. The Authority can borrow against this. Therefore, any improvements to school buildings or extra capacity required can be built in preparation for the demands on the system.
- In response to a question raised regarding the viability of sites impacting on the numbers of affordable housing, it was noted that the Sudbrook site was a brownfield site with significant viability issues. This site has a clear corridor to allow the gas main to go through.
- The error in the calculations has reduced the amount of the shortfall. However, there is still a substantial shortfall on the houses being built, despite planning permission having been given for many of them.
- Waiting for the new LDP will not help in this situation but only delay development at the site.
- More houses, in particular affordable houses, are required in the area and development at this site will achieve this.
- Concern was expressed regarding the infrastructure of the site. There is a need to look at surrounding roads and the corridor between Lydney in Gloucestershire and Caldicot, as it impacts Chepstow in relation to the traffic that travels towards the motorway commute to Bristol.
- There is difficulty for local people in the area obtaining appointments to see their GP. Concern had been previously expressed regarding this matter when the application had been considered in November 2018 and it was considered that this matter had not been addressed. Development of the site should be



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considered against the new LDP so that infrastructure of the roads could be addressed across the area and address the cumulative impact.

- In response, the Head of Planning, Housing and Place Shaping informed the Committee that with regard to the road infrastructure, comments had been made at the November 2018 Planning Committee in respect of this matter and it had been noted that roads were looked at across the wider network and not to the nearest T junction. A seminar regarding this matter was being arranged for Members in the near future. The cumulative impact is looked at for other consented or LDP schemes that are coming forward.
- In terms of primary healthcare facilities, the Head of Planning, Housing and Place Shaping informed the Committee that there is no further change to that reported at the November 2018 Planning Committee meeting. The Health Board has outlined in the report that there is a capacity concern but the solution to that is by expanding the local GP surgery with an extra GP. That does not require the building or the car park to be extended so there is no requirement for a Section 106 contribution. The Health Board recognises a capacity issue in this locality and can address it by providing an additional GP at the local surgery.

It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DM/2018/00880 be approved subject to a Section 106 agreement and planning conditions as set out in the previous report to Planning Committee of 6<sup>th</sup> November 2018.

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

For approval	-	7
Against approval	-	1
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2018/00880 be approved subject to a Section 106 agreement and planning conditions as set out in the previous report to Planning Committee of 6<sup>th</sup> November 2018. The application will be referred to Welsh Government under the 2012 Notification Direction.

#### **4. Application DM/2018/00894: Conversion of existing outbuilding into two new 3-bedroom dwelling houses, Hatcham Barn, Cwrt William Jones, Monmouth**

We considered the report of the application which was recommended for approval subject to the 12 conditions, as outlined in the report and subject to a Section 106 Legal Agreement.

Mr. D. Rogers, objecting to the application, attended the meeting by invitation of the Chair and outlined the following points:

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- The report is predicated on the principle of how it compares with the application as it stood prior to some minor amendments by the applicant. That is a comparison that does not take into account the existing site, neither does it take into account the existing planning permission.
- The permission identified was part of the overall redevelopment of the Haberdashers boarding houses, one of which is now occupied by the objector.
- The existing planning permission is for a four bed barn conversion but it did have an additional new building at the rear which was discarded prior to consideration by the Planning Committee.
- With the present application, by raising the roof and increasing the usable floor area on a first floor level and by inserting an additional extension of the rear, the application returns to the permission that the Committee did not consider but would have refused.
- The rise of the building has been achieved by a set of louvre wooden framework below the gutter line and as a consequence raising the ridge height.
- Behind the louvres there are a series of windows which, contrary to information received by officers regarding overlooking, is not properly considered by the report.
- The report indicates that there are no windows on the gable end to the rear of number 11. However, what is not taken into account is that there are a series of windows which will be reopened on the flank of the building which is partially adjacent to the objector's rear garden. Above that, there will be a series of additional windows behind the louvre which cannot be seen and create an impression of a secret overlooking. This will have a detrimental effect on the whole of the rear garden of St. James' House.
- The report of the application refers to the shortfall in parking on the site. The existing permission allowed sufficient parking for a four bedroomed property. This was important to the Planning Committee when it considered the total redevelopment of the area of the Haberdashers properties and all of the properties as they were being considered had to meet the minimum parking standard. However, this has been abandoned.
- The objector asked the Committee to consider refusing the application as it currently stands.

The local Member for Drybridge, Monmouth, also a Planning Committee Member, outlined the following points:

- The scheme cannot be viewed in isolation. This development has come forward to the Committee as a part of the scheme previously that was refused and then accepted.

