

Public Document Pack



Neuadd y Cyngor
Y Rhadyr
Brynbuga
NP15 1GA

Dydd Llun, 26 Medi 2022

Hysbysiad o gyfarfod

Pwyllgor Cynllunio

Dydd Mawrth, 4ydd Hydref, 2022, 2.00 pm,
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA

AGENDA

Eitem Ddim	Eitem	Tudallennau
1.	Ymddiheuriadau am absenoldeb.	
2.	Datganiadau o Fuddiant.	
3.	Cadarnhau cofnodion y cyfarfod blaenorol.	1 - 22
4.	I ystyried yr adroddiadau Cais Cynllunio canlynol gan y Prif Swyddog, Cymunedau a Lle (copïau ynghlwm):	
4.1.	Cais DM/2021/01950 - Cynnig adeiladu uned feithrin annibynnol, llwybr mynediad a defnydd o ardal parcio presennol oddi ar y safle i'w defnyddio fel cyfleuster i rieni gollwng/casglu plant. Ysgol Gynradd Tryleg, Monmouth Road, Tryleg.	23 - 30
4.2.	Cais DM/2022/00395 - Estyniad deulawr newydd i ochr eiddo i ddarparu llety rhandy. 1 Pipistrelle Court, Llan-ffwyst, Y Fenni, NP7 9NF.	31 - 38
4.3.	Cais DM/2022/00696 - Estyniad blaen un llawr arfaethedig. Arosfa, Llanfair Is Coed, Sir Fynwy, NP16 6LY.	39 - 46

Paul Matthews

Prif Weithredwr

CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

Jill Bond
Fay Bromfield
Emma Bryn
Jan Butler
Ben Callard
John Crook
Tony Easson
Steven Garratt
Meirion Howells
Su McConnel
Jayne McKenna
Phil Murphy
Maureen Powell
Sue Riley
Dale Rooke
Ann Webb

Gwybodaeth Gyhoeddus

Bydd rhaid i unrhyw person sydd eisiau siarad yn Y Pwyllgor Cynllunio cofrestru gyda Gwasanaethau Democrataidd erbyn hanner dydd ar diwrnod cyn y cyfarfod. Mae manylion ynglŷn a siarad yn cyhoeddus ar gael tu fewn i'r agenda neu yma [Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio](#)

Mynediad i gopiâu papur o agendâu ac adroddiadau

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

Edrych ar y cyfarfod ar-lein

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i www.monmouthshire.gov.uk neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

Y Gymraeg

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

Nodau a Gwerthoedd Cyngor Sir Fynwy

Cymunedau Cynaliadwy a Chryf

Canlyniadau y gweithiwn i'w cyflawni

Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.
- **Caredigrwydd** – Byddwn yn dangos caredigrwydd i bawb yr ydym yn gweithio gyda nhw, gan roi pwysigrwydd perthnasoedd a'r cysylltiadau sydd gennym â'n gilydd wrth wraidd pob rhyngweithio.

Diben

Diben yr adroddiadau a atodir a'r cyflwyniad cysylltiedig gan swyddogion i'r Pwyllgor yw galluogi'r Pwyllgor Cynllunio i wneud penderfyniad ar bob cais yn y rhestr a atodir, ar ôl pwysu a mesur y gwahanol ystyriaethau cynllunio perthnasol.

Dirprwywyd pwerau i'r Pwyllgor Cynllunio wneud penderfyniadau ar geisiadau cynllunio. Mae'r adroddiadau a gynhwysir yn yr atodlen yma'n asesu'r datblygiad arfaethedig yn erbyn polisi cynllunio perthnasol ac ystyriaethau cynllunio eraill perthnasol, a rhoi ystyriaeth i'r holl ymatebion ymgynghori a dderbyniwyd. Daw pob adroddiad i ben gydag argymhelliad swyddog i'r Pwyllgor Cynllunio ar p'un ai yw swyddogion yn ystyried y dylid rhoi caniatâd cynllunio (gydag awgrym am amodau cynllunio lle'n briodol) neu ei wrthod (gydag awgrymiadau am resymau dros wrthod).

Dan Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004, mae'n rhaid i bob cais cynllunio gael eu penderfynu yn unol â Chynllun Datblygu Lleol Sir Fynwy 2011-2021 (a fabwysiadwyd yn Chwefror 2014), os nad yw ystyriaethau cynllunio perthnasol yn awgrymu fel arall.

Disgwylir i'r holl benderfyniadau a wneir fod o fudd i'r Sir a'n cymunedau drwy ganiatáu datblygu ansawdd da yn y lleoliadau cywir, ac ymwrthod â datblygiad amhriodol, ansawdd gwael neu yn y lleoliad anghywir. Mae cysylltiad uniongyrchol i amcan y Cyngor o adeiladu cymunedau cryf a chynaliadwy.

Gwneud penderfyniadau

Gellir cytuno ar geisiadau yn rhwym ar amodau cynllunio. Mae'n rhaid i amodau gyflawni'r holl feini prawf dilynol:

- Angenrheidiol i wneud y datblygiad arfaethedig yn dderbyniol;
- Perthnasol i ddeddfwriaeth cynllunio (h.y. ystyriaeth cynllunio);
- Perthnasol i'r datblygiad arfaethedig dan sylw;
- Manwl;
- Gorfodadwy; a
- Rhesymol ym mhob cyswllt arall.

Gellir cytuno i geisiadau yn amodol ar gyntundeb cyfreithiol dan Adran 106 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd). Mae hyn yn sicrhau goblygiadau cynllunio i wrthbwysu effeithiau'r datblygiad arfaethedig. Fodd bynnag, mae'n rhaid i'r goblygiadau cynllunio hyn gyflawni'r holl feini prawf dilynol er mwyn iddynt fod yn gyfreithlon:

- Angenrheidiol i wneud y datblygiad yn dderbyniol mewn termau cynllunio;
- Uniongyrchol gysylltiedig â'r datblygiad; ac
- Wedi cysylltu'n deg ac yn rhesymol mewn maint a math i'r datblygiad.

Mae gan yr ymgeisydd hawl apelio statudol yn erbyn gwrthod caniatâd yn y rhan fwyaf o achosion, neu yn erbyn gosod amodau cynllunio, neu yn erbyn methiant y Cyngor i benderfynu ar gais o fewn y cyfnod statudol. Nid oes unrhyw hawl apelio trydydd parti yn erbyn penderfyniad.

Gall y Pwyllgor Cynllunio wneud argymhellion sy'n groes i argymhelliad y swyddog. Fodd bynnag, mae'n rhaid rhoi rhesymau am benderfyniadau o'r fath ac mae'n rhaid i'r penderfyniad fod yn seiliedig ar y Cynllun Datblygu Lleol (LDP) a/neu ystyriaethau cynllunio perthnasol. Pe byddai penderfyniad o'r fath yn cael ei herio mewn apêl, bydd yn ofynnol i Aelodau Pwyllgor amddiffyn eu penderfyniad drwy'r broses apêl.

Prif gyd-destun polisi

Mae'r LDP yn cynnwys y prif bolisiâu datblygu a dylunio. Yn hytrach nag ail-adrodd y rhain ar gyfer pob cais, caiff y geiriad llawn ei osod islaw er cymorth Aelodau.

Polisi EP1 - Gwarchod Amwynderau a'r Amgylchedd

Dylai datblygiad, yn cynnwys cynigion ar gyfer adeiladau newydd, estyniadau i adeiladau presennol a hysbysebion roi ystyriaeth i breifatrwydd, amwynder ac iechyd defnyddwyr adeiladau cyfagos. Ni chaniateir cynigion datblygu a fyddai'n achosi neu'n arwain at risg/niwed annerbyniol i amwynder lleol, iechyd, cymeriad/ansawdd cefn gwlad neu fuddiannau cadwraeth natur, tirlun neu bwysigrwydd treftadaeth adeiledig oherwydd y dilynol, os na fedrir dangos y gellir cymryd mesurau i oresgyn unrhyw risg sylweddol:

- Llygredd aer;
- Llygredd golau neu sŵn;
- Llygredd dŵr;
- Halogiad;
- Ansefydlogrwydd tir; neu
- Unrhyw risg a ddyndwyd i iechyd neu ddiogelwch y cyhoedd.

Polisi DES1 – Ystyriaethau Dylunio Cyffredinol

Dylai pob datblygiad fod o ddyluniad cynaliadwy ansawdd uchel a pharchu cymeriad lleol a nodweddion neilltuol amgylchedd adeiledig, hanesyddol a naturiol Sir Fynwy. Bydd yn ofynnol i gynigion datblygu:

- a) Sicrhau amgylchedd diogel, dymunol a chyfleus sy'n hygyrch i bob aelod o'r gymuned, yn cefnogi egwyddorion diogelwch y gymuned ac yn annog cerdded a seiclo;
- b) Cyfrannu tuag at naws o le wrth sicrhau fod maint y datblygiad a'i ddwyyster yn gydnaws gyda defnyddiau presennol;
- c) Parchu ffurf, maint, lleoliad, casglu, deunyddiau a gweddwlun ei osodiad ac unrhyw adeiladau cyfagos o ansawdd;
- d) Cynnal lefelau rhesymol o breifatrwydd ac amwynder defnyddwyr adeiladau cyfagos, lle'n berthnasol;
- e) Parchu'r golygfeydd adeiledig a naturiol lle maent yn cynnwys nodweddion hanesyddol a/neu amgylchedd adeiledig neu dirlun deniadol neu neilltuol;
- f) Defnyddio technegau adeiladu, addurniad, arddulliau a golau i wella ymddangosiad y cynnig gan roi ystyriaeth i wead, lliw, patrwm, cadernid a saerniaeth mewn defnyddio deunyddiau;
- g) Ymgorffori a, lle'n bosibl, wella nodweddion presennol sydd o werth hanesyddol, gweledol neu gadwraeth natur a defnyddio'r traddodiad brodorol lle'n briodol;
- h) Cynnwys cynigion tirlun ar gyfer adeiladau newydd a defnyddiau tir fel eu bod yn integreiddio i'w hamgylchiadau, gan roi ystyriaeth i ymddangosiad y tirlun presennol a'i gymeriad cynhenid, fel y'i diffinnir drwy broses LANDMAP. Dylai tirlunio roi ystyriaeth i, a lle'n briodol gadw, coed a gwrychoedd presennol;
- i) Gwneud y defnydd mwyaf effeithiol o dir sy'n gydnaws gyda'r meini prawf uchod, yn cynnwys y dylai isafswm dwysedd net datblygiad preswyl fod yn 30 annedd fesul hectar, yn amodol ar faen prawf l) islaw;
- j) Sicrhau dyluniad sy'n ymateb i'r hinsawdd ac effeithiol o ran adnoddau. Dylid rhoi ystyriaeth i leoliad, cyfeiriadu, dwysedd, gweddwlun, ffurf adeiledig a thirlunio ac i effeithiolrwydd ynni a defnyddio ynni adnewyddadwy, yn cynnwys deunyddiau a thechnoleg;
- k) Meithrin dylunio cynhwysol;
- l) Sicrhau y caiff ardaloedd preswyl presennol a nodweddir gan safonau uchel o breifatrwydd ac ehangder eu gwarchod rhag gor-ddatblygu a mewnlenni ansensitif neu amhriodol.

Cyfeirir at bolisiau perthnasol allweddol eraill yr LDP yn adroddiad y swyddog.

Canllawiau Cynllunio Atodol (SPG):

Gall y Canllawiau Cynllunio Atodol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio perthnasol:

- Seilwaith Gwyrdd (mabwysiadwyd Ebrill 2015)
- Canllawiau Dylunio Trosi Adeiladau Amaethyddol (mabwysiadwyd Ebrill 2015)
- Polisi H4(g) LDP Trosi/Adfer Adeiladau yng Nghefn Gwlad i Ddefnydd Preswyl - Asesu Ail-dddefnydd ar gyfer Dibenion Busnes (mabwysiadwyd Ebrill 2015)
- Polisiâu H5 a H6 LDP Anheddau yn Lle ac Ymestyn Anheddau Gwledig yng Nghefn Gwlad (mabwysiadwyd Ebrill 2015)

- Arfarniad Ardal Cadwraeth Trellech (Ebrill 2012)
- Garejys Domestig (mabwysiadwyd Ionawr 2013)
- Safonau Parcio Sir Fynwy (mabwysiadwyd Ionawr 2013)
- Ymagwedd at Oblygiadau Cynllunio (Mawrth 2013)
- Drafft Tai Fforddiadwy (Gorffennaf 2015)
- Drafft Ynni Adnewyddadwy ac Effeithiolrwydd Ynni (Rhagfyr 2014)
- Drafft Nodyn Cyngor Cynllunio ar Asesu Tirlun Datblygu ac Effaith Gweledol Tyrbinau Gwynt
- Drafft Prif Wynebau Siopau (Mehefin 2015)

Polisi Cynllunio Cyhoeddus

Gall y polisi cynllunio cenedlaethol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio berthnasol:

