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MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 6th
June, 2017 at 2.00 pm**

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

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

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

OFFICERS IN ATTENDANCE:

Mark Hand	Head of Planning, Housing and Place-Shaping
Philip Thomas	Development Services Manager
Paula Clarke	Development Management Area Team Manager
Craig O'Connor	Development Management Area Team Manager
Amy Longford	Heritage Manager
David Wong	Senior Development Management Officer
Andrew Jones	Senior Development Management Officer
Shirley Wiggam	Senior Strategy & Policy Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillor G. Howard

County Councillor M. Feakins left the meeting and did not return following consideration of Application DC/2016/00883.

1. Election of Chair

We elected County Councillor R. Edwards as Chair.

2. Appointment of Vice-Chair

We appointed County Councillor P.R. Clarke as Vice-Chair.

3. Appointment of Opposition Spokesperson

We appointed County Councillor R.G. Harris as Opposition Spokesperson.

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4. Declarations of Interest

County Councillor M. Feakins informed the Committee that he has discussed application DC/2016/01478 at a Monmouth Town Council Meeting and therefore left the meeting taking no part in the discussion or voting thereon.

5. Confirmation of Minutes

The minutes of the Planning Committee dated 25th April 2017 were confirmed and signed by the Chair.

6. APPLICATION DC/2017/00453 - CHANGE OF USE FROM A1/A3 MIXED USE TO FULL A3 USE AS A TAKEAWAY OPERATING 7 DAYS A WEEK UNTIL 11PM. 1 THE BARTON, AGINCOURT SQUARE, MONMOUTH, NP25 3BT

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

Mr. D. Cummings, Chairman of Monmouth District Chamber of Trade and Commerce, attended the meeting by invitation of the Chair and outlined the following points in support of the application:

- The applicant has successfully run the Indian Summer Restaurant and takeaway in Monmouth for a period of 12 years.
- During the last seven years the applicant has been employed as a Community Development Officer for a Council other than Monmouthshire County Council and now wishes to return to the town and operate a takeaway.
- There are numerous letters of support for the application and also a number of letters of objection from residents, mainly regarding issues relating to noise and smells.
- The Case Officer has acknowledged these issues and has made it a stipulation of the Planning Department in recommending this application for approval and more work was required regarding the issues of the extractor fan and filters.
- The proposed location is close to a number of other restaurants and public houses with licences to operate to 11.00pm, with one large public house operating to 1.00am.
- The location of the proposed takeaway is outside the area of primary shopping frontages, where we try responsibly to protect change of use from A1 retail to A3.
- The applicant is trying to offer a variation on a successful theme.
- It was hoped that the Planning Committee would look favourably on this application when determining its outcome.

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Having considered the report of the application and the views expressed, the majority of the Planning Committee expressed their support for the application. The location was appropriate, it will be the only takeaway of this type within the town and vehicle access will be easy, creating very little disruption.

One Member referred to the proposed hours of opening as indicated in the conditions to the report of the application and asked that on Sundays, whether the premises could close earlier than 10.30am, as this is a day of rest.

It was therefore proposed by County Councillor R.G. Harris and seconded by County Councillor P. Murphy that application DC/2017/00453 be approved subject to the nine conditions, as 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 DC/2017/00453 be approved subject to the nine conditions, as outlined in the report.

7. APPLICATION DC/2008/00723 - CONVERSION OF PRE-1700 BUILDING INTO 23 APARTMENTS, DEMOLITION OF POST 1900 STRUCTURES AND BUILDING OF 31 NEW APARTMENTS. TROY HOUSE, MITCHELL TROY, MONMOUTH, NP25 4HX

We considered the report of the application and late correspondence, which was presented for refusal subject to the six reasons, as outlined in the report, and that a Section 54 Urgent Works Notice under the Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990 be issued relating to the repair of the roof and propping of the heavily decorated plaster ceilings at the property.

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

- A letter had been sent to the applicant in July 2016 outlining the issues and what was required in respect of the building in order for the application to be looked on favourably by the Planning Committee.
- Members expressed their support for the officer's recommendation that we be minded to refuse the application but are prepared to grant an extension to the Planning Committee meeting on 1st August 2017. If sufficient information has not been received by this deadline then the Committee will consider the application with a recommendation for refusal.
- Members were in agreement that the preservation of the building was a priority matter.

