

# Public Document Pack

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held  
In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote  
attendance on Tuesday, 2nd August, 2022 at 2.00 pm**

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

County Councillors: Jill Bond, Fay Bromfield, Jan Butler, Ben Callard,  
John Crook, Tony Easson, Meirion Howells, Su McConnel,  
Jayne McKenna, Maureen Powell, Sue Riley and Ann Webb

County Councillor Louise Brown 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
Joanne Chase	Solicitor
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillors Emma Bryn and Steven Garratt.

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

None received.

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

The minutes of the Planning Committee meeting dated 5th July 2022 were confirmed and signed by the Chair.

#### **3. DM/2022/00518 - A replacement dwelling is proposed at Church Cottage to prevent the future risk of flooding of the dwelling. The scheme will involve the demolition of the existing dwelling Church Cottage, Bayfield Road, Mounton, Monmouthshire, NP16 6AF and DC/2021/00791 - A replacement dwelling is proposed at Church Cottage to prevent the future risk of flooding of the dwelling. The scheme will involve the demolition of the existing dwelling (Conservation Area Consent) Church Cottage, Bayfield Road, Mouton**

We considered the reports of the applications and late correspondence received which were recommended for approval subject to the conditions outlined in the reports.

The local Member for Shirenewton, attending the meeting by invitation of the Chair, outlined the following information:

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- The landscape contrast between the two buildings, with its impact on the setting next to Mounon Church, is illustrated by comparing the planned drawing of the existing and the proposed northwest elevation in context.
- The use of stone at the bottom of the property reflects both the property to the right coming from the roundabout to the church and the church itself.
- The use of black slate is in sharp contrast to its local setting and may appear to have an institutional like appearance out of keeping with its local context.
- The black timber colour will not fade to silver birch.
- Whilst the site inspection was held during a warm summer day, the area gets very dark and dull for much of the winter months.
- The current cottage has been described as unobtrusive, which is side on to the road but the proposed building will be more prominent as it faces the road.
- According to Mathern Community Council's comments, although recognising the flooding issues posed at this site and the architectural merits of the proposed dwelling, it was felt that it was the wrong building for this location.
- The current cottage sits subserviently in its conservation area of Mounon Church at present but the proposed building does not. The proposal does not blend in, compliment or reflect the local vernacular, and its proportions and lines are at odds with the other dwellings in the hamlet of Mounon.
- The materials proposed are at odds to those elsewhere within the conservation area in the hamlet.
- For the reasons mentioned, Mathern Community Council would recommend refusal of the application.
- In terms of Planning Policies DES1, section C refers to the sense of place and section G refers to the need to use the vernacular tradition where appropriate.
- In terms of the area of natural beauty, Policy LC4 refers to the degree to which the design quality and use of appropriate materials harmonise with the surrounding landscape and built heritage. Policy LC5 mentions the importance of traditional features and patterns. TAN 12 refers to good quality design as applied to the local context. It also mentions local distinctiveness.
- On the site visit along St. Lawrence Road, prior to Mounon, there is a loss of character to the area due to the variety of house designs. Conservation is about preserving or enhancing the character or appearance of the area.
- The existing building has been described in the heritage statement as unobtrusive but this building is in stark contrast to that and there are no other

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properties with a similar appearance or using black exterior timber cladding. It will be a prominent change in the area and may lose its character. The importance of the church in this small hamlet may be compromised.

- There is nothing wrong with the design, but it is for the Planning Committee to consider whether the style of building and its use of exterior black timber cladding materials is appropriate and whether its non-traditional box like shape and design is out of character within its proposed conservation and area of natural beauty setting and whether or not it is appropriate for a more modern housing estate.

Mr. M. Hall, the applicant's agent, had prepared an audio recording which was presented to Planning Committee and the following information was noted:

'Proposing the replacement of a cottage in an idyllic hamlet is clearly not a matter to be taken lightly, but reflects the reality confronting the applicants who have endured the traumatic experience of being flooded out of their home on several occasions over the last decade. This situation is not merely heart-breaking for the household, it is potentially ruinous as Mounton Brook floods more frequently and severely, making Church Cottage practically uninsurable.

Any proposal must therefore deal with the simultaneous challenges of substantially raising the ground floor level by over half a storey to prevent the future risk of flooding, while not overwhelming the petite scale of the surroundings, particularly the diminutive church next door. The existing dwelling may be considered broadly traditional in style, but in reality presents quite a hostile face to the lane which it sits directly alongside.