- Polisi Cynllunio Cymru (PPW) 11 2016
- Nodiadau Cyngor Technegol (TAN) PPW:
- TAN 1: Cydastudiaethau Argaeledd Tir Tai (2014)
- TAN 2: Cynllunio a Thai Fforddiadwy (2006)
- TAN 3: Symleiddio Parthau Cynllunio (1996)
- TAN 4: Manwerthu a Chanol Trefi (1996)
- TAN 5: Cadwraeth Natur a Chynllunio (2009)
- TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN 7: Rheoli Hysbysebion Awyr Agored (1996)
- TAN 8: Ynni Adnewyddadwy (2005)
- TAN 9: Gorfodaeth Rheoli Adeiladu (1997)
- TAN 10: Gorchmynion Cadwraeth Coed (1997)
- TAN 11: Sŵn (1997)
- TAN 12: Dylunio (2014)
- TAN 13: Twristiaeth (1997)
- TAN 14: Cynllunio Arfordirol (1998)
- TAN 15: Datblygu a Risg Llifogydd (2004)
- TAN 16: Chwaraeon, Hamdden a Gofodau Agored (2009)
- TAN 18: Trafnidiaeth (2007)
- TAN 19: Telathrebu (2002)
- TAN 20: Y Gymraeg (2013)
- TAN 21: Gwastraff (2014)
- TAN 23: Datblygu Economaidd (2014)
- TAN 24: Yr Amgylchedd Hanesyddol (2017)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 1: Agregau (30 Mawrth 2004)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 2: Glo (20 Ionawr 2009)
- Cylchlythyr Llywodraeth Cymru 016/2014 ar amodau cynllunio

Materion eraill

Gall y ddeddfwriaeth ddilynol arall fod yn berthnasol wrth wneud penderfyniadau

Deddf Cynllunio (Cymru) 2016

Daeth Adranau 11 a 31 y Ddeddf Cynllunio i rym yn Ionawr 2016 yn golygu fod y Gymraeg yn ystyriaeth cynllunio berthnasol. Mae Adran 11 yn ei gwneud yn ofynnol i'r gwerthusiad cynaliadwyedd, a gymerir wrth baratoi LDP, gynnwys asesiad o effeithiau tebygol y cynllun ar ddefnydd y Gymraeg yn y gymuned. Lle mae cynllun integredig sengl yr awdurdod wedi dynodi bod y Gymraeg yn flaenoriaeth, dylai'r asesiad fedru dangos y cysylltiad rhwng yr ystyriaeth ar gyfer y Gymraeg a'r prif arfarniad cynaliadwyedd ar gyfer yr LDP, fel y'i nodir yn TAN 20.

Mae Adran 31 y Ddeddf Cynllunio yn egluro y gall awdurdodau cynllunio gynnwys ystyriaethau yn ymwneud â'r defnydd o'r Gymraeg wrth wneud penderfyniadau ar geisiadau am ganiatâd cynllunio, cyn belled ag mae'n berthnasol i'r Gymraeg. Nid yw'r darpariaethau yn rhoi unrhyw bwysiad ychwanegol i'r Gymraeg o gymharu ag ystyriaethau perthnasol eraill. Mater i'r awdurdod cynllunio lleol yn llwyr yw p'un ai yw'r Gymraeg yn ystyriaeth berthnasol mewn unrhyw gais cynllunio, a

dylai'r penderfyniad p'un ai i roi ystyriaeth i faterion y Gymraeg gael ei seilio ar yr ystyriaeth a roddwyd i'r Gymraeg fel rhan o broses paratoi'r LDP.

Cynhaliwyd gwerthusiad cynaliadwyedd ar Gynllun Datblygu Lleol (LDP) Sir Fynwy a fabwysiadwyd yn 2014, gan roi ystyriaeth i'r ystod lawn o ystyriaethau cymdeithasol, amgylcheddol ac economaidd, yn cynnwys y Gymraeg. Cyfran cymharol fach o boblogaeth Sir Fynwy sy'n siarad, darllen neu ysgrifennu Cymraeg o gymharu gydag awdurdodau lleol eraill yng Nghymru ac ni ystyriwyd fod angen i'r LDP gynnwys polisi penodol ar y Gymraeg. Roedd casgliad yr asesiad am effeithiau tebygol y cynllun ar y defnydd o'r Gymraeg yn y gymuned yn fach iawn.

Rheoliadau Asesiad Effaith ar yr Amgylchedd 1999

Mae Rheoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Lloegr a Chymru) 1999 fel y'i diwygiwyd gan Reoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Diwygiad) 2008 yn berthnasol i'r argymhellion a wnaed. Bydd y swyddog yn tynnu sylw at hynny pan gyflwynwyd Datganiad Amgylcheddol gyda chais.

Rheoliadau Cadwraeth Rhywogaethau a Chynefinoedd 2010

Lle aseswyd bod safe cais yn safle bridio neu glwydo ar gyfer rhywogaethau Ewropeaidd a warchodir, bydd angen fel arfer i'r datblygydd wneud cais am "randdirymiad" (trwydded datblygu) gan Cyfoeth Naturiol Cymrau. Mae pob rhywogaeth o ystumod, pathwod a madfallod cribog mawr yn enghreifftiau o'r rhywogaethau gwarchodedig hyn. Wrth ystyried ceisiadau cynllunio mae'n ofynnol i Gyngor Sir Fynwy fel awdurdod cynllunio lleol roi ystyriaeth i Reoliadau Cadwraeth Rhywogaethau a Chynefinoedd 20120 (y Rheoliadau Cynefinoedd) ac i'r ffaith mai dim ond lle cyflawnir tri phrawf a nodir yn Erthygl 16 y Gyfarwyddeb Cynefinoedd y caniateir rhanddirymiaid. Caiff y tri phrawf eu nodi islaw.

(i) Mae'r rhanddirymiad er budd iechyd a diogelwch y cyhoedd, neu am resymau hanfodol eraill o ddiddordeb pennaf i'r cyhoedd, yn cynnwys rhai o natur economaidd a chanlyniadau buddiol o bwysigrwydd sylfaenol i'r amgylchedd.

(ii) Nad oes dewis arall boddhaol.

(iii) Nad yw'r rhanddirymiad yn niweidiol i gynnal y boblogaeth o'r rhywogaeth dan sylw drwy statws cadwraeth ffatriol yn eu hardal naturiol.

Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Nod y Ddeddf yw gwella llesiant cymdeithasol, economaidd, amgylcheddol a diwylliannol Cymru. Mae'r Ddeddf yn gosod nifer o amcanion llesiant

- **Cymru lewyrchus;** defnydd effeithiol o adnoddau, pobl fedrus ac addysgedig, cynhyrchu cyfoeth, darparu swyddi;
- **Cymru gref;** cynnal a chyfoethogi bioamrywiaeth ac ecosystemau sy'n cefnogi hynny ac a all addasu i newid (e.e. newid yn yr hinsawdd);
- **Cymru iachach;** cynyddu llesiant corfforol a meddyliol pobl i'r eithaf a deall effeithiau iechyd;
- **Cymru o gymunedau cydlynol:** cymunedau yn ddeniadol, hyfyw, diogel a gyda chysylltiadau da.
- **Cymru sy'n gyfrifol yn fyd-eang:** rhoi ystyriaeth i effaith ar lesiant byd-eang wrth ystyried llesiant cymdeithasol, economaidd ac amgylcheddol lleol;
- **Cymru gyda diwylliant egniïol a'r iaith Gymraeg yn ffynnu:** caiff diwylliant, treftadaeth a'r Gymraeg eu hyrwyddo a'u diogelu. Caiff pobl eu hannog i gymryd rhan mewn chwaraeon, celf a hamdden;
- **Cymru fwy cyfartal:** gall pobl gyflawni eu potensial beth bynnag yw eu cefndir neu amgylchiadau.

Caiff nifer o egwyddorion datblygu cynaliadwy hefyd eu hamlinellu:

- **Hirdymor:** cydbwyso angen tymor byr gyda'r hirdymor a chynllunio ar gyfer y dyfodol;
- **Cydweithio:** cydweithio gyda phartneriaid eraill i gyflawni amcanion;
- **Ymggyfraniad:** cynnwys y rhai sydd â diddordeb a gofyn am eu barn;
- **Atal:** rhoi adnoddau i ateb problemau rhag digwydd neu waethygu;
- **Integreiddio:** cael effaith gadarnhaol ar bobl, yr economi a'r amgylchedd a cheisio bod o fudd i bob un o'r tri.

Mae'r gwaith a wneir gan awdurdod cynllunio lleol yn cysylltu'n uniongyrchol â hyrwyddo a sicrhau datblygu cynaliadwy ac yn anelu i sicrhau cydbwysedd rhwng y tri maes: amgylchedd, economi a chymdeithas.

Trefn Troseddu ac Anrhefn 1998

Mae Adran 17(1) Deddf Troseddu ac Anrhefn 1998 yn gosod dyletswydd ar awdurdod lleol i weithredu ei wahanol swyddogaethau gan roi ystyriaeth ddyledus i effaith debygol gweithredu'r swyddogaethau hynny ar, a'r angen i wneud popeth y gall ei wneud yn rhesymol i atal troseddu ac anrhefn yn ei ardal. Gall troseddu ac ofn troseddu fod yn ystyriaeth cynllunio berthnasol. Tynnir sylw at y pwnc hwn yn adroddiad y swyddog lle mae'n ffurfio ystyriaeth sylweddol ar gyfer cynnig.

Deddf Cydraddoldeb 2010

Mae Deddf Cydraddoldeb 2010 yn cynnwys dyletswydd cydraddoldeb sector cyhoeddus i integreiddio ystyriaeth cydraddoldeb a chysylltiadau da ym musnes rheolaidd awdurdodau cyhoeddus. Mae'r Ddeddf yn dynodi nifer o 'nodweddion gwarchoddedig': oedran, anabledd, aillbennu rhywedd; priodas a phartneriaeth sifil; hil; crefydd neu gredo; rhyw; a chyfeiriadedd rhywiol. Bwriedir i gydymffurfiaeth arwain at benderfyniadau a wnaed ar sail gwybodaeth well a datblygu polisi a gwasanaethau sy'n fwy effeithlon ar gyfer defnyddwyr. Wrth weithredu ei swyddogaethau, mae'n rhaid i'r Cyngor roi ystyriaeth ddyledus i'r angen i: ddileu gwahaniaethu anghyfreithlon, aflonyddu, erledigaeth ac ymddygiad arall a gaiff ei wahardd gan y Ddeddf; hybu cyfle cyfartal rhwng pobl sy'n rhannu nodwedd warchoddedig a'r rhai nad ydynt; a meithrin cysylltiadau da rhwng pobl sy'n rhannu nodwedd warchoddedig a'r rhai nad ydynt. Mae rhoi ystyriaeth ddyledus i hyrwyddo cydraddoldeb yn cynnwys: dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig; cymryd camau i ddiwallu anghenion o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mesur Plant a Theuluoedd (Cymru)

Mae ymgynghoriad ar geisiadau cynllunio yn agored i'n holl ddinasyddion faint bynnag eu hoed; ni chynhelir unrhyw ymgynghoriad wedi'i dargedu a anelwyd yn benodol at blant a phobl ifanc. Yn dibynnu ar faint y datblygiad arfaethedig, rhoddir cyhoeddusrwydd i geisiadau drwy lythyrau i feddianwyr cyfagos, hysbysiadau safle, hysbysiadau yn y wasg a/neu gyfryngau cymdeithasol. Nid yw'n rhaid i bobl sy'n ymateb i ymgynghoriadau roi eu hoedran nac unrhyw ddata personol arall, ac felly ni chaiff y data yma ei gadw na'i gofnodi mewn unrhyw ffordd, ac ni chaiff ymatebion eu gwahanu yn ôl oedran.

Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio

Dim ond yn llwyr yn unol â'r protocol hwn y caniateir cyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio. Ni allwch fynnu siarad mewn Pwyllgor fel hawl. Mae'r gwahoddiad i siarad a'r ffordd y cynhelir y cyfarfod ar ddisgresiwn Cadeirydd y Pwyllgor Cynllunio ac yn amodol ar y pwyntiau a nodir islaw.

Pwy all siarad

Cynghorau Cymuned a Thref

Gall cynghorau cymuned a thref annerch y Pwyllgor Cynllunio. Dim ond aelodau etholedig cynghorau cymuned a thref gaiff siarad. Disgwylir i gynrychiolwyr gydymffurfio â'r egwyddorion dilynol: -

(i) Cydymffurfio â Chod Cenedlaethol Ymddygiad Llywodraeth Leol. (ii) Peidio cyflwyno gwybodaeth nad yw'n:

- gyson gyda sylwadau ysgrifenedig eu cyngor, neu
 - yn rhan o gais, neu
 - wedi ei gynnwys yn yr adroddiad neu ffeil cynllunio.

Aelodau'r Cyhoedd

Cyfyngir siarad i un aelod o'r cyhoedd yn gwrthwynebu datblygiad ac un aelod o'r cyhoedd yn cefnogi datblygiad. Lle mae mwy nag un person yn gwrthwynebu neu'n cefnogi, dylai'r unigolion neu grwpiau gydweithio i sefydlu llefarydd. Gall Cadeirydd y Pwyllgor weithredu disgresiwn i ganiatáu ail siaradwr ond dim ond mewn amgylchiadau eithriadol lle mae cais sylweddol yn ysgogi gwahanol safbwyntiau o fewn un 'ochr' y ddadl (e.e. cais archfarchnad lle mae un llefarydd yn cynrychioli preswylwyr ac un arall yn cynrychioli manwerthwyr lleol). Gall aelodau'r cyhoedd benodi cynrychiolwyr i siarad ar eu rhan.