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- Members expressed their support for the issuing of a urgent works notice.
- In response to a request that some of the windows be boarded up to help preserve the building, it was noted that officers were looking to work with the applicant to encourage them to undertake the works that were necessary before resorting to boarding up windows. It is possible that two notices might be served with one notice referring to the roof and plaster ceilings and if necessary, an additional notice could be served relating to boarding up windows. A window by window specification check might need to be undertaken.
- It was noted that the applicant was keen to work with officers. However, if the information was not received by the 31st July 2017, officers could be granted delegated powers to issue the decision if the outstanding technical information is not received by this date.

It was proposed by County Councillor P. Murphy and seconded by County Councillor D. Dovey that application DC/2008/00723 be refused subject to the six reasons, as outlined in the report and that officers be granted delegated powers to issue the decision if the outstanding technical information is not received by 31st July 2017. Also, that the Authority be granted permission to serve an Urgent Works Notice.

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

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

The proposition was carried.

We resolved that application DC/2008/00723 be refused subject to the six reasons, as outlined in the report and that officers be granted delegated powers to issue the decision if the outstanding technical information is not received by 31st July 2017. Also, that the Authority be granted permission to serve an Urgent Works Notice.

8. APPLICATION DC/2015/00095 - RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ROADS, DRAINAGE ETC. IFTON MANOR FARM, CHESTNUT DRIVE, ROGIET, CALDICOT NP26 3TH

We considered the report of the application and late correspondence, which was recommended for approval subject to the conditions, as outlined in the report and in late correspondence and subject to a Section 106 Agreement to require two affordable housing units.

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

- The site was an ideal location for this application.

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- The drawings were small scale with no details of the roofs. If the roofs on the new houses were similar to the existing houses then this would be appropriate. Extra details could be provided.
- The windows to the properties would be the same front and back.
- The roads on the development will be made up to adoptable standards but it will be up to the developer to pass this over to the Authority for adoption. Most developers do this.
- There will be a stone wall to the edge of the development boundary.
- In response to a question raised regarding condition 7 relating to the boundary wall, it was noted that the wording could be amended.
- It was noted that the site could only accommodate two affordable units. They have been checked by the housing association and they meet Development Quality Requirements (DQR).

It was proposed by County Councillor D. Evans and seconded by County Councillor R.J. Higginson that application DC/2015/00095 be approved subject to the conditions, as outlined in the report and that an additional condition / informative, as outlined in late correspondence, be added. Condition 7 to be amended to include reference to repairing the stone wall on the southern boundary with existing dwellings. Also, that a Section 106 Agreement be provided to require two affordable housing units.

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

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

The proposition was carried.

We resolved that application DC/2015/00095 be approved subject to the conditions, as outlined in the report and that an additional condition / informative, as outlined in late correspondence, be added. Condition 7 to be amended to include reference to repairing the stone wall on the southern boundary with existing dwellings. Also, that a Section 106 Agreement be provided to require two affordable housing units.

9. APPLICATION DC/2015/00767 - RETENTION AND COMPLETION OF A NEW MEDICAL OFFICE. SITE OF THE FORMER PUBLIC TOILETS, TINTERN

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

The local Member for St. Arvans, also a Planning Committee Member, expressed her support for the application.

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Having considered the report of the application and the views expressed by the local Member, it was proposed by County Councillor P. Murphy and seconded by County Councillor A. Webb that application DC/2015/00767 be approved subject to the six conditions, as 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 DC/2015/00767 be approved subject to the six conditions, as outlined in the report.

10. APPLICATION DC/2016/00883 - MASTER PLANNED DEVELOPMENT OF 13.8 HECTARES OF LAND FOR RESIDENTIAL USE AND EMPLOYMENT USE; UP TO 266 PROPOSED RESIDENTIAL UNITS AND APPROXIMATELY 5575 SQUARE METRES of B1 FLOOR SPACE. ROCKFIELD FARM, UNDY, NP26 3EL

We considered the report of the application and late correspondence, which was recommended for approval subject to the conditions, as outlined in the report and in the late correspondence. Also subject to a planning contribution in which the heads of terms are identified in the report and to enter into a Section 278 Agreement of the Highways Act 1980.