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- This barn came forward as a conversion of a building to a four bedroomed dwelling and permitted development rights were removed at that time.
- There have been a number of issues around this development previously regarding the road, access and the setting.
- The background history has to be read in conjunction with the current application.
- The application should be considered as a new development with an affordable housing contribution being provided.
- The application refers to a much higher building with a conversion that is twice the footprint. The application is not the same development but is twice the development that had been previously presented to Committee.
- In the design and access statement it was proposed that this development would be brought forward as a self-build and would look to sidestep the policy of providing provision for affordable housing commuted sum.
- The design is subjective. The transport statement has been considered as well as the issue of parking. However, there lies an issue around affordable housing provision and deferral of the application should be considered on the basis that affordable housing provision should be considered for two affordable housing contributions.
- In response, it was noted that this application should be considered as a new application. However, in terms of the affordable housing contribution, there is extant planning consent which could be implemented for a four bedroomed house to go onto the site which would not be subject to any affordable housing contribution. The net increase is for one dwelling over and above what has been previously approved. In terms of self build, there is an exemption to provide an affordable housing contribution.

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

- The parking provision does not meet the parking policy. There are double yellow lines throughout the area reducing on street parking provision. In response, it was noted that the four bedroomed property had three parking spaces in the same location.

It was proposed by County Councillor M. Feakins and seconded by County Councillor A. Webb that we be minded to defer consideration of application DM/2018/00894 to explore the affordable housing contribution and that the application be re-presented to a future Planning Committee meeting for consideration.

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

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For deferral	-	11
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that we be minded to defer consideration of application DM/2018/00894 to explore the affordable housing contribution and that the application be re-presented to a future Planning Committee meeting for consideration.

#### **5. Application DM/2018/01339: The implementation of consent DC/2014/00161 after storm damage, all details are to be reconstructed as original approved design - Old Manor Cwrt B4233, Trothy Bridge to Pen-y-Parc, Llantilio Crossenny**

We considered the report of the application which was presented for refusal for two reasons, as outlined in the report.

The applicant's agent, Mr. D. Smith, attended the meeting by invitation of the Vice-Chair and outlined the following points:

- Planning approval was granted in 2014 for this conversion. In December 2016 work commenced.
- Inclement weather had destabilised the building.
- The applicant had arranged for a health and safety specialist to visit the site resulting in a range of measures being taken to try and ensure that the building was saved.
- The report describes the building as being demolished. However, this was not the case. The building had been dismantled for health and safety reasons due to 'an act of God'.
- There was no intent for the applicant to remove the building.
- Appeals in case law exist for situations like this. There are material considerations that can be considered with regard to this case.
- The intent of the applicant and the outcome of development can be considered. The intent of the applicant has been to implement the consent.
- The applicant had purchased internal frames in the sum of £10,500 which can only be used in this building. If planning permission is not granted these will become redundant.

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- The applicant had met the unexpected costs to retain the building. However, for health and safety reasons the building could not be saved and had to be taken down.
- Financial reasons can also be taken into account. This has cost the applicant £160,000 to date.
- These special circumstances can be a mitigating factor in terms of determining the application.
- In terms of the flooding issue, pre-application advice had been sought and flooding issues at the site had not been raised. Officers had indicated that circumstances had not changed since 2016.
- Although the policy issues exist, the Planning Committee was asked by the applicant's agent to consider the material considerations put forward in advance of this and say that they do not apply in this situation due to the circumstances faced by the applicant.
- The Planning Committee was asked to approve the application on the basis of considering the application against the material considerations which can be applied to this application.

Having considered the report of the application and the views expressed by the applicant's agent, the following points were noted:

- It was considered that the issue of the building being located on the flood plain could be circumvented by raising the ground level above the flood plain.
- The foundations is the only part of the building that is left. Therefore, this application would be regarded as a new build in the countryside, would be located in a flood zone C2 and would be close to a brook. The footprint would be the same as the original building. The building would be located in an open location, exposed to the elements and would not be the most appropriate location for a tourist / residential accommodation.
- Planning Policy is clear in not allowing highly vulnerable developments in flood zone C2. Whilst consent had been granted in 2014, the stance being taken by Welsh Government in respect of TAN 15 and flooding policy has been clarified to the Planning Department.
- In terms of case law, there is no building on this site and therefore, no building to convert.

It was proposed by County Councillor J. Higginson and seconded by County Councillor A. Webb that application DM/2018/01339 be approved with appropriate conditions.

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

For approval	-	4
Against approval	-	5
Abstentions	-	2

The proposition was not carried.

We resolved that application DM/2018/01339 be refused for the two reasons, as outlined in the report.

**6. Application DM/2018/01641: Erection of fuel storage building to replace existing open storage compound and relocation of 2 no. portacabin office buildings together with parking provision - Trostrey Court Farm Barns Clytha Road Trostrey Common Gwehelog**

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

Application DM/2018/01641 was withdrawn from consideration to allow officers to clarify issues around air quality. The application will be presented to a future Planning Committee meeting when these issues have been addressed.