Lle na ddeuir i gytundeb, bydd yr hawl i siarad yn mynd i'r person/sefydliad cyntaf i gofrestru eu cais. Lle mae'r gwrthwynebydd wedi cofrestru i siarad caiff yr ymgeisydd neu asiant yr hawl i ymateb.

Cyfyngir siarad i geisiadau lle cyflwynwyd llythyrau gwrthwynebu/cefnogaeth neu lofnodion ar ddeiseb i'r Cyngor gan 5 neu fwy o aelwydydd/sefydliadau gwahanol. Gall y Cadeirydd weithredu disgresiwn i ganiatáu siarad gan aelodau o'r cyhoedd lle gallai cais effeithio'n sylweddol ar ardal wledig prin ei phoblogaeth ond y derbyniwyd llai na 5 o lythyr yn gwrthwynebu/cefnogi.

Ymgeiswyr

Bydd gan ymgeiswyr neu eu hasiantau a benodwyd hawl ymateb lle mae aelodau'r cyhoedd neu gyngor cymuned/tref yn annerch pwyllgor. Fel arfer dim ond ar un achlysur y caniateir i'r cyhoedd siarad pan gaiff ceisiadau eu hystyried gan Bwyllgor Cynllunio. Pan ohirir ceisiadau ac yn arbennig pan gânt eu hailgyflwyno yn dilyn penderfyniad pwyllgor i benderfynu ar gais yn groes i gyngor swyddog, ni chaniateir i'r cyhoedd siarad fel arfer. Fodd bynnag bydd yn rhaid ystyried amgylchiadau arbennig ar geisiadau a all gyfiawnhau eithriad.

Cofrestru Cais i Siarad

I gofrestru cais i siarad, mae'n rhaid i wrthwynebwyr/cefnogwyr yn gyntaf fod wedi gwneud sylwadau ysgrifenedig ar y cais. Mae'n rhaid iddynt gynnwys eu cais i siarad gyda'u sylwadau neu ei gofrestru wedyn gyda'r Cyngor.

Caiff ymgeiswyr, asiantau a gwrthwynebwyr eu cynghori i aros mewn cysylltiad gyda'r swyddog achos am ddatblygiadau ar y cais. Cyfrifoldeb y rhai sy'n dymuno siarad yw gwirio os yw'r cais i gael ei ystyried gan y Pwyllgor Cynllunio drwy gysylltu â'r Swyddog Cynllunio, a all roi manylion o'r dyddiad tebygol ar gyfer clywed y cais. Caiff y drefn ar gyfer cofrestru'r cais i siarad ei nodi islaw.

Mae'n rhaid i unrhyw un sy'n dymuno siarad hysbysu Swyddogion Gwasanaethau Democraidd y Cyngor drwy ffonio 01633 644219 neu drwy e-bost i registertospeak@monmouthshire.gov.uk. Caiff unrhyw geisiadau i siarad a gaiff eu e-bostio eu cydnabod cyn y dyddiad cau ar gyfer cofrestru i

siarad. Os nad ydych yn derbyn cydnabyddiaeth cyn y dyddiad cau, cysylltwch â Gwasanaethau Democrataidd ar 01633 644219 i wirio y cafodd eich cais ei dderbyn.

Mae'n rhaid i siaradwyr wneud hyn cyn gynted ag sydd modd, rhwng 12 canol dydd ar y dydd Mercher a 12 canol dydd ar y dydd Llun cyn y Pwyllgor. Gofynnir i chi adael rhif ffôn y gellir cysylltu â chi yn ystod y dydd.

Bydd y Cyngor yn cadw rhestr o bobl sy'n dymuno siarad yn y Pwyllgor Cynllunio.

Gweithdrefn yng Nghyfarfod y Pwyllgor Cynllunio

Dylai pobl sydd wedi cofrestru i siarad gyrraedd ddim hwyrach na 15 munud cyn dechrau'r cyfarfod. Bydd swyddog yn cynghori ar drefniadau seddi ac yn ateb ymholiadau. Caiff y weithdrefn ar gyfer delio gyda siarad gan y cyhoedd ei osod islaw:

- Bydd y Cadeirydd yn nodi'r cais i'w ystyried.
- Bydd swyddog yn cyflwyno crynodeb o'r cais a materion yn ymwneud â'r argymhelliad
- Os nad yw'r aelod lleol ar y Pwyllgor Cynllunio, bydd y Cadeirydd yn ei (g)wahodd i siarad am ddim mwy na 6 munud
- Yna bydd y Cadeirydd yn gwahodd cynrychiolydd y cyngor cymuned neu dref i siarad am ddim mwy na 4 munud.
- Bydd y Cadeirydd wedyn yn gwahodd yr ymgeisydd neu asiant a benodwyd (os yn berthnasol) i siarad am ddim mwy na 4 munud. Lle mae mwy na un person neu sefydliad yn siarad yn erbyn cais, ar ddisgresiwn y Cadeirydd bydd gan yr ymgeisydd neu'r asiant a benodwyd hawl i siarad am ddim mwy na 5 munud.
- Fel arfer cydymffurfir yn gaeth â chyfyngiadau amser, fodd bynnag bydd gan y Cadeirydd ddisgresiwn i addasu'r amser gan roi ystyriaeth i amgylchiadau'r cais neu'r rhai sy'n siarad.
- Dim ond unwaith y gall siaradwyr siarad.
- Bydd aelodau'r Pwyllgor Cynllunio wedyn yn trafod y cais, gan ddechrau gydag aelod lleol o'r Pwyllgor Cynllunio.
- Bydd y swyddogion yn ymateb i'r pwyntiau a godir os oes angen.
- Yn union cyn i'r mater gael ei roi i'r bleidlais, gwahoddir yr aelod lleol i grynhoi, gan siarad am ddim mwy na 2 funud.
- Ni all cynrychiolydd y cyngor cymuned neu dref neu wrthwynebydd/cefnogwyr neu'r ymgeisydd/asiant gymryd rhan yn ystyriaeth aelodau o'r cais ac ni allant ofyn cwestiynau os nad yw'r cadeirydd yn eu gwahodd i wneud hynny.
- Lle mae gwrthwynebydd/cefnogwr, ymgeisydd/asiant neu gyngor cymuned/tref wedi siarad ar gais, ni chaniateir unrhyw siarad pellach gan neu ar ran y grŵp hwnnw pe byddai'r cais yn cael ei ystyried eto mewn cyfarfod o'r pwyllgor yn y dyfodol heblaw y bu newid sylweddol yn y cais.
- Ar ddisgresiwn y Cadeirydd, gall y Cadeirydd neu aelod o'r Pwyllgor yn achlysurol geisio eglurhad ar bwynt a wnaed.
- Mae penderfyniad y Cadeirydd yn derfynol.
- Wrth gynnig p'un ai i dderbyn argymhelliad y swyddog neu i wneud diwygiad, bydd yr aelod sy'n gwneud y cynnig yn nodi'r cynnig yn glir.
- Pan gafodd y cynnig ei eilio, bydd y Cadeirydd yn dweud pa aelodau a gynigiodd ac a eiliodd y cynnig ac yn ailadrodd y cynnig a gynigwyd. Caiff enwau'r cynigydd a'r eilydd eu cofnodi.
- Bydd aelod yn peidio pleidleisio yng nghyswllt unrhyw gais cynllunio os na fu'n bresennol drwy gydol cyfarfod y Pwyllgor Cynllunio, y cyflwyniad llawn ac ystyriaeth y cais neilltuol hwnnw.
- Bydd unrhyw aelod sy'n ymatal rhag pleidleisio yn ystyried p'un ai i roi rheswm dros ei (h)ymatal.
- Bydd swyddog yn cyfrif y pleidleisiau ac yn cyhoeddi'r penderfyniad.

Cynnwys yr Arweithiau

Dylai sylwadau gan gynrychiolydd y cyngor tref/cymuned neu wrthwynebydd, cefnogwr neu ymgeisydd/asiant gael eu cyfyngu i faterion a godwyd yn eu sylwadau gwreiddiol a bod yn faterion cynllunio perthnasol. Mae hyn yn cynnwys:

- Polisiâu cynllunio cenedlaethol a lleol perthnasol
- Ymddangosiad a chymeriad y datblygiad, gweddllun a dwysedd

- Cynhyrchu traffig, diogelwch priffordd a pharcio/gwasanaethu;
- Cysgodi, edrych dros, ymyriad sŵn, aroglau neu golled arall amwynder.

Dylai siaradwyr osgoi cyfeirio at faterion y tu allan i gylch gorchwyl y Pwyllgor Cynllunio, megis:

- Anghydfod ffiniau, cyfamodau a hawliau eraill eiddo
- Sylwadau personol (e.e. cymhellion neu gamau gweithredu'r ymgeisydd hyd yma neu am aelodau neu swyddogion)
- Hawliau i olygfeydd neu ddibrisiant eiddo.

This page is intentionally left blank

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance
on Tuesday, 6th September, 2022 at 2.00 pm**

PRESENT: County Councillor Phil Murphy (Chairman)
County Councillor Dale Rooke (Vice Chairman)

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn,
Ben Callard, Tony Easson, Steven Garratt, Meirion Howells,
Su McConnel, Jayne McKenna, Phil Murphy, Maureen Powell,
Sue Riley, Dale Rooke and Ann Webb

County Councillors: Louise Brown, Richard John and
Angela Sandles 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
Joanne Chase	Solicitor
Wendy Barnard	Democratic Services Officer

APOLOGIES:

County Councillors: Jan Butler and John Crook

1. Declarations of Interest

County Councillor Jayne McKenna declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2022/00494 as she was a member of Shirenewton Community Council prior to April 2022. During this time, she voted on application DM/2022/00494. She left the meeting taking no part in the discussion or voting thereon.

County Councillor Jayne McKenna declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2022/00851 as she was a member of Shirenewton Community Council prior to April 2022. She was involved with the funding of application DM/2022/00851 but not the planning application. She left the meeting taking no part in the discussion or voting thereon.

County Councillor Meirion Howells declared a personal, non-prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2021/00691 as he knew the applicant. County Councillor Howells abstained from voting in respect of this application.

County Councillor Tony Easson declared a personal, non-prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2022/00492 as he is a member of the Police and Crime Panel.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance
on Tuesday, 6th September, 2022 at 2.00 pm**

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 2nd August 2022 were confirmed and signed by the Chair.

3. Application DM/2021/01823 - Change of use from agricultural to One Planet development. Land south of Trecastle Farm, Trecastle Road, Llangovan, Monmouthshire.

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 legal agreement.

The local Member for Mitchel Troy and Trellech United attended the meeting by invitation of the Chair and outlined the following points:

- Concerns have been raised regarding the impact on the landscape of the proposed buildings which will be particularly visible during the autumn and winter months.
- It is an essential One Planet Development (OPD) requirement that there is a 'light touch' on the environment with a positive landscape impact.
- OPD guidance states that dwellings and structures should not stand out in views from public vantage points and the OPD should enhance the landscape in which it sits.
- The report of the application stated that the Landscape Officer considers the development proposal acceptable subject to additional clarification around the specifics of the proposal and longer-term maintenance.
- The local Member referred to the conditions outlined in the report in that they are related to the landscape and appear to require substantial additional information. Concern was expressed that these were not being addressed at the application stage.
- It was suggested that the applicant should consider submitting the information required to allow the Planning Committee to make an informed decision in respect of the application.
- The Cruck Barn will be the most visible building due to its elevation on the site and will not have a grass roof but one made of metal or slate. The plan and elevation states that the exact material and colour are to be conditioned to allow the use of a reclaimed product. However, there appears to be no such condition in the report of the application.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The applicant intends to construct a dwelling workshop and barn with reclaimed materials and that the exact appearance of the structures may vary from that presented in the application drawings. Concern was expressed that the importance of preserving the environment was key and that this would not be acceptable. Greater clarity was required in respect of this matter.
- Concern was expressed regarding the degree of the impact on the landscape in terms of the long access track which will cross a water course. This was considered not to be a 'light touch' on the environment.
- OPD guidance states that all water needs are met from water available on site. There are two streams on the site, but both have dried up this summer.
- The local Member asked for details regarding rainfall harvesting calculations.
- The local Member asked whether independent monitoring will be undertaken.
- The residents' impression is that the application has been given a 'light touch' in terms of ensuring its compliance with the requirement of the Policy. This is building in the open countryside with concerns regarding the landscape impact.
- Applications of this nature need to be vigorously stress tested by independent experts. Concern was expressed regarding the lack of transparency.
- Residents were concerned that approval of the application would result in disparate buildings being scattered across the open countryside.

The applicant, Paul Trotter, attended the meeting by invitation of the Chair and outlined the following information:

- The OPD is an opportunity for the applicant to dramatically increase his sustainability while promoting biodiversity.
- Over the last five years the applicant has devoted time to research into low impact living, permaculture, regenerative agriculture, and natural building. This has come together to form the planning application presented to Planning Committee today.
- Thousands of broad leaf trees will be planted locking carbon into the soil, while increasing shelter and forage for wildlife, as well as for livestock.
- Systems have been incorporated to capture and use nutrients on site, protecting watercourses from animal manure.
- The applicant is looking forward to living with a 'light touch' on the planet, being self sufficient in water, heating and electricity, as well as growing and rearing the majority of their food.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The applicant's transport impacts will be around half the norm and their ecological footprints will be 70% lower than the Welsh average.
- The development will be a local exemplar of sustainable living and inspire other families to address the climate change and biodiversity crises.
- The applicant intends to live on the site for the rest of their lives, raising a family and being a part of the community. Local connections have already been established locally by supporting events and volunteering in community projects.
- Produce would be sold locally providing residents with more sustainable choices.
- The applicant wants the project to benefit the local community directly. The management plan details the applicant's commitment.
- Many letters of support have been received regarding the application with a small number of objections having been received.
- There has been ample time for Officers and professional consultees to examine the application in depth.
- The concerns raised by objectors have not been supported by the assessments of the professionals.
- Monmouthshire County Council's Highways, Biodiversity and Ecology, landscapes, drainage and Natural Resources Wales (NRW) have all indicated that the proposal is acceptable and in line with Planning Policy.
- The independent OPD assessors are satisfied that the application successfully meets the criteria of the One Planet Development Policy.
- The applicant asked the Planning Committee to consider approval of the application.