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

- Magor and Undy has been developed over the years but the infrastructure has not been developed at the same rate.
- With no community centre and poor transport links the community lacks amenities and is becoming overwhelmed by traffic demands.
- Concern was expressed that the community will not be able to cope with the increased population from the proposed Rockfield development.
- Should Planning Committee consider approving the application, the local Member asked that the Committee seeks answers from the developer regarding the following issues:
 - Concerns regarding the T junction that joins the B4245.
 - Speeding traffic is one of the greatest concerns for local residents.
 - An additional 266 houses will create an additional 400+ vehicles.

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- Speeding vehicles through Undy could pose a potential danger to the public.
- Correct measures need to be established to reduce excessive speeding.
- With regard to the proposed B1 light industrial area at the rear of the development, will any weight restrictions be implemented on Dancing Hill or through the development?
- Concern was expressed regarding the risks posed by delivery vehicles travelling through these residential areas.
- Many complaints have been received from Undy residents regarding parking on Pennyfarthing Lane due to congestion around the school drop off and collection times of Undy School.
- Off-road parking is required to alleviate the need to park on the lane which will only be worsened by the proposed development. The local Member asked that this matter be reviewed.
- The local Member welcomes the Section 106 funding for the Three Fields site.
- Both the Magor Station and improved bus services are required.
- Magor Station should be re-instated.
- The Magor and Undy footpath to Rogiet would benefit from having a cycle path.
- The contributions listed are required imminently prior to the development being inhabited in order for the projects listed to commence to provide improvement for the current and new residents.
- Residents need to be engaged in the planning and design of this development.

In response to the issues raised by the local Member, it was noted that:

- With regard to the timescale of Section 106 funding, the issues relating to Three Fields have been raised in late correspondence. This relates to the proposed community centre. Therefore, officers are recommending that the £800,000 contribution goes towards this one project. Also, discussions have been held with the applicant with regard to the timescales for the provision of this funding.
- The Three Fields contribution is likely to come from Phases A & D (Phase 1).
- Contributions towards the station are likely to come from Phase 2 of the development.

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- The issues raised regarding speeding traffic will be addressed via the Section 278 Highways Agreement.
- Access to the B1 employment land will also be addressed via the Section 278 Highways Agreement.

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

- The Local Member had indicated that her preference would be for the construction of a roundabout at the entrance to the development rather than having a T junction, as this would reduce the speed of traffic and help manage traffic flow at this location. The recommendation in the report referred to the implementation of a T Junction and there were less expensive options available to control and reduce traffic speeds at this location.
- The highway issues could be looked at with a view to identifying different mechanisms for reducing traffic speed. Under Section 278 of the Highways Act to make any junction onto a highway, there is a requirement to have such a legal agreement over the exact works. Therefore, these issues could be incorporated into the Section 278 Agreement.
- Triple glazing could be conditioned at the reserved matters stage.
- It was noted that this application is in the Local Development Plan.
- Bungalows could be included on the site at the reserved matters stage.
- Consultation with the Local Health Board was important when considering applications for large developments.
- The late correspondence refers to an informative which will be put onto the notice to the applicant in which the design and appearance will be addressed. Each of the detailed applications will be presented to the Planning Committee in due course.
- Officers will start to consult with the Local Health Board in respect of major applications. The five year housing land supply is currently available and the local Health Board can be informed of this data. It was noted that the local Health Board was consulted at the Local Development Plan stage.

The local Member for the Elms summed up by informing the Committee that there is a 30mph speed limit through Magor and Undy and there still exists a problem of speeding vehicles. Further traffic calming measures are required at this location. The Head of Planning, Housing and Place-Shaping stated that he would pass on to the Highways Directorate the comments made by the local Member regarding the need for the Highways Directorate to consider additional traffic calming measures on the B road as it enters the village from Rogiet, as part of the Section 278 Agreement.

