

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

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

County Councillors: L. Brown, A. Davies, A. Easson, D. Evans, M. Feakins, R. Harris, P. Jordan, P. Murphy, M. Powell A. Webb and S. Woodhouse

County Councillors V. Smith and L. Dymock attended the meeting by invitation of the Chair.

OFFICERS IN ATTENDANCE:

Craig O'Connor	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Amy Longford	Development Management Area Team Manager
Denzil – John Turbervill	Commercial Solicitor
Mark Davies	Highway Development Manager
Jim Keech	Tree Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillor G. Howard

1. Declarations of Interest

None received.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 7th September 2021 were confirmed and signed by the Chair.

3. Application DM/2020/00636 - Sheep housing / general purpose agricultural building. Henrhiw Farm, Monkswood, Usk

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

Planning Committee, at its meeting on 7th September 2021, had been minded to defer consideration of the application to a future meeting to enable a site inspection to be held.

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

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

- The proposal is not a very good business plan and would not be viable with sheep alone.
- The holding is detached from the existing farmhouse and is a stand-alone planning application.
- The applicant owns 40 acres and has a 10-year lease for 94 acres.
- There are two large sheds on the site via permitted development rights. The local Member expressed concern regarding this decision.
- There have been issues regarding noise and there is still agricultural equipment and machinery located on the site.
- The local Member questioned the legality of the application when there is a retrospective planning application for the hardstanding area on which a portion of the application will stand.
- If approved, the site will house three very large sheds creating an industrial area within the countryside.
- Llanbadoc Community Council does not support approval of the application.
- Sheep do not require long periods indoors. They tend to be brought indoors only when lambing.

The Development Services Manager stated that the application is for an agricultural building to expand the flock of sheep. Consideration of what it might be used for in the future might become an enforcement matter or the applicant might need to submit a planning application for change of use of the building.

It was noted that there is sporadic development alongside the A472, putting the application in the landscape context of where it sits.

The large hardstanding has received planning permission. However, there is an area immediately in front of the building which is subject to a separate planning application but is not before the Committee for consideration today.

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

- Some Members expressed the view that the application should be approved in line with the officer's recommendation as it was considered that an additional building would not be detrimental to the surrounding area. The applicant requires the additional building as outlined in his business plan with a view to growing the business.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

- Other Members expressed the view that we should be minded to refuse the application as it was considered that an additional building of this size was not required as sheep are only required to be indoors for a limited period of time during lambing. Not all ewes lamb at the same time resulting in only a limited number of sheep likely to be in the building at any given time.
- A management plan has been agreed by Natural Resources Wales (NRW). A Habitats Regulation Assessment has been undertaken by Monmouthshire County Council's Ecologist in terms of phosphate issues which has been agreed by Natural Resources Wales (NRW).

The local Member summed up by expressing concern that the building is too large and the whole development is considered to be inappropriate on this site.

It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Feakins that application DM/2020/00636 be approved subject to the eight conditions outlined in the report.

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

For approval	-	8
Against approval	-	5
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2020/00636 be approved subject to the eight conditions outlined in the report.

4. Application DM/2021/00724 - Proposed new build detached dwelling to side of No. 2 Ifton Road, Ty Newydd, 2 Ifton Road, Rogiet, NP26 3SS

We considered the report of the application which was presented to Committee for refusal with two reasons. An additional reason for refusal was considered, namely:

- The applicant has failed to enter into a Section 106 agreement that is necessary to secure the affordable housing requirement, and therefore the proposal is contrary to Policy S4 (Affordable Housing Provision) of the Monmouthshire County Council Local Development Plan 2011-2021.

This application had been presented to Planning Committee on the 7th September 2021 with a recommendation to approve the proposed development. However, The Planning Committee had been minded to refuse the application on the grounds that the proposed dwelling would result in over development of the plot and that it would be detrimental to the amenity of neighbouring properties and that the application be re-presented to a future meeting of Planning Committee with reasons for refusal.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

In noting the detail of the application, it was proposed by County Councillor P. Murphy and seconded by County Councillor A. Easson that application DM/2021/00724 be refused for the two reasons outlined in the report and that an additional reason for refusal be added, namely:

- The applicant has failed to enter into a Section 106 agreement that is necessary to secure the affordable housing requirement, and therefore the proposal is contrary to Policy S4 (Affordable Housing Provision) of the Monmouthshire County Council Local Development Plan 2011-2021.

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

For refusal	-	11
Against refusal	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/00724 be refused for the two reasons outlined in the report and that an additional reason for refusal be added, namely:

- The applicant has failed to enter into a Section 106 agreement that is necessary to secure the affordable housing requirement, and therefore the proposal is contrary to Policy S4 (Affordable Housing Provision) of the Monmouthshire County Council Local Development Plan 2011-2021.

5. Application DM/2021/01000 - Discharge of condition 4, 5, 9, 11, 12, 14 and 15 relating to application DM/2020/00234. Pathways, Vinegar Hill, Undy

We considered the report of the application which was recommended for approval to discharge planning conditions 4, 5, 9, 11, 12, 14 and 15. In September 2020 planning permission had been granted for two detached dwellings on the site under application DM/2020/00234, subject to a Section 106 agreement for a financial contribution towards affordable housing as well as 16 technical conditions.