The Development Management Area Manager responded as follows:

- Details of soft landscaping will be agreed as a pre-commencement condition.
- The site is already well screened by established mature vegetation.
- The use of planning conditions to agree further soft landscaping is appropriate and in accordance with the planning conditions circular.
- If the application was approved, samples of finishes could be agreed prior to construction.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The applicant would be tied to a legal agreement and the monitoring report would be subject to annual review via the Planning Department's Monitoring Enforcement Officer.
- Officers are satisfied that there are sufficient stringent steps in place for the development to be monitored and the conditions are fully enforceable.

The local Member for Mitchel Troy and Trellech United, also a Planning Committee Member, outlined the following points:

- Concern was expressed that the applicant was able to submit his own visual impact statement which was considered to not be accurate. The site can be seen from roads, footpaths, the historic Motte and Bailey and listed buildings.
- The independent assessor had not undertaken the individual impact statement.
- Many of the trees surrounding the site have Ash Dieback and will need to be removed.
- The half kilometre track to the dwelling is for agricultural purposes. Clarification was sought as to whether a residential driveway will need to be applied for.
- Visibility when exiting the site is poor when looking right. The Highways Department has expressed concern and the applicant had tried to mitigate this matter by drawing up an agreement with the farmer who owns the hedge either side of the track. This notice can be ceased within seven days-notice by the farmer and will become void if either party sells their property. The highways risk to road users remains.
- Llangovan is located within a phosphate zone. Concern was expressed that a new family dwelling with livestock will produce phosphates adding to an existing problem.
- Both water courses run into the River Usk. It was considered that the business plan and predictions were questionable. With the considerable rise in living costs and high inflation, it was considered that the applicant's living figures were no longer valid which could affect the business plan and the sustainability of the development.
- The applicant predicts that the three-bed detached dwelling will be within Council Tax band A, valuing the property at £44,000 or less providing a Council Tax bill of £1071 per annum. This valuation is considerably lower than other three bed detached properties in Monmouthshire. Concern was expressed regarding the accuracy of these figures.
- The letters of support for the application do not come from local residents.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The local Member considers that the application will neither enhance nor benefit the community and could be harmful to local businesses that sell similar products which does not adhere to OPD policy.
- Clarity was sought as to why Section 106 monies were not being undertaken.
- The local Member considers that the application does not fully meet OPD policy or that the business model is robust and sustainable.

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

- The proposal is an inspirational development and will enhance its natural environment by increasing biodiversity in the area.
- It was suggested that consideration of the application be deferred on a public health basis. It was considered that the business plan fails to incorporate how meat will be stored in chest freezers throughout the winter months when solar panels cannot generate enough electricity to keep freezers permanently running. Concern was also expressed that some produce will be delivered via E Bikes. It was considered that the Environmental Health Department needed to scrutinise the practicality and public safety of the business plan. The development also competes with local businesses which sell similar produce. OPD policy states that the proposed business should not create a negative impact on other local businesses.

The Development Management Area Manager responded as follows:

- Advice has been taken via the independent assessor regarding the business case.
- The findings of the Council's Landscape and Urban Design Officer is that the development would be acceptable.
- Natural Resources Wales (NRW) has confirmed that it does not have any objection in respect of the nature of the development in terms of phosphates which has been screened out under the Habitats Regulations Assessment.
- Contributions towards affordable housing are set out in the Authority's Affordable Housing Supplementary Planning Guidance (SPG) but would not be required for a OPD proposal. Therefore, Section 106 monies are not being sought.
- The independent assessor is aware that there is a need to provide refrigeration on site and is satisfied that this can be provided but not to the detriment of the wider energy needs. The storage of meat would be subject to Environmental Health Standards and is not a Planning matter for consideration.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- Planning permission had been granted in 2020 for the track to be surfaced with granular material for agricultural purposes. The track is sufficient and would not require any additional surfacing. The track could therefore be used in conjunction with the OPD site.
- the Independent Assessor has accepted the calculations presented by the applicant in respect of the value of the property and has advised officers accordingly.
- Consultant advice indicates that the proposed development will not be prejudicial or harmful to other local businesses.

It was proposed by County Councillor Ben Callard and seconded by County Councillor Jill Bond that application DM/2021/01823 be approved subject to the conditions 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	-	9
Against approval	-	1
For deferral	-	2
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/01823 be approved subject to the conditions outlined in the report and subject to a Section 106 legal agreement.

4. Application DM/2021/01763 - Change of Use of the Land to an Animal Sanctuary. Temporary accommodation in the form of a touring caravan, to allow staff working at the Animal Sanctuary to stay occasionally overnight to assist with ill or injured animals. Rhewl Farm, Shirenewton To Rhewl Farm, Shirenewton, Chepstow.

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

The applicant attended the meeting by invitation of the Chair and outlined the following points:

- The animal sanctuary offers a home for life for unwanted, neglected, abused and abandoned animals.
- Currently, the site is home to 200 farmed animals. The farm is a registered charity.
- The site comprises 62 acres with woods and low pasture.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- Orchards have been planted within the sanctuary, as well as planting a medicinal herb garden for the animals. The applicant is rewilding a number of areas throughout the sanctuary.
- Work has been undertaken with wildlife charities since 2019. Orphaned bats are rehabilitated back into the wild at the sanctuary.
- 50 dormice boxes have also been put into the woods.
- Fertilizers or chemicals are never used on the land and animals are fed organic and non-genetically modified food.
- Matt Pritchard, celebrity chef, is the sanctuary's patron.
- The sanctuary had been voted one of the UKs favourite animal sanctuaries in 2020 and 2021.
- The sanctuary's team of staff are locally based and there are up to 230 volunteers that help with small events.
- The sanctuary is supported by donations and fundraisers.
- Local people are getting to know the sanctuary and are wanting to visit and volunteer. All focus is on the wellbeing of the animals which means that people cannot turn up and visit the site. However, bespoke visits have been arranged.
- It is not a commercial venture but a small sanctuary wanting to help animals in need, to protect the environment and offer support and wellbeing for people who need it.
- The caravan is required to allow staff to remain overnight and help sick animals in emergency situations.

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

- The sanctuary is located inappropriately off a narrow rural road. The local member made reference to the Highways Department's view in the report of the application outlining that the area has very poor sustainable transport provision with visitors attending the sanctuary having to travel by car. The open days generate additional traffic with the concentrated vehicle movements associated with the high number of open days in the sanctuary which are considered to be detrimental to the safety and capacity of the narrow, rural highway network. The Highway Authority recommends that the number of open days run by the sanctuary is controlled by way of a suitably worded condition.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- This application was part of a previous joint application which dealt with the aspect of any opening to the public but this application had been withdrawn. However, the condition allows for open days. It was considered that the application does not fully deal with all concerns. The Highways Department had submitted a strong objection to the previous application that had been withdrawn due to the nature of the road.
- Local residents are concerned regarding the highway situation. Coaches have blocked the road for a period of time whilst entering and exiting the sanctuary.
- Staff, volunteers and seasonal workers also access the site.
- The Highways Department considered that the number of open days should not be increased.
- The local Member asked the Planning Committee to defer consideration of the application as it does not deal with all the aspects of the centre. However, if the application were to be approved, the local Member asked that the Planning Committee does not alter the condition to see 16 open days for the public. 16 sessional days would be more appropriate in line with the recommendation of the Highways Department.

The Development Management Area Manager responded as follows:

- The previous application has been withdrawn.
- This application is for the touring caravan and for the operation of the site as an animal sanctuary.
- The Highways Department has considered the application and did not raise any objections to the proposals in terms of traffic movements. Highways did indicate that a restriction on the number of open days should be considered and is outlined in the conditions to the report. The limitation is to 16 open days per calendar year.
- Cars can access the site and there is ample parking provision. The level of activity should not create a significant amount of congestion or obstruction on the lane, which has been confirmed by the Highways Department.

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

- The caravan was required in order to provide overnight care to sick animals.
- If the open days become significant or offer a tourist attraction, then this would be considered a change of use and would be subject to a separate planning application.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- Before the sanctuary takes on any additional animals an assessment is undertaken regarding the impact that this will have on the existing animals within the sanctuary.
- The applicant was asked to consider communication with local residents when an open day is scheduled.
- For the open days, chemical toilets will be brought onto the site and taken away.

The local Member summed up as follows:

- The Planning Committee was asked to reconsider the 16 open days open to the public. Currently, the list of visitor days included VIP visits and corporate days. Over the previous 18 months there were 24 visits. It was considered that the 16 days would be adequate to cover all the types of visits.
- The local Member suggested that the Planning Committee considers 16 visitor sessions on 16 days.

In response the Development Management Area Manager informed the Committee that scale and function of the sanctuary will limit the number of people going into and leaving the site. The number of visitors will be linked to the scale of the business. The number of open days would be for the Planning Committee to determine.

Following discussion, it was proposed that the wording of the condition to control event numbers be agreed via the Delegation Panel.

It was proposed by County Councillor Jill Bond and seconded by County Councillor Ben Callard that application DM/2021/01763 be approved subject to the conditions outlined in the report and that the condition to control event numbers be agreed via the Delegation Panel.

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

For approval	-	13
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/01763 be approved subject to the conditions outlined in the report and that the condition to control event numbers be agreed via the Delegation Panel.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance
on Tuesday, 6th September, 2022 at 2.00 pm**

5. Application DM/2022/00696 - Proposed single storey front extension. Arosfa, Llanfair Discoed, Monmouthshire, NP16 6LY.

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

The local Member for Caerwent, also a Planning Committee Member, informed the Committee that locally, there is concern regarding the length of the extension.

Councillor M. John, representing Caerwent Community Council, attended the meeting by invitation of the Chair and outlined the following points:

- The Community Council objects to the application under Policy H6 – the extension of rural dwellings.
- In order to protect the character of the countryside, extensions to dwellings outside village boundaries should be modest and respect or enhance the appearance of the existing dwelling. They will be required to be subordinate to the existing building. Where the building is of a traditional nature to respect its existing form including the pattern and shape of openings and materials.
- The Community Council does not consider that this application fulfils the requirements of Policy H6.
- Any extension that will result in an increase of more than 50% in the volume of a rural dwelling will not normally be considered to comply with Policy H6.
- The Community Council considers that this property has merit and should be considered as traditional rural dwellings particular to the local environment. They are a characteristic and unusual feature of the locality. The dwellings are similar to foresters' cottages which are located nearby.
- Under permitted development rights, this extension would not be allowed as it currently stands.
- The Community Council knows that permitted development rules do not preclude a planning application but consider that they provide a point of reference when considering applications.
- None of the land settlement houses in the near and extended neighbourhood have extensions on their front elevations. Some have been extended sideways. Some of these houses have porches which are subordinate and are mainly in keeping with the original buildings.
- It is difficult to understand how this extension can be described as subordinate. The view of the proposed extension driving out of the village from the A48 differs to the photographs shown from another viewpoint.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The Community Council has concerns regarding the volume of the proposed development and the increase in the volume of the cottage from its original state. An increase of 61% since 2013.
- The Community Council has recommended that the application be refused.

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

- Design and impact on the local character, paragraphs b, c, e and g of Policy DES1 apply.
- The extension is very large at the front of the property running adjacent to his boundary. It is not a porch. It extends 4 metres from the front elevation, is over half the height of the main dwelling and is nearly 4 metres wide.
- It will be nearly 16 times larger than a wooden porch and it can be seen from the village. It is substantially bigger than extensions of nearby neighbours and similar land settlement dwellings.
- Not one extension exceeds more than a metre from the front elevation and all are no more than 3sq.m in footprint. These extensions respect local distinctiveness, compliment their surroundings and respect their history. This application does not.
- The proposed extension is unacceptably oversized and does not enhance any architectural aspect and fails to follow the aesthetic lines of the original dwelling.
- It doesn't adhere to the local vernacular, it harms the objector's immediate landscape and the larger surrounding area.
- Policy EP1 states extensions to existing buildings should have regard to privacy, amenity and health of occupiers of neighbouring properties.
- Policy DES1 paragraph d, the equalities legislation and TAN 12 apply.
- The objector's property lies within green belt open countryside. Land Map rates the visual and sensory landscape as high and exceptional and emphasises the importance of the open undulating Caerwent landscape.
- This amenity provides a sense of openness and freedom allowing for a positive state of mental health and wellbeing. The objector has benefitted from this for the previous 13 years.
- The extension will have a detrimental impact and affect the sense of wellbeing.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- On leaving his property the objector will be presented with a 4 metre high wall reducing amenity at the front of the property by almost 50%. In the autumn and winter months this loss will be exacerbated. The loss of amenity will be amplified for the objector's wife as she relies on the use of a wheelchair. The wall will be oppressive for her lowering the quality of life that she currently enjoys.
- In making the decision to recommend approval of the application the Planning Department was required to undertake an impact assessment of the effect on people's protected characteristics. It was considered that this had been ignored.
- Policy H6 and strategic vision – all parties agree that the proposal added to the extension of 2013 would exceed the volume limit between 61% to 71%. The 50% limit would be exceeded.
- Policy H6 requires an extension to be modest. The guidance provides a clear definition for this concept. A new extension was deemed to be modest if it does not exceed 30% volume of the original dwelling. However, this could be adjusted up to 37% but it must not exceed 50%. If an extension is built after 2006 it is unlikely that another extension can be permitted unless the new works added to those carried out earlier fall within the size limit, no more than 50%.
- Approval of the application would undermine the Local Development Plan (LDP) strategy.
- The objector asked that the Planning Committee considers refusal of the application.