**7. Application DM/2018/02068: Conversion of barn to holiday accommodation (2 dwellings) - Barn 1, Penterry Farm, Chapel Hill Road, Penterry, St Arvans**

We considered the report of the application which was presented for refusal for two reasons, as outlined in the report.

The applicant's agent, Mr. G. Glasson, attended the meeting by invitation of the Vice-Chair and outlined the following points:

- Penterry Farm has been compelled to explore farming diversification due to the current economic climate.
- The additional revenue from holiday letting will support not only the core farm business but will create positive outcomes for the rural economy also.
- The Farm is well placed located above Tintern Abbey in the Wye Valley and near to the Forest of Dean.
- Tourism is actively encouraged in Monmouthshire and additional accommodation will strengthen the area's appeal as a visitor destination.
- The barn is located between two dwellings and has not been used for agriculture for 10 years due to the impact on the amenities of the two dwellings. It is of modern construction but dates back to the 1970s. It is in sound condition.

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- Like any other barn conversion, the roof will need replacing and the walls will require cladding. However, it was considered that this does not amount to rebuilding or a new build property. It would be no different if the barn was upgraded to a grain store.
- The proposed holiday lets would be located on Penterry Farm, would be managed by the farm and used to support the farm.
- Officers had not previously indicated that a business case was required. However, if necessary, the applicant could provide one.
- The applicant is prepared to enter into a Section 106 agreement to ensure the accommodation remains a part of the farm business and satisfies the Planning Department's need for a stronger linkage.
- The Barn makes no contribution to the Wye Valley AONB in its current state, the farm has attempted to instil some character into the design. However, it was acknowledged that the windows could be revisited in an amendment to downplay any domestic pretensions.
- Parking could also be revisited in favour of a more discreet location.
- There is an opportunity to conserve and enhance the natural beauty in line with Policy LC4.
- The applicant is not looking to rebuild the barn. However, Policy T2 does allow for the substantial rebuild of the building within the curtilage of an existing and occupied farm property where it assists an agricultural diversification.
- Officers consider that the barn is on the holding and not within the curtilage of an occupied farm property. However, this was considered to be disingenuous, as the barn is located between two farm dwellings and is part of a long established ribbon of farm development along the farm drive, so it is considered to be within the curtilage of farm property.
- The barn has no future for agriculture but offers an opportunity for the farm to diversify sustainably without adding any new buildings or covering the fields with yurts, tepees and tree houses.
- The applicant would welcome the opportunity to work with the Planning Department to modify the scheme and provide the additional supporting evidence required.
- The applicant's agent asked the Planning Committee to defer consideration of the application to allow further negotiations to take place between the applicant and the Planning Department.

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The local Member for St. Arvans, who is also a Planning Committee Member, asked whether it would be appropriate to delay consideration of the application with a view to the applicant and the Planning Department looking at further diversification opportunities. In response, it was noted that the application was a new build development within the open countryside and did not comply with Planning Policy. Therefore, officers considered that the recommendation to refuse the application for the two reasons as outlined in the report was the correct recommendation for this application.

In noting the detail of the application, the views expressed by the applicant's agent and the local Member, it was proposed by County Councillor A. Davies and seconded by County Councillor P. Murphy that application DM/2018/02068 be refused for the two reasons, as outlined in the report.

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

For refusal	-	10
Against refusal	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2018/02068 be refused for the two reasons, as outlined in the report.

#### **8. Application DM/2018/01635: Full planning application for the development of four affordable dwellings - Land At Llantillio Crossenny**

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

The local Member for Llantillio Crossenny was unable to attend the meeting. However, the Chair allowed for a statement to be read out stating that the local Member was in favour of the proposed application.

In noting the detail of the application the following points were noted:

- The applicant had confirmed that facias and barges will have 150mm overhang.
- In response to a question raised, it was noted that the render will be smooth, as discussed at the site inspection.
- In response to a question raised by a Member regarding the visibility splay only being on one side of the road as indicated in the highways report, Planning officers would investigate the matter and report back to the Member.
- The application sits well on the site and provides affordable housing.



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It was proposed by County Councillor D. Dovey and seconded by County Councillor M. Feakins that application DM/2018/01635 be approved subject to the eight conditions, as outlined in the report.

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

For approval	-	9
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/01635 be approved subject to the eight conditions, as outlined in the report.

