

Monmouthshire Select Committee Minutes

Meeting of Place Scrutiny Committee held at Council Chamber, County Hall, The Rhadyr USK on Thursday, 10th November, 2022 at 10.00 am

Councillors Present

County Councillor Lisa Dymock (Chairman)
County Councillors: Louise Brown, Emma Bryn, Ben Callard, Ian Chandler, Tomos Davies, Jane Lucas, Su McConnel, Maria Stevens, Jackie Strong, Jan Butler, Tony Easson, Paul Griffiths, Sara Burch, Christopher Edwards, Catherine Fookes, Simon Howarth and Frances Taylor

Officers in Attendance

Hazel Ilett, Scrutiny Manager
Robert McGowan, Policy and Scrutiny Officer
Peter Davies, Deputy Chief Executive and Chief Officer, Resources
Mark Hand, Head of Place-making, Housing, Highways and Flood
Paul Keeble, Group Engineer (Highways and Flood Management)
Nicholas Keyse, Estates Development Manager
Graham Kinsella, Traffic And Road Safety Manager
Craig O'Connor, Head of Planning

APOLOGIES: None

1. Declarations of interest

Councillor Chandler declared a non-prejudicial interest as a former employee of Amnesty International.

2. Public open forum

Shaun Hartley spoke on the subject of the RLDP Preferred Strategy.

Hugo Perks spoke on the subject of the petition under Item 4 regarding Council use of JCB machinery.

3. Petition: Excessive speeding on Birbeck Road, Caldicot

Petition withdrawn. Councillor Easson explained that following conversations with officers, that actions are due to take place in Birbeck Road to reduce speed, and subsequently monitor the efficacy of those measures. He thanked the officers for their work.

4. Petition: Council Use of JCB Machinery

Councillor Davies expressed opposition to the boycott and sanctions movement against Israel. While recognising the plight of the Palestinian people, he would hope that the Council would re-affirm support for Israel as the only democracy in the middle east, and proposed that no further action be taken.

Councillor Callard also proposed that no further action be taken, as it is not an area on which the Council should follow up.

Councillor Chandler disagreed with the statement that Israel is the only democracy in the region. He expressed sympathy for the sentiments behind the motion, and noted that the international community has repeatedly declared the Israeli occupation to be illegal. However, in this instance, the motion is too tokenistic an action to take but wanted to put on record that the council could at some point formally express solidarity with the Palestinian people and call on the Israeli government to withdraw from the occupation, and call on international businesses conducting business in those areas to withdraw.

5. Discussion on the Committee's Forward Work Programme

Councillor Chandler asked for Rural Broadband, originally on today's agenda, to be added to the next agenda. Councillor Howarth noted that in the investment committee this week there was discussion of a paper being brought to full council soon about the county's broadband – this might help to inform the discussion and answer some questions.

6. To confirm the minutes of the meeting held on 30th June 2022

The minutes were confirmed and signed as an accurate record.

Councillor Chandler asked about 'matters arising', officers agreed to provide an action list following each meeting. Councillor Brown concurred. Councillor Strong suggested linking the action plan to the forward work programme.

7. Revised Local Development Plan: Preferred Strategy

Cabinet Member Paul Griffiths introduced the item. Craig O'Connor and Mark Hand delivered the presentation and answered the members' questions with Councillor Griffiths and Councillor Burch. In relation to the comments made in the Public Open Forum, Mark Hand noted that the Local Transport Plan and Infrastructure Plan will accompany the LDP at the later deposit stage; this is the first stage of statutory consultation. Officers are complying with the regulations and progressing in the right order – the matters raised will be fully considered later.

Challenge:

Are there assurances that there will be funding for robust active travel links to these new sites prior to new houses going up? e.g. the Abergavenny site is close to a busy road and rail line, it is unlikely that people will walk or cycle to town via the Hardwick roundabout, and once they have a car to do so they won't revert back to active travel.