Richard Shuck, the applicants' representative, attended the meeting by invitation of the Chair and outlined the following points:

- The applicants have lived in the area for a number of years and appreciate the landscape that they live in.
- The garden is agricultural / rural in nature with overgrown grass and various plant life.
- Discussions had been held with the neighbour regarding the location of the extension and it had been recommended by the applicants' representative that the extension be put at the front of the property with a view to addressing the issues raised by the neighbouring party.
- The proposed extension is 1 metre from the boundary to limit, as much as possible, the loss of light in that area.
- The applicants wanted the extension to be the same size as was originally proposed on the rear of the property under permitted development rights.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The proposed extension is in keeping with the existing property with a slate look, composite tile on the roof with a rendered finish.
- The plot size is large enough to take another small extension to the front of the property and acknowledges that it does exceed the limits of the 50% volume. However, in this case it was considered to be acceptable.
- The properties in this area have a small footprint. Therefore, it is necessary for families to increase the size of the footprint for these properties.
- The applicants require more living space via the proposed extension to accommodate an additional member of their family.

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

- A single storey extension to the rear of the property should not cover more than half the area around the original house. The eaves height of the extension cannot be higher than the eaves height of that of the house from which the extension projects. If the extension is located within 2 metres of any boundary of a house the eaves height cannot exceed 3 metres and the extension cannot be more than 4 metres long projecting from the rear of the property measured from the rear wall of the original house. The extension cannot be more than 4 metres in total in height.
- If the applicants extended their property to the rear and remained within these limitations then planning permission would not be required as the development could be constructed under permitted development rights.
- The proposed extension has been designed in a manner with its roof that reduces its impact on shading.
- Concern was expressed regarding the visual aspect of the proposed extension as it would change the vernacular of the neighbouring property.

It was proposed by County Councillor Dale Rooke and seconded by County Councillor Tony Easson that we be minded to refuse application DM/2022/00696 on the following grounds and that the application be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal:

- Adverse impact on the amenity of the neighbouring property.
- Location, scale and design would be incongruous and out of character.
- Non-compliance with Policy H6 (volume and harmful to the character of the dwelling).

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

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

For refusal	-	10
Against refusal	-	2
Abstentions	-	1

The proposition was carried.

We resolved that we be minded to refuse application DM/2022/00696 on the following grounds and that the application be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal:

- Adverse impact on the amenity of the neighbouring property.
- Location, scale and design would be incongruous and out of character.
- Non-compliance with Policy H6 (volume and harmful to the character of the dwelling).

6. Application DM/2021/00691 - Change of use of agricultural barn to B1 (light industrial/office) including replacement cladding. It is intended for the building to be used as premises for producing a small range of organic, fermented apple cider vinegar drinks and tonics, and fermented condiments aiming to improve natural gut health. Parc Farm, Parc Road, Llangybi, Usk, Monmouthshire.

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

The local Member for Llangybi Fawr, also a Planning Committee Member, outlined the following points:

- She had noted the objections received regarding traffic on Parc Road and had raised these objections with the Highways Department.
- Signage on Parc Road is to be upgraded and installed within the coming weeks.

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

- Traffic movements would be kept to a minimum. Vehicle size and volume is likely to be decreased.
- The cladding and design will enhance the surrounding area.
- Visibility is clear when entering and exiting the site.
- The business is producing a profit and is sustainable.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The application will help the local economy grow.
- The application has a condition regarding the removal of permitted development in respect of lighting.

It was proposed by County Councillor Maureen Powell and seconded by County Councillor Jayne McKenna that application DM/2021/00691 be approved subject to the conditions outlined in the report.

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

For approval	-	12
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2021/00691 be approved subject to the conditions outlined in the report.

7. Application DM/2021/02037 - Proposed change of use of agricultural land to provide access track to Roseham Cottage, Lane End Cottage and Wyeswood. Roseham Cottage, Bigsnap Wood Lane, Pen Y Fan, The Narth, Monmouth.

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

The local Member for Mitchel Troy and Trellech United, also a Planning Committee Member, outlined the following points:

- The area resides within the Wye Valley AONB. However, it cannot be seen from vantage points due to the topography of the land. Much of the track is screened by trees and hedgerows with a large proportion located through an area of woodland on private land.
- Only one property could be affected by the proposal. However, the track runs to the side aspect of the dwelling and should not be greatly visually impacted upon.
- The existing driveway to the three properties is narrow with overhanging large trees and a solid stone wall either side of the entrance which large vehicles would struggle to access. In particular, emergency services vehicles.

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

- In response to a question raised regarding the lack of response from the Wye Valley AONB Unit it was noted that the requirements of the Local Development

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

Plan (LDP) policy in respect of the Wye Valley AONB would not be compromised and that the visual impact could be properly considered without the input from the Wye Valley AONB Unit.

It was proposed by County Councillor Jayne Mckenna and seconded by County Councillor Ann Webb that application DM/2021/02037 be approved subject to the conditions outlined in the report.

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

For approval	-	13
Against approval	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/02037 be approved subject to the conditions outlined in the report.

8. Application DM/2022/00492 - Proposed construction of Police Station (use class B1) and associated works. Land Between Llanfoist Highways Depot And Llanfoist Farm, Merthyr Road, Llanfoist.

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to agreement of the detail of the access (and any associated minor changes to the site layout) being delegated to officers to agree via consultation with the Council's Delegation Panel. Also, that an informative be added regarding an active travel route from the site and that Condition 8 to be changed to a compliance condition from a pre-commencement condition.

The local Member for Llanfoist and Govilon, also a Planning Committee Member, outlined the following points:

- He fully supports the application and agrees with the location.
- Concern was expressed regarding the height of the fence and that it was against the pavement making this route somewhat inhospitable.

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

- The Gwent Police and Crime Panel has approved the application.
- The fencing is 2.1 metres. It was noted that details regarding the fence could be agreed via the Delegation Panel which could include the local Member.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- The proposal will enhance the area.

It was proposed by County Councillor Jayne Mckenna and seconded by County Councillor Maureen Powell that application DM/2022/00492 be approved subject to the conditions outlined in the report and subject to agreement of the detail of the access (and any associated minor changes to the site layout) being delegated to officers to agree via consultation with the Council's Delegation Panel. Also, that an informative be added regarding an active travel route from the site and that Condition 8 to be changed to a compliance condition from a pre-commencement condition.

Details regarding the fence would also be agreed via the Delegation Panel which would include the local Member.

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2022/00492 be approved subject to the conditions outlined in the report and subject to agreement of the detail of the access (and any associated minor changes to the site layout) being delegated to officers to agree via consultation with the Council's Delegation Panel. Also, that an informative be added regarding an active travel route from the site and that Condition 8 to be changed to a compliance condition from a pre-commencement condition.

Details regarding the fence would also be agreed via the Delegation Panel which would include the local Member.

9. Application DM/2022/00494 - New dwelling (Plot 2). Azalea Cottage, Old School Hill, Mynyddbach, NP16 6RP.

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 legal agreement.

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

- Concern was expressed that there was outline planning permission for two plots with a shared drive. However, there will now be the development of both shared drives under condition 8.
- Condition 11 has a construction method statement. The local Member suggested that that the following be added:

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- Operation to avoid blocking of the road by construction vehicles during primary school starting and leaving times.
- Concern has been raised regarding overlooking issues. Condition 14 refers to the biodiversity enhancement statement which should be followed in 4. This refers to an area of woodland trees to be retained and improved at the northern end of the site. Properties in the area can now be overlooked. The local member asked that the woodland area be improved as it is contained within the current conditions. Holly trees had been removed recently exacerbating the overlooking in this area.

The Development Management Area Manager responded as follows:

- There is a condition proposed for a Construction Method Statement but this relates to ecology rather than transport vehicles entering and leaving the site. However, a Construction Traffic Management Plan could be added via condition should the Committee consider this necessary.
- In terms of overlooking, there is a 30 metre rear garden from the rear of the new property to the boundary. There is a further 30 metres from the boundary to the property behind equating to a 60 metre distance between the two dwellings. There are also a number of substantial trees with Tree Preservation Orders (TPOs) at the bottom of the garden that are to be retained along with other trees that are within that planting area. There is a significant slope on site. Therefore, it is not considered that there is a detrimental impact in terms of overlooking on the neighbours. Due to the height and vegetation in between the amenity of the neighbours is protected.
- Some felling of holly trees had been undertaken on site in order to relocate the electricity pole. There are other trees that are to be retained via condition. There are also other ecological conditions.
- Condition 14 illustrates the design and location of ecological enhancement measures which will come into force when development commences.

It was proposed by County Councillor Ben Callard and seconded by County Councillor Fay Bromfield that application DM/2022/00494 be approved subject to the conditions outlined in the report and subject to a Section 106 legal agreement with an additional condition for a Construction Traffic Management Plan.

For approval - 13

Against approval - 0

Abstentions - 0

The proposition was carried.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance
on Tuesday, 6th September, 2022 at 2.00 pm**

We resolved that application DM/2022/00494 be approved subject to the conditions outlined in the report and subject to a Section 106 legal agreement with an additional condition for a Construction Traffic Management Plan.

10. Application DM/2022/00514 - Demolition of existing buildings and erection of 2no. new buildings incorporating retail space, storage and ancillary offices associated with existing retail business. Improvements to existing carpark. Usk Garden Centre, Llanbadoc, Usk.

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

In noting the detail of the application, the following points were identified:

- Advice would be sought with the applicant to consider installing electricity vehicle charging points and cycle racks within the car park.
- The applicant would be asked to reuse material where possible.

It was proposed by County Councillor Sue Riley and seconded by County Councillor Emma Bryn that application DM/2022/00514 be approved subject to the conditions outlined in the report.

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2022/00514 be approved subject to the conditions outlined in the report.

11. Application DM/2022/00851 - Hard path around recreation field. Recreation Ground, Earlswood Road, Shirenewton.

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

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

- Shirenewton Community Council undertook a survey of local residents, which is undertaken every five years. The previous survey suggested having a boardwalk

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

and the Community Council included this as part of its five-year plan. This application was made due to the time limits for grant matters.

- There were a number of local objections to the application.
- The Community Council and the Recreation Association agreed that the Recreation Association could survey the community about it.
- Shirenewton Community Council had agreed that it would not proceed until the agreement of the Recreation Association had been obtained.
- The next survey of residents by Shirenewton Community Council is due in 2024.
- In view of these circumstances it would be for the Planning Committee to consider whether to defer or approve the application.

The Development Management Area Manager informed the Committee that Shirenewton Community Council is the applicant and the Planning Department had not received a request for the application to be withdrawn.

Having considered the report of the application and the views expressed, it was proposed by County Councillor Dale Rooke and seconded by County Councillor Emma Bryn that application DM/2022/00851 be approved subject to the conditions outlined in the report.

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

For approval - 13

Against approval - 0

Abstentions - 0

The proposition was carried.

We resolved that application DM/2022/00851 be approved subject to the conditions outlined in the report.

12. Application DM/2022/00923 - Two proposed dormers to the front/south-east facing elevation. Rear dormer and roof terrace to rear/north-west facing elevation. Crooklands, Church Road, Undy, Caldicot, NP26 3EN.

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

In noting the detail of the application, the following points were identified:

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 6th September, 2022 at 2.00 pm

- No overlooking would occur into the rear garden. There are privacy screens to the side of the terrace to protect the amenity at the back of the properties either side of Crooklands.

It was proposed by County Councillor Ben Callard and seconded by County Councillor Jayne McKenna that application DM/2022/00923 be approved subject to the conditions outlined in the report.

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

For approval - 14

Against approval - 0

Abstentions - 0

The proposition was carried.

We resolved that application DM/2022/00923 be approved subject to the conditions outlined in the report.

The meeting ended at 6.25 pm.

Application Number: DM/2021/01950

Proposal: Proposed construction of a standalone nursery unit, access path and use of off-site existing car park area to be used as parent drop off/pick up facility

Address: Trellech Primary School, Monmouth Road, Trellech

Applicant: Property Services, Monmouthshire CC

Plans: A9562/PA/01 - , A9562/PA/02 - , A9562/PA/03 - , Preliminary Ecological Appraisal - Just Mammals, November 2, DW/a9562/Response 07/06/2022 - , ARBORICULTURAL SURVEY - , Design and Access Statement - , A response from the agent - ,

RECOMMENDATION: APPROVE

Case Officer: Mr David Wong

Date Valid: 14.12.2021

1.0 APPLICATION DETAILS

The proposal is on behalf and on Monmouthshire County Council land. This application is presented to Planning Committee due to the objection from the Trellech United Community Council; they have no objection to the principle of a nursery unit, or to its design. However, they are concerned about parking provision and traffic congestion

1.1 Site Description

1.1.2 The proposal is for the erection of a standalone building for a children's day nursery within the grounds of the Trellech Primary School. The proposed building is single storey and will be measured some 11m in width, 18.7m in length and 5m to the ridge. The proposed external walls will have a mix of render and brickwork (i.e. two course brickwork above ground level with render above), a black slate roof, metal rainwater goods with aluminium double glazed windows and doors. Four rooflights will be installed to allow nature light into the classroom. Also, solar panels will be installed to improve the energy efficiency of the building.