The scheme being considered by the Planning Committee today has been developed with considerable care as a direct response to the particular sensitivity of its setting. The application documents explain in detail how key questions of scale, materials and design have been addressed with the precise intention of respecting the intimate valley setting of Mounton.

Members of the Committee are encouraged to study the Design & Access Statement which sets out the thinking behind the design. This document succinctly lays out a series of explanatory points that are supported by 90 illustrations which should leave little room for doubt concerning the multi-layered thought that has gone into the proposal.

The scheme is generously set back from the lane and church (far more so than the existing dwelling) and uses this breathing space to quietly place the minimalist pavilion-like building into the notable early 20<sup>th</sup> Century Japanese-inspired garden which surrounds it.

Clearly, just because something has been designed with a high degree of care, it should not automatically be granted approval. However, it may lead the Committee to question the dismissive opinions put forward by the objecting party and to give appropriate scrutiny to viewpoints which seem largely subjective. It is unclear how the proposal's use of local stone and naturally treated timber can be fairly described as "at odds to

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materials used elsewhere within the conservation area and hamlet". Few would judge the existing dwelling's pink cement render, concrete roof tiles and PVC windows as reinforcing the vernacular identity of Moun-ton.

The oppositional commentary in this instance would seem to be an outlier, with six community households from Moun-ton writing in support of the application versus a single objection. Supporters include the owners of Moun-ton House, the listed Arts & Crafts building with shared design connections to the application site.

CADW has no objection to the scheme, noting "The design of the proposed dwelling gives due consideration to the physical and visual relationship between the new dwelling and its sensitive setting in Tipping's water garden. By employing a contemporary flat roof design, it also ensures that the roofline of the new dwelling is below the ridge height of the adjacent church of St Andoenus."

Monmouthshire's Conservation Officer does not object, commenting that "The design of the proposed dwelling is very modern, in contrast to the existing multi-period dwelling but has been carefully designed and is located set back from the road within the plot. Whilst the proposed dwelling is different to the existing, the size, scale and mass is deemed appropriate for its setting".

In summary, on behalf of the applicants we encourage the Planning Committee to follow the Council's own Planning Officer's recommendation and grant approval for the application.'

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

- The design of the proposed dwelling was a good modern design.
- Late correspondence outlines the design and access statement which explains how the timber would be treated via a charring process. The charring process will provide a black / dark grey appearance to the timber with the tones of the wood still being visible.
- The current house has flooded many times over the years and is now uninhabitable. The existing house has lost its character over a period of many years. It was considered that there was no reason to refuse the application on planning grounds.
- We are in a period of change due to climate change and therefore must embrace and consider proposals such as this application.
- The ground floor plan will be raised 1.4m higher than the existing cottage which complies with the 1 – 1000 year flood risk levels, plus climate change. The garage and driveway would set up 0.8m higher than the existing. The parking area is raised 0.23m above the 1 – 1000 year risk to allow for safe access.

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The local Member summed up as follows:

- Condition 4 in the report and the subsequent report on conservation states that it is necessary to submit samples to the Planning Authority.
- Late correspondence states that the colour will not fade to silver birch. Therefore, it was considered that the colour needed to last in perpetuity. It was suggested that the samples be presented to the Delegation Panel for agreement on colour.
- The dark timber colour was a concern for the local Member.

Following discussion, it was considered that a condition could be added to ensure the sample of external timber cladding is referred to the Delegation Panel for scrutiny before the samples condition is discharged and also that external materials on each application should be retained on the building in perpetuity. Following debate, the Committee expressed a preference for a darker colour to the cladding.

It was proposed by County Councillor M. Powell and seconded by County Councillor B. Callard that applications DM/2022/00518 and DC/2021/00791 be approved subject to the conditions outlined in the reports and that the external finishes sample condition be amended for both applications, to ensure:

- That external materials on each application should be retained on the building in perpetuity.

N.B. The Committee expressed a preference for a darker colour to the cladding.

- To ensure the sample of external timber cladding is referred to the Delegation Panel for scrutiny before the samples condition for each application is discharged.

The Planning Committee voted on application DC/2021/00791 first, as follows:

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

In favour of the proposal	-	13
Against the proposal	-	0
Abstentions	-	0

The proposition was carried.

The Planning Committee then voted on application DM/2022/00518, as follows:

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

In favour of the proposal	-	14
Against the proposal	-	0
Abstentions	-	0

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The proposition was carried.

We resolved that applications DM/2022/00518 and DC/2021/00791 be approved subject to the conditions outlined in the reports and that the external finishes sample condition be amended for both applications, to ensure:

- That external materials on each application should be retained on the building in perpetuity.