We are not yet at the stage to give reassurances about funding but the national planning policy has recently been updated to clarify active travel and timescales for development and delivery, so it does support new developments in the way described. We are working closely with the Active Travel team. These strategic sites were picked up in the integrated network maps so that options are kept open for future priorities, and

those network maps are the basis for future funding applications. The intention is to have routes in place at the outset, and funding for them.

We cannot envisage taking the Abergavenny site forward without a clear link across the railway line into town. We are already investing in an active travel route to the Caldicot site from the centre, which we hope to see completed before taking forward the residential development. Plans are in place to connect the Bayfield site to the schools and Chepstow town centre; we must ensure that they are completed in advance of/alongside residential development.

There has been a lot of development with housing estates built but no services built with them. What levers can we pull to ensure that these public services are in place in order to create communities and keep residents out of cars?

We are working with various organisations concerning various aspects. One is that some sites are mixed-use development, another concerns school places, which is relatively straightforward as we as the local education authority can deal with capacity and need. The most complicated part is health infrastructure, for which we're working with ABHB e.g. at recent and upcoming meetings of Monmouthshire GP groups. We will engage fully with them as this process continues.

We need more than 'ambition' in relation to net zero: we need 'requirement'. Is there any reassurance about that?

We sent a detailed note to all promoters of sites that we seek Net Zero, going above building regulations. The strategic policy will say that each home constructed will be net zero ready. That detailed policy will come later in the plan – this is the wider vision of the plan – hence the use of 'ambition', but we are making net zero a requirement.

What about the impact on rural areas? How are they being favourably developed?

National Planning Policy is to focus on town centres first, ensuring their viability and that they are protected for the long term. We have to think about new methods of delivery, e.g. different uses of town centres. Planning Policy Wales highlights the need for community services in town centres. This document is the preferred strategy so doesn't include the detail yet, but later we will have detailed policies about how we do that. The RLDP allocates land for development but there is also a swathe of planning policies by which all future planning applications will be determined. At this stage we are looking at the strategic level of growth: addressing affordability, the demographic challenge, the climate change agenda, etc. It is worth also remembering what the planning process stops, as well as enables e.g. the other aspect of supporting town centres is preventing out-of-town retail. Therefore, some of the preventative measures support town centres.

Concerning the number of different rural settlements e.g. Tier 4 settlements, many of those fall in the Upper Wye catchment area, which hasn't necessarily been recognised – could we have clarification on that?

Any development proposals in those areas are considered in terms of phosphates and the NRW planning guidance i.e. ensuring that we evidence nutrient neutrality and that no development will have an adverse effect on river conservation. That will continue

until the river comes into favourable consideration. The strategy outlines that 100 homes will be allocated in the smaller settlements; we haven't decided which yet. Some of the detail being sought will come at the deposit planning stage. In Table 1 of the report, we've stripped out every assumption for the Upper Wye valley catchment. We haven't assumed a past trend of windfalls within it.

What does the insistence on energy efficiency entail? Are we getting to the point where in Planning we will be able to say that something is not approved if these things aren't in place?

We are working in a planning policy framework from 2014. It's positive that this preferred strategy proposes that we go for a high level of net zero homes so, yes, it will give members the option to say no to a development that doesn't hit that standard. It will be different for different sites, i.e. whether having solar panels makes it net zero, or something else. Some of this policy should be at a national level but in Monmouthshire we will be able to hold developers to account.

Will there be an extra question on candidate sites?

Candidate sites are in the Council report for 1st December – Council will be asked to endorse this strategy for public consultation, agree to the candidate site register going out to public consultation and the delivery agreement for submission to Welsh Government (the timetable and community involvement scheme), the habitat regulations assessment and the integrated sustainability appraisal. In terms of candidate sites, it's a chance for people to comment on everything that has been submitted in the process, including the 3 strategic sites.

For the Forest of Dean's proposed development in Lydney, we suggested a bypass and active travel – does the same not apply to Chepstow and Caldicot? Welsh Government has put a moratorium on road building but if roads can't be built, surely houses can't either, if we can't put in the right infrastructure? Won't Chepstow come to a standstill with all of this house building and the resulting traffic flow from Caldicot's developments and FOD?