1.1.2 According to the submission, a local play group, Busy Bodies Playgroup, is currently operating in the local community village hall, which is located some 44m south of the Trellech Primary School. The existing nursery facility can accommodate 24 children, though the playgroup rarely accepts more than 19 children per session. Four members of staff work within the existing nursery facility, up to a maximum of six members of staff. These numbers are expected to remain the same in use going forward with the new facility at Trellech Primary School. In addition, it is noted within the submitted document that Monmouthshire County Council after completion of this new facility, will still be involved with the future operations of this nursery, despite main operational control under the named independent play group.

1.1.3 In terms of parking, off-site parking provision will be provided to serve the proposed nursery. This off-site parking provision is located immediately north-west of the School; a new pedestrian access will be formed, linking this parking provision with the school site. Disabled parking is currently available within the existing parking provision of the school. This off-site parking provision can accommodate 10 cars for drop off/pick up. The opening times of the current nursery will be retained for the new facility; between Monday and Friday 9:15 to 13:15 and Tuesday, Wednesday and Thursday 9:15 to 15:15. It is useful to note that at Trellech Primary School, pupils start to arrive from around 8:30am for 9am opening, and the school day finishes at 15:15. Therefore, parents normally start to arrive from around 14:30.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2011/00472	Erection of bespoke canopy system to provide pupils with shelter from the elements.	Approved	27.06.2011
DC/2015/01364	Discharge of condition 14 from previous application DC/2015/00097 Bat/Bird enhancements.	Approved	21.03.2016
DC/2009/00065	Erection of 6m flagpole and Eco-School award flag	Approved	08.04.2009

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 LDP Community and Recreation Facilities
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
MV1 LDP Proposed Developments and Highway Considerations
NE1 LDP Nature Conservation and Development
SD2 LDP Sustainable Construction and Energy Efficiency

Supplementary Planning Guidance

Adopted Parking Standards

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Trellech United Community Council - Councillors are concerned about parking provision and traffic congestion at the school site, which are already a problem and will only be made worse. However, there is no objection to the principle of a nursery unit, or to its design.

MCC Highways - There are concerns that the proposed use of the car park drop off/collection area off Harold Close is remote from the nursery unit; therefore it is not attractive and readily accessible for parents and children. It is more likely that parents will utilise the existing access, car park and turning area for the Primary School. Notwithstanding the above we cannot sustain an objection to the proposed use of the existing car park considering the referred improvements to the pedestrian access and remodelling of car park. Therefore, there is no objection, subject to conditions.

MCC SAB (Drainage) - Please be advised that we believe your proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing. Details and application forms can be found at <https://www.monmouthshire.gov.uk/sab>
The SAB is entitled to a period of at least seven weeks to determine applications.

MCC Trees – Initial concerns identified (specification for the construction and installation of the new stepped access path, the location of all new service runs and any level changes for the proposed new hard standing area). Further information was submitted for consideration. Having reviewed the additional submitted information, I have no further objection to development proposals.

MCC Biodiversity and Ecology - No objection. A Preliminary Ecological Appraisal report (Just Mammals, November 2021) has been provided. A detailed specification for a sensitive external lighting scheme is requested via condition as light-sensitive bat species and hazel dormouse may disperse across the area or use adjacent habitats. In terms of ecological enhancement measures, a detailed scheme of ecological enhancement measures consistent with recommendations in Section 10 the ecology report should be secured by condition.

NRW – No objection. The site is within the Phosphorus Sensitive Area Wye Valley Catchment. We understand that the nursery will replace an existing play group held at the community hall in the village and the proposed method of foul drainage is to the mains sewer. If you determine that there will not be an increase in wastewater as a result of the proposals, and as such you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Glamorgan Gwent Archaeological Trust - The area has been disturbed for the creation of the existing school and grounds, and for drainage and landscaping purposes; it is our opinion that the development is unlikely to encounter significant archaeological features. We therefore we do not

propose any archaeological mitigation. As the archaeological advisors to your Members, we have no objection to the positive determination of this application.

SEWBRc - No significant ecological record identified.

5.2 Neighbour Notification

No response to date.

5.3 Local Member Representations

No response to date.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

LDP Policy S5 would support the provision of the proposed nursery:

Policy S5 helps to meet LDP objectives 1 and 5 by providing, protecting and enhancing community facilities and open spaces to assist in promoting sustainable communities in Monmouthshire.

Policy S5 – Community and Recreation Facilities Development proposals that provide and/or enhance community and recreation facilities will be permitted within or adjoining town and village development boundaries subject to detailed planning considerations. Development proposals that result in the unjustified loss of community and recreation facilities will not be permitted.

For the purposes of this policy, community facilities are defined as facilities used by local communities for leisure, social, health education and cultural purposes and include village halls and shops, schools, GP surgeries / health centres, leisure centres, public houses, places of worship, cemeteries and libraries. Community facilities can be considered appropriate in residential and non-residential areas as they serve the needs of the wider community. Whilst there is a general presumption in favour of community facilities, they should not erode the character and appearance of the natural and built environment, nor the design qualities of their location. New facilities need to have good access to public transport, as well as be a walkable distance to as many homes as possible. The criteria against which proposals that involve the loss of community or recreation facilities will be assessed are set out in Development Management policies CRF1 and CRF3.

Recreation facilities are taken to include formal sport, recreation and leisure pursuits such as team games, children's play facilities, as well as more informal activities such as walking in the countryside. Further details on the categories of public recreation and open space is provided in paragraph 6.1.41. Recreation and leisure facilities are an important generator of tourism and, in practice, the difference between facilities for locals and tourists is difficult to define. However, for the purposes of the plan, policies which relate to recreation and leisure refer to activities primarily undertaken by local residents as opposed to the more tourist-related activities associated with visitors.

6.2 Impact on Amenity

A children's nursery, which is not normally a high noise generating use, will only be operational during the day time. The proposed nursery building will be within the Trellech Primary School grounds and the proposed opening hours are reasonable and considered to be similar to the operational hours of the school. The neighbouring properties nearest to the proposal have also been consulted and there is no objection to date.

This would involve a purpose-built nursery building and in terms of noise insulation measures, it is not known if any sound proofing measures will be incorporated at this building. In any case, the general nature of day nurseries is similar to schools and this nursery building is of a modest scale and will be located within an existing educational setting. In addition, regarding people arriving and

leaving the nursery, this will not be different from activity associated with the school. In addition, the operation hours are between Monday and Friday 9:15 to 13:15 and Tuesday, Wednesday and Thursday 9:15 to 15:15. At Trellech Primary School, pupils start to arrive from around 8:30am for 9am opening, and the school day finishes at 15:15. Therefore, parents normally start to arrive from around 14:30. The proposed operational times are acceptable as they are considered to be within the range of normal working/sociable hours. An hours of use condition would be imposed to manage the opening times of the nursery, ensuring that neighbour amenity is protected.

The proposed building is single storey and is modest in scale. It would be located well away from the neighbouring properties i.e. some 29m from the nearest dwelling. No issues relating to overlooking, any sense of being overbearing and any form of overshadowing is anticipated. Given the above, the proposal accords with LDP Policy EP1.

6.3 Design and Energy Efficiency

The proposed nursery building would be single storey. The design of the proposed building is functional and is visually acceptable in its setting. In terms of the proposed external finishing materials, they are acceptable in this context. Given the above, the proposal is in accordance with LDP Policy DES1. In terms of energy efficiency, solar panels will be installed to reduce energy demand, which is compliant with the thrust of LDP Policy SD2.

6.4 Highway Safety

As part of this application, off-site car parking provision with a new pedestrian access will be provided to link to the proposed nursery. The Council's Highways Department advised that the proposed off-site car park off Harold Close is remote from the nursery unit and that parents are more likely to use the existing access, car park and turning area for the School. However, an objection to the proposed use of the existing car park could not be sustained; relevant conditions are requested i.e. no occupation of the nursery until the improvements to the car parking area and pedestrian access have been implemented and a Construction Traffic Management Plan (CTMP) is submitted prior to commencement. Furthermore, no adverse concern is raised in relation to the anticipated traffic movements from the proposed nursery. Given the above, it is considered that the application is in accordance with LDP Policy MV1.

6.5 Biodiversity

There is no objection from both the Council's Biodiversity Officer or NRW in relation to this element of the application. As part of the planning process, it is now mandatory to provide Biodiversity Net Benefit and this element can be managed via the use of an appropriately worded planning condition. Also, a standard lighting scheme will be requested for consideration prior to commencement. Given the above, the proposal is in accordance with policies EP3 and NE1 of the LDP.

6.6 Drainage

A sustainable drainage system is required in this instance as the total construction area is greater than 100 square metres. The applicant is aware of this requirement and their consultant is already engaging with the Council's SAB Team. The SAB approval is separate from the Planning process and an informative will be used to inform the applicant accordingly.

6.7 Foul Drainage

Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

According to the latest phosphate guidance, it advises that any developments intended to provide services, facilities, commercial sites, or places of employment (e.g. community buildings, schools etc.) for a local population already served by residential connections to existing public or private sewers discharging within the SAC river catchment can be screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs. This children's nursery is exactly just that i.e. it is intended to serve the local population, and so the proposal can be screened out and is not subject to Appropriate Assessment.

6.8 Response to the Representations of Third Parties and/or Community Council

Trellech United Community Council objected to this application and the objection is addressed in section 6.4 of this report (Highway Safety).

6.9 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.10 Conclusion

LDP Policy S5 would support the provision of the proposed nursery. On the basis of the above, it is considered that the proposal would not have a detrimental impact on the character and appearance of the area, highway safety or residential amenity. The proposal would not increase phosphorus pollution and the biodiversity net gain enhancement measure can be secured via an appropriately worded condition. Given the above, the application is considered compliant with the relevant policies of the LDP and is recommended for approval.

7.0 RECOMMENDATION: APPROVE

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The nursery shall not be used for the approved purposes outside the following times:- Monday and Friday 9:15 to 13:15 and Tuesday, Wednesday and Thursday 9:15 to 15:15.

REASON: In the interests of amenity and to ensure compliance with LDP Policy EP1.

4 The development shall be carried out in strict accordance with Section 10 of the Preliminary Ecological Appraisal report (Just Mammals, November 2021). Should the development not be carried out in strict accordance with the approved mitigation plan/strategy or if variations are proposed, all works shall cease immediately until alternative means of mitigation have been submitted to and approved in writing by the Local Planning Authority. The agreed alternative scheme shall be carried out in accordance with the timescale approved within that alternative mitigation scheme.

REASON: To comply with the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and Wildlife and Countryside Act 1981 regarding the requirement to protect bats, nesting birds and hazel dormouse, to avoid spread of non-native invasive species and to ensure compliance with LDP Policy NE1.

5 Prior to commencement of any construction works, a detailed plan of proposed biodiversity enhancement illustrating "net benefit features" to include bird nesting and bat roosting provision, native or wildlife-friendly planting and hedgehog habitat and connectivity measures identifying location, positioning and specification. The scheme shall provide for the future management and an implementation timetable and shall be submitted to an approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be retained as such thereafter.

REASON: To provide no net loss and net gain of biodiversity in accordance with the Section 6 Duty of the Environment (Wales) Act 2016 and LDP Policy NE1.

6 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no additional lighting or lighting fixtures shall be installed on site until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include lighting type, positioning and specification and must demonstrate that key flightlines for bats are not illuminated. The scheme shall be agreed in writing with the Local Planning Authority and implemented in full.

REASON: To safeguard foraging/commuting habitat for bat species and other light-sensitive wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and LDP policies NE1 and EP3.

7 There shall be no occupation of the nursery until it has been clearly demonstrated that the proposed improvements to the car parking area and pedestrian access have been implemented.

REASON: To ensure compliance with LDP Policy MV1.

8 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, which shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, and measures to protect adjoining users from construction works. The development shall be carried out in accordance with the approved CTMP.

REASON: To ensure compliance with LDP Policy MV1.

9 Prior to commencement, a service run drawing showing the locations of all new service runs (electricity, gas, water, telecommunications etc) shall be submitted and approved by the Local Planning Authority. The tree retention and protection plan shall also be amended to include this information. The works shall be carried in accordance with the approved drawing.

REASON: To protect the trees on site (LDP Policy NE1).

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not.

If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 Glamorgan Gwent Archaeological Trust's record is not definitive in the area of the proposal and features may be disturbed during the course of the work. In this event, please contact the Trust on 01792 655208.