N.B. The Committee expressed a preference for a darker colour to the cladding.

- To ensure the sample of external timber cladding is referred to the Delegation Panel for scrutiny before the samples condition for each application is discharged.

#### **4. DM/2022/00699 - To modify condition number 6 of planning permission DC/2007/00551 1 Conygree, Pill Row, Caldicot, NP26 5JD**

We considered the report of the application and late correspondence which was recommended for approval.

In noting the detail of the application, the following information was identified:

- There is enough room available for two vehicles to park outside the property.
- An area had been identified as being turned into a decorative area which could be turned back into a parking space.
- There is enough space within the compound for visitor parking.
- There is unrestrictive roadside parking outside compound.
- The applicant is now the sole owner of the land which is now private property.
- It was considered that there were no reasons to refuse the application on Planning grounds.

It was proposed by County Councillor B. Callard and seconded by County Councillor J. McKenna that application DM/2022/00699 be approved as per the officer recommendation within the report.

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

For approval	-	13
Against approval	-	0
Abstentions	-	1

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The proposition was carried.

We resolved that application DM/2022/00699 be approved as per the officer recommendation within the report.

#### **5. DM/2021/00037 - Erection of one detached, two-storey house in part of garden with associated access and parking (Outline planning permission). Land to west of Stray Leaves, School Lane, The Narth, Monmouth**

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

The application was re-presented to Planning Committee on a point of clarification. At the Planning Committee meeting held on 8th June 2022, Members debated the proposal and resolved to approve the application subject to the conditions outlined in the report and subject to a Section 106 legal agreement and that Condition 9 be amended as follows:

- The upper and lower scale parameters for the height of the dwelling be 8m upper and 4m lower.

At the meeting it had been noted that there was some lack of clarity in the debate about the distinction between the access and the driveway / parking area and what was being considered at the outline stage. Therefore, in order to clarify this matter, the application was re-presented to Planning Committee.

It was noted that the point of access to the plot from the lane was fixed within the outline application which has not reserved the means of access to the site. Beyond the access itself, the layout of the driveway / parking area will be considered as part of the reserved matters.

In noting the detail of the application it was proposed by County Councillor S. McConnel and seconded by County Councillor M. Powell that application DM/2021/00037 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	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/00037 be approved subject to the conditions outlined in the report and subject to a Section 106 legal agreement.

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**6. DM/2021/01735 - Retention of domestic garage. 60 Old Barn Way,  
Abergavenny, NP7 6EA**

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

The application was presented to Planning Committee on 5<sup>th</sup> July 2022 with a recommendation for approval. However, Planning Committee had resolved to defer consideration of the application for further negotiations to be held with the applicant.

Following the Planning Committee meeting on 5<sup>th</sup> July 2022, Officers gave three options to the applicant:

- Revert back to the original (approved) scheme.
- Reduce by 500mm for further consideration.
- Keep the proposal as it is.

Following discussions with Officers, the applicant requested that the Planning Committee determine the application as originally presented to Committee on 5<sup>th</sup> July 2022.

On this basis, the following reason for refusal was suggested for consideration in the event that the Planning Committee considers the current proposal to be unacceptable:

- By virtue of its unacceptable scale and mass, the proposal fails to respect the existing form, scale, massing and layout of its setting and is therefore contrary to criterion c) of the Monmouthshire Local Development Plan Policy DES1.

In noting the detail of the application the Planning Committee expressed disappointment that the applicant had not considered the concerns raised at the previous meeting.

It was therefore proposed by County Councillor B. Callard and seconded by County Councillor M. Powell that application DM/2021/01735 be refused for the following reason:

- By virtue of its unacceptable scale and mass, the proposal fails to respect the existing form, scale, massing and layout of its setting and is therefore contrary to criterion c) of the Monmouthshire Local Development Plan Policy DES1.

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

For refusal	-	11
Against refusal	-	1
Abstentions	-	2

The proposition was carried.



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We resolved that application DM/2021/01735 be refused for the following reason:

- By virtue of its unacceptable scale and mass, the proposal fails to respect the existing form, scale, massing and layout of its setting and is therefore contrary to criterion c) of the Monmouthshire Local Development Plan Policy DES1.

#### **7. New Appeals Received - 28th May 2022 to 20th July 2022**

We noted the new appeals received by the Planning Department for the period 28<sup>th</sup> May to 20<sup>th</sup> July 2022.

**The meeting ended at 3.22 pm.**

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