Yes, we need to consider wider strategic sites and proportion of growth together. We are comfortable with 68% of that growth being in Chepstow and Caldicot but we need to look at infrastructure issues in the round. It is worth noting that a significant proportion of Chepstow's growth has been bumped to Caldicot, being the same housing market area, but Chepstow is heavily constrained. We are mindful of the issues raised, such as how we link with FOD and how the sites will work.

The hierarchy in national planning and transport policy is: initially, it's about reducing the need to travel (having the developments be sustainable, urban extensions on existing settlements with the most amenities e.g. Abergavenny, Chepstow and Monmouth), then it's about active travel (sites being in walking and cycling distance to town centres, and transport infrastructure), then public transport. There are undeniably knotty issues to work through in coming years, but there is a rationale behind the sites identified, and it is right for the growth to go on to those larger towns with those amenities.

What defines a ‘settlement’? Has Welsh Government not said that there are to be no new settlements?

We aren’t proposing new settlements, they are urban extensions to the towns – a new settlement would be defined as being self-contained with its own amenities, employment, etc. National planning policy has changed; in our first growth options we looked at the option of new settlements but due to the national policy it isn’t on the table any more.

What about the possibility of a train station at Caerwent?

This proposal isn’t on the table but there is the South Wales Metro proposals to increase railway frequency in Chepstow and Abergavenny, and the Burns Commission M4 alternatives, looking at significant improvements, particularly at Severn Tunnel Junction. There are ongoing discussions with Cabinet Members about other aspects of travel infrastructure, including rail connections between Lydney and Severn Tunnel Junction, which are currently lacking. Caerwent isn’t in those discussions. Magor walkway station is, however, recognised by the Burns Commission, which we are supporting as a planning authority.

Is there an opportunity for new schooling? The Crick site is a concern: there’s no provision for extra school places. Caldicot infrastructure is a great concern e.g. some trains aren’t allowed to stop in Caldicot.

New schools is certainly something to be explored, particularly regarding Abergavenny East and Caldicot East. We work very closely with our education colleagues; they have already given us ideas about school capacity but almost until deposit plan stage, when it’s known exactly which catchment a proposed development will be in, they can’t give us certainty about how to proceed. These strategic sites constitute new information for us to work through with them. The size probably means that there is scope for on-site primary school provision for both.

Should there be a Plan B for Monmouth, if things being put in place to address the phosphates problem come to timely fruition?

We have had detailed conversations with Welsh Water and NRW looking at when a solution can be delivered. Welsh Water is committed to finding a solution but they don’t know what it is yet – more R&D is needed. In terms of the preferred strategy, we need to move forward, we could stop and wait but the issues are continually increasing, which is why there are no new allocations in Monmouth. There are sites there though that will still be in the plan as bonus sites – they can be retained, so affordable housing can be delivered in the town, not in new allocations but on existing sites.

Will Exception sites be able to deliver a percentage of affordable and mixed-need homes?

Welsh government policy is clear that we need to be ‘plan-led’, so we need to ensure that the LDP allocates sites for development and any other sites outside that don’t come forward, so we can ensure that we have the right infrastructure and connections. But we

are looking to have an affordable housing exception policy, so exception sites on our primary settlements for small, proportional growth, to allow for 100% AH sites.

Can we not include battery storage for personal use and therefore lower prices for the household?

Yes, these can be included and we will look at that.

With aiming for 50% Affordable Housing, can people in time purchase the house, meaning that further down the line it will no longer be an 'affordable house'?

There are three types of affordable housing: social rent, intermediate rent and low-cost home ownership. With the latter, it's typically 50% but one can get to 100% and own the property. But to be national planning policy compliant the affordable housing is affordable in perpetuity, and the receipt from the sale of the extra proportion of the house goes back to the registered social landlord and reinvested into AH. It's not a loss of affordable housing in the grand scheme of things, in the way of right-to-buy, which no longer exists in Wales. The model that we use, that allows for moving up to 100%, is effectively an equity share scheme. We probably do need to review the model in Monmouthshire.