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It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2016/00883 be approved subject to the conditions, as outlined in the report and in the late correspondence. Also subject to a planning contribution in which the heads of terms are identified in the report and to enter into a Section 278 Agreement of the Highways Act 1980.

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

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

The proposition was carried.

We resolved that application DC/2016/00883 be approved subject to the conditions, as outlined in the report and in the late correspondence. Also subject to a planning contribution in which the heads of terms are identified in the report and to enter into a Section 278 Agreement of the Highways Act 1980.

11. APPLICATION DC/2016/01478 - DEMOLITION OF EXISTING ATTACHED GARAGE AND THE CONSTRUCTION OF A NEW BUNGALOW IN THE REAR GARDEN. 78 HEREFORD ROAD, MONMOUTH, NP25 3HJ

We considered the report of the application and late correspondence, which was recommended for approval subject to the 13 conditions, as outlined in the report and also subject to a Section 106 Agreement securing the financial contribution.

In noting the detail of the application some Members expressed their sympathy for the neighbours who had objected to the application. However, it was considered that there were no reasons to refuse the application based on planning grounds as it complied with planning policy and would not unacceptably harm neighbour amenity.

Other Members expressed concern regarding the application and under Policy DES1 – general design considerations. It was considered that under this policy there might be grounds to refuse the application. The new bungalow will have a small rear garden and will have traffic passing close to the existing houses. Reference to the Wellbeing of Future Generations Wales Act 2015 and the effects on physical and mental health could be taken into account with the removal of the garden and the detrimental effect that this might create. There was a sense of overdevelopment with the removal of the garden.

The Head of Planning, Housing and Place-Shaping informed the Committee that on this scale, the development was acceptable. There will be some impact on the neighbours. However, it was considered that the detrimental impact to the neighbours would not be significant enough to recommend refusal of the application.

Having discussed the report of the application, it was proposed by County Councillor L. Brown and seconded by County Councillor D. Dovey that we be minded to refuse application DC/2016/01478 on the grounds of Policy DES1 and the Wellbeing of Future Generations Wales Act 2015, in particular reference to ‘a healthier Wales’.

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

For refusal	-	5
Against refusal	-	8
Abstentions	-	0

The proposition was not carried.

We resolved that application DC/2016/01478 be approved subject to the 13 conditions, as outlined in the report and also subject to a Section 106 Agreement securing the financial contribution.

12. APPLICATION DC/2017/000164 - TO EXTEND THE PERIOD OF PLANNING PERMISSION DC/2010/00993 (APPROVED ON 7th MARCH 2012 BY MCC). GREEN DRAGON PARTNERSHIP, ST. THOMAS SQUARE, MONMOUTH NP25 5ES

We considered the report of the application and late correspondence, which was recommended for approval subject to the 12 conditions, as outlined in the report.

Having considered the report of the application, it was proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2017/000164 be approved subject to the 12 conditions, as 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 DC/2017/000164 be approved subject to the 12 conditions, as outlined in the report.

13. APPLICATION DC/2017/00401 - REMOVE, DISPOSE AND REPLACE PRE-EXISTING TIMBER STRUCTURE ON A LIKE FOR LIKE BASIS. THE GLASCOED PUB, MONKSWOOD

We considered the report of the application and late correspondence, which was recommended for approval subject to the one condition, as outlined in the report.

The local Member for Llanbadoc, attending the meeting by invitation of the Chair, had had initial reservations regarding issues relating to the camping aspect of the application. However, these matters had now been resolved. She therefore, expressed her support for the application.

Having considered the report of the application and the views expressed by the local Member, it was proposed by County Councillor R.J. Higginson and seconded by County

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Councillor R.G. Harris that application DC/2017/00401 be approved subject to the one condition, as 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 DC/2017/00401 be approved subject to the one condition, as outlined in the report.

14. Appeal Decision: The Old Smithy, 34 Maryport Street, Usk, Monmouthshire, NP15 1AE

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 24th April 2017. Site: The Old Smithy, 34 Maryport Street, Usk, Monmouthshire, NP15 1AE.

The appeal had been allowed and planning permission was granted subject to the conditions set out in the Schedule at the end of the decision.

The meeting ended at 4.50 pm.

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