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

- The Construction Traffic Management Plan (CTMP) acknowledges that the site is unsuitable for heavy vehicles.
- Section 7 of the CTMP states that an unloading area should be provided on the site to enable all delivery and construction vehicles to turn and leave in a forward direction. This might be possible for smaller vehicles but it was considered that it would not be possible for larger articulated vehicles.
- Section 10 of the CTMP suggests that farm equipment be used for transportation. Risks to local residents need to be addressed.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

- Regarding the emergency access, the local Member was informed that a fire emergency vehicle could not access the site.
- The local Member enquired whether the Highways officer had walked the site.
- The latest Green Infrastructure (GI) Management Plan has relocated the orchard from the south east of the site to the areas around the site.
- There is no single plan showing the Sustainable Drainage System (SuDS) and the GI assets. The GI ecology department has no objection to the discharge of the conditions as it appears that it is unaware of the swales and the foul sewerage pump.
- The local Member supports Magor with Undy Community Council regarding its recommendation for refusal.
- Representatives from Monmouthshire County Council's Waste Department visited the site and met with the owner of Gwyn Royson and had agreed to a location for the waste of the proposed properties. The local Member would like to see this upheld.

The Development Management Area Manager responded to the local Member's comments, as follows:

- The original plan had shown more Green Infrastructure (GI) mitigation in the southern area of the site. However, after negotiations with the GI Officer and the Biodiversity Officer different ways of providing the mitigation were looked at. The solution put forward now is different to the original solution but is equally appropriate.
- The SuDS application is considered independently from this planning application to discharge the conditions. If there are differences between these plans then amendments will be sought to clarify the situation. However, Officers consider that the application meets the requirements of the conditions.

The Highway Development Manager informed the Committee that Highways Officers had not visited the site. However, having known the site very well he stated that he supported the discharge of condition 5 being the implementation of a Construction Traffic Management Plan.

All deliveries to the site will be managed. There are no traffic conditions on Vinegar Hill restricting its use by any motor vehicle and is open to all uses of the highway by public and commercial vehicles. Construction vehicles should be able to access and egress the site.

The Highways Department has no objection to the discharge of the conditions, in particular Condition 5.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

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

- Some Members expressed the view that the application should be approved in line with the officer's recommendation as the applicant has complied with the requirements requested to discharge the conditions. It was considered that the CTMP needed to be adhered to.
- Other Members expressed concern regarding conditions 4 and 5, namely highway safety and the CTMP. Problems have occurred in Caldicot previously whereby CTMPs have become problematic having not been adhered to by the developers. It was considered that conditions 4 and 5 needed to be firmer.
- In response to questions raised regarding the fire service vehicle access, whether the wording of the CTMP is sufficient to ensure the access is adequate for these vehicles, GI, SuDS and foul sewage disposal, the Development Management Area Manager informed the Committee that Building Regulations did raise concerns regarding fire service vehicular access. This matter was checked with the South Wales Fire Services and it had been confirmed that the emergency vehicles did have access to the properties. The properties will be fitted with fire suppression sprinkler systems. Fire related issues will be dealt with via Building Regulations. It was considered that the conditions relating to highways safety and the CTMP did not require re-wording and were considered to be sufficient. There are no conditions for foul sewerage to be submitted and is not part of the Committee's consideration today.
- The temporary bund will be removed in due course and the land and levels returned to an appropriate standard in line with the approved plans.
- Foul sewerage is identified as public sewerage. There is no foul water condition on the decision notice. This would be a matter for Building Regulations to address under separate legislation.

The local Member summed up as follows:

- Local knowledge is important.
- Photographs have been shared with officers over the previous 18 months indicating damage to properties by delivery vehicles.
- It was considered that the delivery methods have not been clearly defined.

It was proposed by County Councillor P. Murphy and seconded by County Councillor R. Harris that application DM/2021/01000 be approved to discharge planning conditions 4, 5, 9, 11, 12, 14 and 15.

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

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 5th October, 2021 at 2.00 pm

For approval	-	10
Against approval	-	2
Abstentions	-	0

The proposal was carried.

We resolved that application DM/2021/01000 be approved to discharge planning conditions 4, 5, 9, 11, 12, 14 and 15.

6. Confirmation Report: Tree Preservation Order (TPO) MCC289 (2021) - Land at Well Farm Grosmont

We considered the confirmation with modification of Provisional Tree Preservation Order number MCC289 (2021) – Land at Well Farm, Grosmont.

We resolved to confirm with modification (by omitting T1 Oak) Provisional Tree Preservation Order No. MCC289 (2021) – Land at Well Farm Grosmont.

7. New Appeals Received - 1st June 2021 to 22nd September 2021

We noted the new appeals received by the Planning Department for the period 1st June 2021 to 22nd September 2021.

The meeting ended at 3.37 pm.