What other facilities would you expect for a site that's 900+? Would it be large enough to have things like contributions to surgeries etc., to improve local facilities?

It's too early to say what will be on the sites. There will be detailed master planning of the strategic sites with site promoters, stakeholders, colleagues, and Design Commission for Wales. Sites of that size might have space within them for a new GP surgery, depending on healthcare needs in the area. It is all to be determined but there will be some amenities for a development of that scale.

Chair's Summary:

Cabinet Member Paul Griffiths made the following comments:

I assure the committee that their comments will be included in the 1st December report if possible, but if not, then as the process moves forward. Recognising the earlier comments, 'ambition' is nonetheless an important word to include and quality to have. We want our homes and settlements to set a national standard. The aim of improving town centres is why the new settlements are attached to existing ones. Connectivity will be so important; active travel will be crucial. We continue to have ambitions for rail transport: in conversations with Transport For Wales, we already have a commitment for at least 2 trains an hour on the Chepstow-Caldicot line and will press for enhancements on that. Welsh Government is reviewing roads, as part of which I will press the case for road enhancement in the county. The intended developments for Caldicot require a new junction on the M48, or a reclassification of that road – we will make that case forcefully to Welsh Government.

The Chair added the following comments:

From a Portskewett perspective, it seems that there is a disproportionate amount of housing in the Caldicot area, and a shared concern about the infrastructure becoming gridlocked. There is already a lot of traffic due to developments that are underway. We need to learn from overdevelopment mistakes in the Chepstow area. There are references to town extensions but the centres are very tired – there isn't a good offer e.g. Caldicot. The land proposed for the Crick Road development attracts a lot of visitors – if that goes, there is little attracting people to the area. Did Welsh Government not say that they were against open countryside development, and noted any adverse effects on the landscape of Caldicot Castle? The castle floods very badly so constituents are very concerned about the proposed number of houses.

Members share concerns about active travel being incorporated at the outset, rather than as an afterthought. There are concerns about health and public transport for the proposed sites. We want to see high standards with regard to energy efficient homes. Members have raised infrastructure issues, especially in the SE corner of the county. We want people out of their cars but some residents travel out of the county and railways aren't always suitable. Affordable housing is welcome but, again, the infrastructure is vital. It is disappointing that no new allocations are forthcoming for Monmouth, but hopefully a solution will be found soon. We encourage residents to be part of the public consultation.

8. Speed limit of 20mph on the B4245

Graham Kinsella and Mark Hand delivered the presentation and answered the members' questions.

Challenge:

Is this the only change proposed for the Severnside pilot, or are there likely to be others?

On the current amendment order, going to the Cabinet Member on 30th November, the only changes are the 2 stretches shown on the slide in the presentation (those in green, the part-time by Durand primary). Severnside members requested another change on the stretch between the eastern side of Undy and the western side of Rogiet: it's currently 40mph with a small 60mph section in the middle, with members suggesting that it all be 40mph. This wasn't included in Amendment Order 5 due to an error, but will be in Amendment Order 7 early in the new year.

The area around Durand primary school is a concern, as the criteria say there shouldn't be an exception within 100 metres of a school? What about lunchtime in relation to the school and times for the varying speed limits?

The exception criteria reference the distance to the entrance of a school. In this case, Durand's entrance is just off the B4245, leading to a great deal of discussion. The thinking is that as it's a primary school, occurrences of unsupervised children leaving at lunchtime will be rare.

How will the changing 20mph be signalled to drivers?

The intention is to sign it with flashing signs: the orange beacons will flash between this time and the sign will say '20mph when lights flash', so it will be clear to all drivers. We consulted with the school and these timings were their preference.

In light of the newly published Welsh Government exception guidance, is it possible that the proposed 20mph in Monmouth will change?

