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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, 4th July,
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, G. Howard,
P. Murphy, M. Powell and A. Webb

County Councillor R. Roden attended the meeting by invitation of the
Chair.

OFFICERS IN ATTENDANCE:

Philip Thomas	Development Services Manager
Andrew Jones	Senior Development Management Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

None.

County Councillor J. Becker left the meeting during consideration of application
DC/2017/00159 and did not return.

1. Declarations of Interest

County Councillor M. Feakins informed the Committee that he has discussed
applications DC/2017/00159 and DC/2017/00188 at a Monmouth Town Council meeting
prior to his election as a county councillor and therefore left the meeting taking no part
in the discussion or voting thereon.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 6th June 2017 were confirmed
and signed by the Chair.

3. APPLICATION DC/2016/00537 - REMOVAL OF CONDITIONS 10, 11 AND 12 (RESTRICTION TO HOLIDAY LET) OF PLANNING PERMISSION DC/2014/00441. HAZEL AND OAK COTTAGES, WERNDDU FARM, ROSS ROAD, LLANTILIO PERTHOLEY, ABERGAVENNY

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

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Members had raised concerns at the site inspection regarding the lack of marketing information available in respect of this application and that a more comprehensive marketing exercise was required to assess if there was demand for holiday let accommodation.

It was therefore proposed by County Councillor M. Feakins and seconded by County Councillor R.J. Higginson that we be minded to defer consideration of application DC/2016/00537 to a future meeting to allow officers to request a more comprehensive marketing exercise with a view to assessing if there is demand for holiday let accommodation.

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

For deferral	-	15
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that we be minded to defer consideration of application DC/2016/00537 to a future meeting to allow officers to request a more comprehensive marketing exercise with a view to assessing if there is demand for holiday let accommodation.

4. APPLICATION DC/2017/00159 - TWO DETACHED DWELLINGS AND ACCESS DRIVE EXTENDING EXISTING DRIVE. CAE ELGA, HIGHFIELD ROAD, OSBASTON, MONMOUTH, NP25 3HR

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

The local Member for Dixton with Osbaston, attending the meeting by invitation of the Chair, outlined the following points:

Flooding and Drainage

- The area is at risk of summer flash floods, as well as flooding in winter due to the heavy clay soil and the degree of the slope.
- The local Member has personal experience of flash floods.
- Of the Highfield Road objectors, there is only one objector from above Cae Elga, with five objectors situated below the property. All of these objectors have mentioned the issues of drainage and flooding.
- The properties on Agincourt Road, which overlook this site, did not object to the application.

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- A sustainable drainage system (SUDS) might not be able to cope with the effects of a summer flash flood.
- Modern houses abutting the site also have existing drainage issues.
- Perhaps a soil survey needs to be undertaken prior to approval of the application to assess the viability of SUDS.

Sewage

- Local residents have informed the local Member that a sewage pipe that runs under Highfield Road is below adoptable standards, which was originally refused for adoption by Welsh Water but had subsequently been adopted.
- As Cae Elga has a septic tank and the proposed new dwellings are below the road level, concern was expressed that the current sewage system might not be able to cope with the three new dwellings attached to it.
- The septic tank has broken in the past causing problems for a number of properties, for a period of time.
- A pump system would be required for the new dwellings. Future potential mechanical failure might result in sewage release affecting local properties.

Scale of Development

- Local residents are not in favour of the proposed scale of development.
- Removal of trees, the tightness of the plots from a parking perspective, the removal of an appropriate amount of amenity space for a building of the scale of Cae Elga. Residents would find it more acceptable if the applicant returned with an application for a single dwelling rather than two dwellings.

Ms. K. Potts, representing objectors to the application, attended the meeting by invitation of the Chair and outlined the following points:

- Highfield Road is steep, narrow and without a pavement.
- Healthy living encourages walking.
- Parents with young children and pushchairs walk to the local primary school, older children walk to the three senior schools and elderly people walk to the local bus stop, keeping active to help reduce traffic pollution by not using vehicles.
- The location is already hazardous for pedestrians, especially at peak school and work times.

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- There are large volumes of traffic traversing up and down the hill, often travelling at excessive speeds at these peak times.
- The number of traffic movements that will be generated daily by the new parking spaces and the amount of vehicles involved in the development of the site will make the potential for danger worse.
- Overdevelopment of the plot will put lives at risk.
- The ground around Highfield close consists of heavy clay. Rainwater runs down as surface water from Agincourt Road over the fields and into Cae Elga, which is soaking up the excess water. Some water exits via the gardens and onto Highfield Road taking debris with it which has blocked gutters and drains.
- The water also fills the field ditch which runs at the end of the garden at Cae Elga through three other gardens and down under Highfield Road if the drain can cope with the run off.
- It appears that one of the proposed dwellings will be located close to the field ditch. Concern was expressed that this property might be prone to flooding because of the ditch and the intended lowering of the slope.
- Existing residents have already experienced flooding of garages and standing water on rear lawns.
- There are numerous springs in the area. During a wet period, water in the objector's garden was forced under pressure above ground into the air.
- With the proposed overdevelopment of the plot, a large area of the garden of Cae Elga will disappear under hard surface either by housing, car parking, hardstanding or extended driveway.
- The water that cannot be absorbed by the land will need to run off somewhere but the land cannot cope with this issue now. Future development will only exacerbate the situation.
- The proposed development is putting existing houses at risk of flooding.
- According to the plan, not all of the trees affected by the proposed development are shown and it is not clear which trees are to be kept.
- The trees are deciduous so coverage is reduced during parts of the year.
- The garden is surrounded on two sides by mature field hedges. The proposed dwellings are to be located close to these hedges and trees putting them under pressure during and after the development.