5 The proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing. Details and application forms can be found at: <https://www.monmouthshire.gov.uk/sab>

THE REQUIREMENT TO OBTAIN SAB CONSENT SITS OUTSIDE OF THE PLANNING PROCESS BUT IS ENFORCEABLE IN A SIMILAR MANNER TO PLANNING LAW. IT IS A REQUIREMENT TO OBTAIN SAB CONSENT IN ADDITION TO PLANNING CONSENT. FAILURE TO ENGAGE WITH COMPLIANT SuDS DESIGN AT AN EARLY STAGE MAY LEAD TO SIGNIFICANT UN-NECESSARY REDESIGN COSTS.

6 Please be advised that, in addition to planning permission, it is your responsibility to ensure they secure all other permits/consents/licences relevant to their development.

Application Number: DM/2022/00395

Proposal: New two-storey extension to side of property to provide annex accommodation

Address: 1 Pipistrelle Court, Llanfoist, Abergavenny, NP7 9NF

Applicant: Mr Wakeley

Plans: All Existing Plans 2155-01 - , All Proposed Plans 2155-02 - E, All Existing Plans 2155-03 - , All Proposed Plans 2155-04 - B, Location Plan - , Ecology Report

RECOMMENDATION: Approve

Case Officer: Ms Alice King

Date Valid: 11.03.2022

This application is presented to Planning Committee at the request of the previous Ward Member, Giles Howard

1.0 APPLICATION DETAILS

1.1 Site Description

No. 1 Pipistrelle Court is a new-build detached four-bedroom house in Llanfoist, Monmouthshire. It is one of two new houses on the site of the former Llanfoist Primary School, Llanellen Road (NP7 9NF) constructed in 2020 under planning permission DM/2019/00003. The planning permission also included the new vehicle access to the houses, known as Pipistrelle Court.

1.2 Value Added

The applicant has provided plans that would see a new bird nesting box erected to the north-west elevation of the dwelling close to the eaves. Furthermore, a bat access ridge tile will be installed within the proposed extension and planting has been proposed within the garden. The proposed net benefit measures are considered sufficient for the size and scale of the proposals therefore providing for the biodiversity net gain, meeting the terms of LDP Policy of NE1.

1.3 Proposal Description

Planning permission is sought for a two storey extension to the side of the property to provide annex accommodation for a family member.

2.0 RELEVANT PLANNING HISTORY

Reference Number	Description	Decision	Decision Date
DM/2021/00696	Side extension/annexe to domestic dwelling	Withdrawn	25.08.2021

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment
S17 LDP Place Making and Design

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
NE1 LDP Nature Conservation and Development

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llanfoist Fawr Community Council - Objected to the previous version of the plans submitted; no comments received to date on the latest plans.

Natural Resources Wales - We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document and drawings identified below are included in the approved plans and documents condition on the decision notice:

- No. 1 Pipistrelle Court, Llanfoist, Abergavenny, Monmouthshire, NP7 9NF -Ecology Report prepared by Pure Ecology, dated July 2022

- Drawing no. 2155-04-B 'Proposed Site/Roof Plan Rev. B' by Morgan & Horowskyj Architects, dated 19 July 2022
- Drawing no. 2155-02-E 'Proposed Floor Plans and Elevations Rev. E' by Morgan & Horowskyj Architects, dated 18 July 2022

Please note, without the inclusion of these drawings and document we would object to this planning application.

Protected Species – Bats

On the basis of the submitted information as noted above, we do not consider that the development is likely to be detrimental to the maintenance of the population of species of bats outlined in previous ecological surveys, and referenced in the above ecological report, at a favourable conservation status in their natural range, provided that the mitigation measures outlined in Section 5: Recommendations of the ecology report, and the specified drawings, are implemented.

MCC Biodiversity - A previous biodiversity response was provided on 09/05/2022 which deemed that the application had 'not sufficiently demonstrated that it will retain the dark corridor along the north-west boundary, which is considered an important ecological feature of the site.'

In response, the applicant has updated a number of documents in order to address the points raised. I have reviewed the points in turn to assess whether they now ensure the previously raised issues have been sufficiently addressed.

Retention of Dark Corridor

In response to previous objections raised the design has been updated to remove the windows within the north-west gable. The drawings entitled 'Proposed Site / Roof Plan Revision B' and 'Proposed Floor Plans and Elevations Revision E' have been updated with this detail. Additionally, the plan details the addition of four fruit trees and two low growing shrubs along the boundary. It is agreed that the removal of the proposed window will prevent significant light spill onto the boundary feature, and the proposed planting will result in a welcomed reinforcement of the commuting/foraging corridor.

Biodiversity Net Benefit

Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. The updated plans detail the installation of bat roosting and nesting bird provision as part of the new application. This includes the installation of an integrated bat box and a bird nesting box on the new gable wall. Furthermore, a bat access ridge tile will be installed within the new extension. The proposed net benefit measures are considered sufficient for the size and scale of the proposals.

Landscape and GI Officer - The recent application DM/2022/00395 and the submitted documentation to construct a new two-storey extension to side of the property to provide annex accommodation have been reviewed from a Landscape and GI perspective. The application site is within a relatively new development on a former Area of Amenity Importance (LDP Policy DES2) partly sold for development. The site is located within the development boundary of Llanfoist. The application is for a new two-storey extension to the northwest elevation of the existing property. The design shows a development that is subservient to the existing dwelling with lower ridgeline and ground floor, half-pitched roof front and part side extension. The material palette is to match. Additional new fruit trees are proposed as per 2155-04-B.

From a landscape and GI perspective the revised plans are acceptable.

5.2 Neighbour Notification

Five objections have been received from neighbours which cover the following:

- Loss of amenity, overlooking, and loss of light
- Lack of parking, inadequate access, and overdevelopment

- Sustainability and protected species
- Form, scale, design and character
- Landscaping, access and layout
- Impact on the Conservation Area
- Inaccuracies of plans.

5.3 Local Member Representations

(Previous Ward Member) County Councillor Giles Howard - Referred the application to Planning Committee.

6.0 EVALUATION

6.1 Good Design/ Place making

6.1.1 The applicant is seeking permission for a side extension to provide additional ground floor and first floor accommodation in the house. The design of the proposed two-storey side extension is considered acceptable. The extension, although two-storeys, would be subservient to the existing dwelling house having a lower ridge height and being recessed in from both the front and rear elevations. The design and materials of the two-storey extension are in keeping with the existing property therefore having a minimal impact on the street scene. There is enough space to the side of the existing property to accommodate this size of extension.

6.1.2 The design of the extension to the dwelling is considered to be positive and would not detract from the appearance of the dwelling in its urban setting. The proposal in accords with Policy DES1 and EP1 of the LDP.

6.2 Historic Environment

6.2.1 The dwelling is not listed or within the curtilage of a listed building and there are no sites of historic or archaeological significance visible from the site. The village of Llanfoist is also not designated as a Conservation Area.

6.3 Impact on Residential Amenity

6.3.1 No detrimental amenity impact is anticipated. The proposed windows and doors face the rear and front gardens; no windows are proposed for the side elevation. There are no residential properties to the rear. Given this, no adverse overlooking impact is anticipated as a result of the development.

6.3.2 The side extension is set approximately 2m from the boundary which is shared with the nearest dwelling, Tamarisk. As existing, the dwelling is 7m from the boundary wall and 13m from the Tamarisk. The side extension will mean the distance goes from 13m to approximately 8m. The adopted Supplementary Planning Guidance (SPG) in respect of infill development does provide guidance on privacy standards. Section 7 of the SPG illustrates that the back to side separation distance should be at least 15m. Therefore whilst it is acknowledged that the distance here is below 15m there are mitigating factors. The neighbouring dwelling, Tamarisk, is set in an elevated position compared to the application site which would lessen any overbearing impact. Furthermore, the rear elevation of Tamarisk does not face directly towards the side elevation and is angled away, facing towards the south-east. The topography and orientation of the dwellings mean that the proposal would maintain reasonable levels of privacy and amenity for the occupiers of the neighbouring properties.

6.3.2 The proposal involves an extension to the residential dwelling which is proposed to be used as an annex for a family member that currently lives at the address. There is no anticipated intensification of use that would generate any disturbance to any adjacent properties.

6.4 Access / Highway Safety

6.4.1 There is no proposed change to the parking or access arrangements as a result of the proposed side extension and therefore there is not considered to be an adverse impact upon parking or residential amenity.

6.5 Biodiversity

6.5.1 The application site is within a relatively new development on part of a former Area of Amenity Importance. Surveys to inform this previous application identified a common pipistrelle maternity roost in the porch roof of the former school building, as well as a number of other non-breeding roosts used by various bat species. The submitted 2017 Bat Survey report noted that the north-west boundary provided 'an important feature of the site' due to its use as a commuting corridor by bats.

6.5.2 A previous response from the Council's ecologist was provided in May 2022 which deemed that the application had 'not sufficiently demonstrated that it will retain the dark corridor along the north-western boundary, which is considered an important ecological feature of the site.' In response, the applicant has updated a number of documents in order to address the points raised. The plans detail the addition of four fruit trees and two low growing shrubs along the boundary. It is agreed that the removal of the originally proposed window will prevent significant light spill onto the boundary feature, and the proposed planting will be positive, resulting in a reinforcement of the commuting/foraging corridor. The updated plans also detail the installation of bat roosting and nesting bird provision as part of the new application. This includes the installation of an integrated bat box and a bird nesting box on the new gable wall. Furthermore, a bat access ridge tile will be installed within the new extension. The proposed net benefit measures are considered sufficient for the size and scale of the proposal; a condition will be attached to ensure these means of mitigation are retained in perpetuity.

6.5.4 NRW has set new phosphate standards for the river (Special Areas of Conservation) in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a Habitats Regulations Assessment (HRA) to determine whether they are likely to have a significant effect on the SAC condition.

6.5.5 This application has been screened in accordance with NRW's interim advice for planning applications within the river SACs catchments. It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice: Development to an existing residential property (two-storey side extension) that does not increase occupancy or the volume of drainage.

6.6 Response to the Representations of Third Parties and Community Council

6.6.1 The fact that the original developer of the site was non-complaint with the previously approved plans should not prejudice the determination of this latest application which must be considered on its own merits.

6.6.2 Biodiversity concerns have been addressed in Section 6.5 of this report. Concerns set out by occupiers of surrounding dwellings have been received in respect to the bat corridor and the former Area of Amenity Importance. Whilst these comments have been duly noted, the Council's Biodiversity team has no objections to the amended plans. Furthermore, the Area of Amenity Importance has been partly developed and therefore a precedent has been set. Extending the existing dwelling is not anticipated to have any adverse impacts on the already disturbed Area of Amenity Importance.

6.6.3 Regarding concerns that include the movement of heavy goods vehicles or lorries whilst the extension is being built and the impact they may have on the nearby one way system, this would be short-lived and managed like any deliveries to a normal home. There are no existing restrictions that may prevent lorries or HGVs from passing through regardless of this planning application. Furthermore, other works could take place under 'Permitted Development' rights where larger vehicles might need to access the site.

6.6.4 In terms of Policy H4, this policy is not relevant to this application. Policy H4 relates to the conversion/rehabilitation of buildings in the open countryside for residential use, which only allows very modest extensions. Number 1 Pipistrelle Court is not a conversion nor is it a rehabilitation of a building in the open countryside. Furthermore, previous conditions were bought up as reasons for a refusal - however a condition applied before only restricts permitted development rights, meaning applicants need planning permission to carry out the works (not that any form of development is unacceptable) and an application has been submitted and is now before Members.

6.6.5 Regarding the unapproved gateway onto the field from the application site, a retrospective planning application or certificate of lawfulness would need to be applied for, but this is not related to the application proposal and this should have no impact on the proposed two-storey extension that should be decided based on its own merits.

6.6.5 Concerns have been noted regarding loss of privacy. The additional windows on the annex are not anticipated to cause unacceptable levels of overlooking.

6.6.6 Comments were also received regarding accuracies on the proposed plans. After checking this, no inaccuracies have been identified and there is a scale bar on the floor plans and elevations.

6.7 Well-Being of Future Generations (Wales) Act 2015

6.7.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.8 Conclusion

6.8.1 Having regard to all relevant material planning considerations as well as policies identified in the adopted LDP (as identified in Section 3 above) the proposed two-storey extension is considered acceptable subject to the planning conditions detailed below.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the LPA.

Reason: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

4 The approved 'Proposed Site / Roof Plan Revision B' and 'Proposed Floor Plans and Elevations Revision E' drawings, which illustrate the position of the biodiversity net benefit features, shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the local planning authority no more than three months later than the first beneficial use of the extension.

Reason: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1

5 Prior to the commencement of development full details of both soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:
- Soft landscape details shall include: means of protection, planting plan, specifications including cultivation and other operations associated with tree establishment.