We don't know at this time but will go away and reply outside the meeting. **ACTION TO BE COMPLETED BY MARK HAND ONCE THE REVIEW HAS TAKEN PLACE**

Will a review be possible in, say, a year's time? Especially considering the possibility of unintended consequences e.g. with drivers avoiding the B4245 by going down narrow roads, resulting in near misses.

We are happy to do a holistic review of the B4245 with members. It would be worth meeting fairly soon to start shaping it. As a slight caveat, much of our resource in the next financial year is going to be on implementing the legislative change across Wales.

There is no school sign on the road outside Durand school – can that be looked at?

Yes, this is a good point, we will take that forward.

Will monitoring be in place, particularly concerning drivers creeping back up to 40mph?

There is one monitoring location directly in this area already. We will keep this in place and ensure that 30mph is adhered to. There are induction loops cut into the carriageway throughout both of the pilot areas – they will continue to monitor over the next 5 years.

Will this road be reviewed if the speed limits aren't working out?

Yes, we would look at that as part of the holistic review.

Will the route from Caldicot to Rogiet generally be 30mph now?

The only stretch being discussed is Woodstock Way up to Castle Gate roundabout – we aren't looking at any other changes on the B4245. Once in the settlement of Rogiet or Caldicot it will be 20mph, except for those areas just discussed.

How is a house regarded as 'fronting'? If the back or side of a house faces the road would they be counted? What about houses that front but are set back from the road?

It's frontage in a more general sense, particularly where the main entrance is located. All of the houses back on to the stretch that we are proposing goes back to 30mph – their front doors and main entrances are the other side. Even with a long front garden, a house would be classed as 'fronting'. The only difference would be if a home fronts a road but has separate access by a side street/shared driveway/cul de sac e.g. parts of Hereford Road in Abergavenny.

In Gilwern, the road goes from 60mph to 30mph. The biggest problem is that by the time drivers hit the 30 they are going too fast – will there be a problem with drivers dropping from 40 or 50 to 20 in time? Regarding Rogiet, are drivers going from 50 to 20 or 30 to 20?

We note these points. We have attempted to have 'gateway' features e.g. roundels on the road, signage clearly indicating 20 and speed indicator devices. Normally, buffers are in place and the speed reduces. In theory, drivers should be doing the limit by the time they hit the area, as there are warning signs beforehand.

Chair's Summary:

Thank you to members for their comments and for officers in working with Severnside members to find a solution that will benefit residents. This will go to the Cabinet Member for approval on 30th November.

9. To agree to exclude press and public for the following items

10. Call-in: Land Adjacent to Caldicot Comprehensive School

Councillors Taylor and Howarth outlined the reasons for the call-in:

- *In 2018, the Council agreed to create a development company for the purpose of taking an interventionist approach to the local housing market. In 2020, there was testing and further discussion.*
- *Our understanding was that the site in question was considered in respect of the council's opportunity to learn, build internal capacity and develop its own knowledge about providing affordable units, the intention being to advance the development of a housing development company and use the Caldicot site as a test site.*
- *The report that went to Cabinet recently seemed to be a significant departure from that route of travel. A number of options available weren't fully explored, and we are now facing a very different financial situation.*
- *We contend that the process in arriving at the decision made by the Cabinet hasn't been fully transparent and not given consideration to all options.*
- *Areas on which we seek clarification include: the option to bid on this site wasn't completely open, that the Labour manifesto pledged to establish this housing company and not to enter into any asset disposals, the matter of capital receipt, and delegation to officers and a single cabinet member.*
- *Have we really appraised that this is the right option, given that this is a prime site, not an exception one?*
- *If we move forward with this site we will look for a significant capital receipt – if there is none, it would not be justifiable to the people of Monmouthshire.*

Following a discussion between members and officers, members stated that the report didn't contain sufficient detail – particularly in the options appraisal – but the majority were reassured as to the outcome. Officers wished to confirm that there would be a capital receipt as a result of this proposal.

Chair's Summary:

The Committee agreed to accept the Cabinet's decision, by a vote of 5-2.

11. To note the date of the next meeting as 12th January 2024