#### **9. Application DM/2018/01784: Erection of two, two bedroom semi-detached houses - 72 The Close, Portskewett, NP26 5SN**

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

The local Member for Portskewett was unable to attend the meeting. However, the Chair allowed for a statement to be read out to the Committee outlining the local Member's views in respect of the application:

- The local Member had expressed serious concerns regarding the application.
- Concerns remain around the safety of pedestrians which would include many children and elderly people. Many of which use the recreation hall, play area and other community areas that are accessed via the adjacent lane which is next to the proposed site.
- These facilities are well used and the lane can be busy at regular times with vehicles and pedestrians.
- Concern was expressed regarding the additional property entrances and the additional vehicular movements that will enter and leave the highway at a bottleneck at the entrance of the close.
- The short stretch of busy road has seen several accidents over the years and is known locally as an area of great concern.
- The approval of additional dwellings and therefore additional vehicles will cause a serious worsening of the current problems that are occurring at this location.
- The position of the proposed dwellings will be inappropriate and will add nothing but danger to the community.

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

- The elevation of the proposed dwellings is not in keeping with surrounding properties.
- The proposed dwellings would be located up to the boundary.

It was proposed by County Councillor P. Clarke and seconded by County Councillor J. Higginson that we be minded to refuse application DM/2018/01784 on over-development of the site and that it creates a detrimental effect on the street scene due to incongruous design and that the application be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal.

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

For refusal	-	11
Against refusal	-	0
Abstentions	-	0

The proposition was carried.

We resolved that we be minded to refuse application DM/2018/01784 on over-development of the site and that it creates a detrimental effect on the street scene due to incongruous design and that the application be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal.

**10. Application DM/2019/00142: Development of 1 no. shed and 2 no. polytunnels, a foot path and associated works to supplement services offered at the Resource Centre - Mardy Park Resource Centre, Hereford Road, Mardy, LlantilioPertholey**

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

In noting the detail of the application, it was proposed by County Councillor J. Higginson and seconded by County Councillor M. Powell that application DM/2019/00142 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	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

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We resolved that application DM/2019/00142 be approved subject to the five conditions, as outlined in the report.

#### 11. Appeal Decision: Caestory Avenue, Raglan

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 9<sup>th</sup> January 2019. Site address: 6 Caestory Avenue, Raglan, Usk.

We noted that the appeal was allowed and planning permission was granted for a detached dwelling house at 6 Caestory Avenue, Raglan, Usk, NP15 2EH in accordance with the terms of the application, ref: DC/2018/00096, dated 19<sup>th</sup> January 2018, subject to the conditions set out in the Schedule.

#### 12. Costs decision: Caestory Avenue Raglan

We received the Planning Inspectorate report which related to a costs decision following a site visit that had been made on 9<sup>th</sup> January 2019. Site address: 6 Caestory Avenue, Raglan, Usk.

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

We resolved that the Head of Planning, Housing and Place Shaping writes to the Planning Inspectorate in response to the decision and the costs awarded in respect of this application following debate over paragraph 7 of the appeals decision and paragraph 7 of the costs decision.

#### 13. Draft Infill Development Supplementary Planning Guidance (SPG)

We received a report regarding the Draft Infill Development Supplementary Planning Guidance (SPG), with a view to issuing for consultation.

The Planning Committee was informed that the options in relation to the Draft SPG were to:

- 1) Endorse the Draft SPG as attached to the report for consultation.
- 2) Endorse the Draft SPG for consultation with amendments.
- 3) Do nothing in relation to the Draft SPG.

It was noted that officer recommendation was for Option 1 to be the preferred option.

Having considered the report, the following points were noted:

- A Member supported option 2 with the following amendments:
  - There was a need to distinguish between infill and backland development within the guidance, for example with additional diagrams illustrating backland development.

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- Further definition of neighbouring properties needed to be identified to clarify if we mean adjacent in the streetscene, or in the immediately surrounding area.
- Consideration of a limit be placed on main villages in line with minor villages. SAH1 to also be appended.
- The majority of the Committee agreed with option 1 – to endorse the Draft SPG as attached to the report, for consultation.
- There is a need to ensure that either the 35% or 25% affordable housing provision is adhered to and that it not be subject to viability.
- The Head of Planning, Housing and Place Shaping informed the committee that the points raised would be picked up. Further investigation would be undertaken regarding diagrams, also further clarity regarding backland and the wording during the consultation period to clarify issues in respect of surrounding properties or immediately adjacent neighbouring properties. It was noted that there is separate SPG being undertaken in respect of commuted sums for small sites. In terms of limits on house numbers, the scope of the SPG has been deliberately kept to fewer than 10 dwellings. It is not appropriate to seek to limit the number of dwellings in infill developments in Main Villages. The limit for Minor Villages is taken from LDP policy.

We resolved to endorse the Draft Infill Development Supplementary Planning Guidance (SPG), with a view to issuing for consultation, and to recommend to the Cabinet Member for Innovation, Enterprise and Leisure accordingly.

**The meeting ended at 5.00 pm.**