Reason: In the interests of visual and landscape amenity; in accordance with Policies LC4 & LC1/5, GI1 and NE1 of the Local Development Plan

6 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1

7 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to occupation and shall include details of the arrangements for its implementation. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

This page is intentionally left blank

Application Number: DM/2022/00696

Proposal: Proposed single storey front extension

Address: Arosfa, Llanfair Discoed, Monmouthshire, NP16 6LY

Applicant: Mr Duffield

Plans: Block Plan Dated 13.07.2022 - , Other Shading - Summer - Page 1, Other Shading - March/Sept - Page 2, Other Shading - December - Page 3, Elevations - Existing - , Other Biodiversity Statement - , Location Plan - , Block Plan With 45 degree rule - , Elevations - Proposed Dated 13.07.2022 - ,

RECOMMENDATION: Approve

Case Officer: Mr Ryan Bentley
Date Valid: 09.05.2022

This application is presented to Planning Committee at the request of the Local Member

1.0 APPLICATION DETAILS

This application was presented to Committee on the 6th September 2022 with a recommendation for approval. This was not accepted by Members who resolved to refuse the application. The application has been deferred to the next available Committee to set out the reasons for refusal. The following reasons for refusal are suggested for consideration in the event that Members consider the current proposal to be unacceptable:

1. The proposed extension to the front elevation of the property is considered to be unacceptable and contrary to criterion c) of the Monmouthshire Local Development Plan (LDP) Policy DES 1, (General Design) by virtue of its scale, location and design which will have an adverse impact on the character of the area.
2. The proposed extension is considered to be contrary to LDP Policy EP1 (Amenity and Environmental Protection) by virtue of its scale and position creating an adverse impact on the amenity of the neighbouring property.
3. The proposed extension is considered to be contrary to LDP Policy H6 (Extensions to Rural Dwellings) by virtue of its scale and location, failing to respect or enhance the appearance of the existing building.

The previous report and recommendation are below.

PREVIOUS REPORT (September Meeting)

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to a semi-detached two-storey dwelling located in a rural area on the outskirts of the minor village, Llanvair Discoed. The site is located just off the road from Dovecote Barn to A48 and is not located within a Development Boundary. Therefore, the application is subject to Policy H6 of the adopted Local Development Plan (LDP).

1.2 Value Added

The applicant has provided amended plans that detail a bird box is to be fitted within the rear garden. A log pile and rock pile are also proposed within the garden which will provide a home for wildlife. Further details can be found in the supporting biodiversity statement. This would serve as biodiversity enhancement.

The proposed extension has not been amended to date. The drainage on the site has been amended to include a new soakaway within the front garden. Plans have also been submitted to show the potential overshadowing of the adjoining property, Cartref.

1.3 Proposal Description

Planning permission is sought for the erection of a single storey extension to the principal elevation of the dwelling. The site has previously had a two-storey side extension approved in 2013, under application no. DC/2013/00562. The proposed extension will be located 1m from the boundary of the property. The extension will measure 4m in length and will be 3.6m in width. The height to the eaves will be 2.5m and the height to the ridge will be 3.5m. The external walls will be finished in a render to match the existing. The hipped roof on the extension will have composite slate tiles. On the south elevation, there will be bifold doors. There will be a window located on the front (west) elevation. This will be white upvc.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2022/00696	Proposed single storey front extension.	Pending Consideration	
DC/2005/01402	Ground floor extension to side of existing semi-detached house to provide dining/kitchen facility	Approved	30.05.2006
DC/2013/00562	Two storey extension to side of existing semi-detached dwelling house	Approved	21.10.2013

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment
S17 LDP Place Making and Design

Development Management Policies

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
H6 LDP Extension of Rural Dwellings
NE1 LDP Nature Conservation and Development

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Caerwent Community Council - recommends refusal. Commented that this is due to rulings from Welsh Government and from within the Local Development Plan H6 - (Extensions & Rural Dwellings) and also H4 (part d and f) which mentions that extensions should be modest or subordinate to the existing dwelling. This proposal does not conform to these as the development allowance has already been exceeded. There are no other extensions attached to the front elevation of any other dwellings in the local area. This does not conform to the vernacular of the area and is totally out of keeping.

5.2 Neighbour Notification

Seven neighbour comments have been received, from four separate households. They have objected for the following reasons:

- Accuracy of the application
- Overdevelopment
- Design and impact on the character of the dwelling and the surrounding area.

- Impact on neighbour amenity - overshadowing and damp
- Drainage
- Impact on biodiversity
- Impact on Green Belt
- Need for an archaeological survey
- If not allowed under permitted development, why should it be allowed under planning control.

In the event of planning being granted could the following conditions be included:

1/ The land adjacent to our houses is joint access. No building material, vehicle or plant should be placed on there. All materials etc to be sited within Arosfa's property. Given the unspoiled beauty of the area one can reasonably anticipate that builders/contractor may take the easy option during construction to use this site as they did in 2013. Further this area contains a right of way for the farmer to his field and needs to be accessible 24-7.

2/ In the event of power being disrupted to us we are provided with generated power to enable my disabled wife to use her mobility aids (e.g. toilet lift).

5.3 Local Member Representations

Cllr P Murphy - requests that the application be presented to Committee.

6.0 EVALUATION

6.1 Good Design/ Place making

6.1.1 The dwelling is not considered to be a traditional rural dwelling like a cottage. The building is a typical semi-detached post war property which has been modernised and extended. Nevertheless, the proposed single storey extension, despite being at the front of the building, represents a modest addition to the dwelling that would clearly read as a secondary and subordinate element. The extension would be limited to the ground floor, set lower than the main roof ridge with a modest footprint. The extension incorporates a large section of glazing on the south and west elevations which will provide solar gain to the property and will allow natural light to enter the dwelling.

6.1.2 The semi-detached properties have been altered over the years, with Arosfa having a two-storey extension approved in 2013. Therefore, the properties are no longer considered to mirror one another and the original traditional nature of the buildings has been lost over time. In the surrounding area there are a number of similar semi-detached dwellings. These properties have had a range of alterations to the principal elevation. Whilst it is recognised that these are mostly front porches, they are all different and there is no uniform design. It is noted that this extension will be larger than those on the neighbouring properties but it is not considered to be of an unacceptable size. It is also considered that a sufficient area of amenity space would be retained to offset the structure and prevent the appearance of overdevelopment.

6.1.3 From a visual impact perspective, the dwelling is raised compared to the level of the road. There is an existing 1.8m high fence located on the boundary along the road which reduces the visual impact as it screens a portion of the property when travelling along the road. Therefore, the visual impact of the development on the wider landscape is considered to be negligible.

6.1.4 Planning Policy H6 states that in order to protect the character of the countryside extensions to dwellings outside village boundaries should be modest and respect or enhance the appearance of the existing dwelling. They will be required to:

- a) be subordinate to the existing building; and
- b) where the building is of a traditional nature, to respect its existing form, including the pattern and shape of openings, and materials.

The Supplementary Planning Guidance for Policies H5 and H6 (April 2015) section 3.9 states that where a dwelling that is proposed for extension is of no particular merit or where its original character has been lost through previous unsympathetic alteration and/or extension, the primary consideration in assessing any proposal will be the need to ensure that there is no significant harmful impact on the countryside through the increased size of the resulting building.

It is recognised that the property has previously been increased by 46% when the two-storey extension was approved. The single storey extension to the front represents 15% which will increase the overall volume of the property by 61% from its original state (prior to 2013). As the H6 Supplementary Planning Guidance states, a larger volume will not normally be allowed unless it can be clearly demonstrated either that there will be no harmful intrusive impact in the landscape through the increased size of the dwelling or that there is an enhancement in the appearance of the existing dwelling, subject, in any event, to the increase in volume being no more than 50%. Attention should be drawn to section 3.3 of the H6 SPG that states:

"Any extension that will result in an increase of more than 50% in the volume of a rural dwelling will not normally be considered to comply with Policy H6."

It is noted that the extension will have a cumulative volume increase of over 50%. The guidance notes states that whilst it is not normal for extensions of over 50% to be allowed, there may be scope for development of over 50%. The guidance also sets out, 'Where a dwelling that is proposed for extension is of no particular merit or where its original character has been lost through previous unsympathetic alteration and/or extension, the primary consideration in assessing any proposal will be the need to ensure that there is no significant harmful impact on the countryside through the increased size of the resulting building.' It must also be made clear that this document is to be used as guidance and that Policy H6 states that the extension must be subordinate to the main dwelling. In conclusion, it is considered the design, form, siting and appearance of the works would be subordinate and would not have a detrimental impact on the overall character and appearance of the immediate or wider rural area. Therefore it is considered to meet the relevant criteria of policies DES1 and H6 of the adopted LDP.

6.2 Impact on Residential Amenity

6.2.1 Firstly, with regard to scale, the proposed single storey extension is of a modest form and is located 1m away from the common boundary. Concerns have been raised that the development will cause overshadowing of the adjoining property. The applicant has submitted amended plans that detail the 45 degree rule and the potential for overshadowing. It is noted that the extension will be located to the south of the neighbouring property. As the roof is hipped and the extension is single storey, this reduces the level of overshadowing that is caused by the development. The summer drawing shows that there will be no impact on Cartref. In the spring/autumn, the plans show that there will be a limited amount of shadowing to Cartref. On the winter plan, there is potential for a limited level of overshadowing to Cartref but this will reduce as the day goes on and there is less light in the winter. Due to the nature of the extension and the limited impact on the neighbour, this is considered to be acceptable. The 45 degree rule also clearly shows that no loss of light will be caused to a habitable room. Therefore, the scale of the development is considered to be acceptable.

6.2.2 With regard to privacy, the property is in a rural area and there are no neighbours to the south, east or west of the property. There are no proposed windows on the north elevation which faces the neighbouring property, Cartref. As the extension is also single storey, by nature, it is not considered to cause an unacceptable loss of privacy. It is considered that the proposal would not result in an unacceptable impact upon the living conditions of neighbouring occupiers. The proposal is therefore considered to adhere to the relevant criteria within policies DES1 and EP1 of the adopted LDP.

6.3 Biodiversity

6.3.1 Having regard to PPW 11 and the Dear CPO letter (23/10/19) this application must demonstrate a net benefit for biodiversity. Accordingly, the applicant has updated the submitted drawings that would see a bird box fitted within the rear garden. A log pile and rock pile are also proposed within the garden which will provide a home for wildlife. Further details can be found in the supporting biodiversity statement. It is therefore considered on balance that the proposal accords with Policy NE1 of the adopted LDP.

6.3.2 It is noted that the location of the dwelling is potentially suitable for wildlife but the roof is tight and when conducting the site visit it was confirmed that the roof was in good condition. The proposal

also does not require any alterations to the roof of the main dwelling as it is single storey and lower than the existing eaves. Therefore, on balance, it is considered that a bat survey is not required for the application.

6.3.3 Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA.

This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

6.4 Response to the Representations of Third Parties and/or Community/Town Council

6.4.1 It is noted that Caerwent Community Council recommends refusal. It should be stated that Policy H4 does not apply to this application as this refers to the conversion/rehabilitation of buildings for residential use. There has been no change of use regarding the building. With regards to the development allowance being exceeded, the report has covered these points in section 6.1.4. With regards to alterations to the front elevation on neighbouring dwellings, this has been covered in section 6.1.2.

6.4.2 Concerns have been raised over the accuracy of the application. This related mainly to the application form and the size of the fence on the common boundary. Following discussion with the agent these concerns have been addressed.

6.4.3 With regard to overdevelopment and design/impact on the local character of the area, this has been covered in section 6.1.4 of the report. Further comments have been received regarding the accuracy of the volume calculations. The volume calculations as submitted are considered to be accurate and take into account the original dwelling volume and the extension in 2013. The attached outbuilding has been included in these figures due to its nature and it being demolished to accommodate the extension in 2013. The inclusion of this in the volume calculations is not considered to be double counting and the volume increase of the resulting development is 61%.

6.4.5 The impact on the neighbour, Cartref, has been addressed in section 6.2 of the report. Further comments have been received mentioning that the shadowing caused by the fence is a red herring as this will be replaced in due course, probably with open chain link. The submitted plans indicate the fence as it currently stands and future boundary treatments between the two dwellings cannot be anticipated. The degree of overshadowing is not considered to be harmful.

6.4.6 With regards to the drainage at the site, the agent has provided amended plans that detail rainwater drainage from the extension will be directed towards a new soakaway in the front garden. This is considered to be acceptable. Further comments have been received regarding the positioning of the soakaway. The plans as submitted are acceptable from a planning perspective. If any issues arise with the location of the soakaway, this will be covered by the Building Control officer.

6.4.7 With regard to the potential impact on biodiversity, specifically bats, this has been addressed in section 6.3.2. The proposed extension is not located near to the existing roof and the potential impact of the development is not considered to require a bat survey.

6.4.8 With regard to the need for an archaeological survey, the site is not located within an archaeologically sensitive area. Therefore, an archaeological survey is not required to support the application.

6.4.9 With regard to the impact on the Green Belt, the application is a householder extension to an existing dwelling. Due to the nature and size of the extension it is not considered to have an unacceptable impact on the Green Belt.

6.4.10 With regards to the comments about permitted development, just because an extension does not conform to permitted development does not mean that it is unacceptable. If the front extension was to be located on the rear elevation of the property then it would be classed as permitted development. As the extension is located forward of the principal elevation it requires planning permission and is subject to the relevant planning policies and considerations. Following evaluation, as the report states, due to the nature and scale of the development, it is considered to be acceptable.

6.4.11 With regards to the requested conditions, the neighbour has highlighted some concerns in relation to the electricity supply and the storage of building materials within a shared access. These are not issues that can be subject to planning control.

6.5 Well-Being of Future Generations (Wales) Act 2015

6.5.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.6 Conclusion

6.6.1 For the reasons detailed above in this report, having regard to the relevant policies and all other material considerations the proposed development is considered to be acceptable subject to the conditions set out below.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The net biodiversity enhancement measures shall be installed in accordance with the details shown on the supporting document "Biodiversity Statement" and drawing "Block Plan dated 13.07.2022" within one month of the single storey extension hereby approved being brought into beneficial use and retained as such in perpetuity.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1.

This page is intentionally left blank