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- The proposed development will create a detrimental effect on the ecology of the garden and the surrounding area.

Mr. B. Spencer, representing the applicant, attended the meeting by invitation of the Chair and outlined the following points:

- Every site can experience summer flash floods.
- If the site acts as a 'sponge' then flooding should not be an issue.
- If the proposed dwellings are built on the site, all external areas including parking will be required to be permeable, as this is the British Standard requirement.
- The sewage is controlled by Welsh Water. There is sufficient capacity for new dwellings to be connected.
- The pump system to raise sewage from a lower to a higher level is well documented and is now used in building circumstances.
- The pumping station at Osbaston Road has never failed.
- Regarding the scale of the proposed properties, this matter is not for consideration as part of this application. This application refers to the principle of the development and access. The plan shows what could be fitted onto the site.
- The plan shows that all of the trees on the site are to be protected.
- The highways department has stated that the proposed development will not adversely affect the local road network.
- Regarding the deciduous trees and hedge cover, the development is close but away from the root spread of the trees and will be designed to arboriculture standard.

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

- There will be no visual impact on neighbouring properties due to the existing natural screening.
- An additional two properties will not exacerbate any existing traffic issues.
- Some Members considered that there is scope to fit two dwellings onto the site.
- A condition could be added requiring surface water drainage details to be submitted as part of the reserved matters.

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- The proposed development will be located on a brownfield site.
- Gardens are precious areas to preserve as they improve air quality, reduce flood risk and provide a haven for wildlife.
- Some Members considered that guidelines were required with regard to building properties within gardens.
- Some Members expressed concern that two properties located on this site is excessive when taking into account the domestic infrastructure surrounding the development.
- It was acknowledged that there was a need for housing in Monmouthshire, in particular, the need for affordable housing.
- Concern was expressed that one of the proposed properties will be located in an area of low / medium risk of flooding.
- Reference was made to the Local Development Plan (LDP) Policies relating to flooding, for consideration.
- Concern was expressed regarding the scale of the development and that one dwelling would be more appropriate to provide more land to soak up surface water.
- It was noted that each application is looked at on its merits. Gardens in Wales are considered to be Brownfield sites providing an opportunity for them to be developed in a sustainable manner.
- The Highways Department has been consulted regarding the surface water issue and has not objected to the application. A condition has been suggested to ensure that the water run off is green field run off so that the situation is made no worse than it currently is.
- There is a landscape condition that will need to be approved via reserved matters allowing for increased planting, particularly along the periphery of the site, which will help to increase absorption levels on the site.
- A condition regarding the lower of the proposed properties could be added requesting the agent to reduce the scale parameters for the maximum ridge height of the plot by a minimum of one metre, setting it deeper into the slope if necessary, to achieve that.
- Greenfield run off rate could be dealt with at reserved matters stage by installing an attenuation system to catch any run off that might not be caught via the permeable surfaces.

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It was proposed by County Councillor Murphy and seconded by County Councillor M. Powell that application DC/2017/00159 be approved subject to the five conditions, as outlined in the report and subject to a Section 106 Agreement in relation to an affordable housing contribution. Also, that an additional condition be added requiring surface water drainage details to be submitted as part of reserved matters, to seek the green field run off rate via permeable surfacing and an attenuation system. In addition, the agent to be requested to reduce the scale parameters for the maximum ridge height of Plot A by a minimum of one metre, setting it deeper into the slope if necessary to achieve that and that this should be agreed via the Delegation Panel before issuing a decision.

County Councillor L. Brown proposed that we be minded to refuse application DC/2017/00159 on the grounds that the site is prone to flooding and that an additional two properties located on the site will exacerbate the flooding issues. County Councillor G. Howard seconded the proposal.

The Chair asked the Committee to vote on the proposal that the Committee be minded to refuse the application.

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

For refusal	-	5
Against refusal	-	7
Abstentions	-	1

The proposition that the Committee be minded to refuse the application was not carried.

We resolved that application DC/2017/00159 be approved subject to the five conditions, as outlined in the report and subject to a Section 106 Agreement in relation to an affordable housing contribution. Also, that an additional condition be added requiring surface water drainage details to be submitted as part of reserved matters, to seek the green field run off rate via permeable surfacing and an attenuation system. In addition, the agent to be requested to reduce the scale parameters for the maximum ridge height of Plot A by a minimum of one metre, setting it deeper into the slope if necessary to achieve that and that this be agreed via the Delegation Panel before issuing a decision.

5. APPLICATION DC/2017/00188 - TWO DETACHED TWO STOREY DWELLINGS LOCATED IN REAR GARDEN OF ROSEBROOK. ROSEBROOK, WATERY LANE, MONMOUTH, NP25 3AT

We considered the report of the application and late correspondence, which was recommended for approval subject to the eight conditions, as outlined in the report and subject to an additional condition, as outlined in late correspondence regarding the protection of trees. Also, subject to a contribution towards off-site affordable housing provision via a Section 106 Agreement.

In noting the detail of the application, it was proposed by County Councillor P. Murphy and seconded by County Councillor R. J. Higginson that application DC/2017/00188 be

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approved subject to the eight conditions, as outlined in the report and subject to an additional condition, as outlined in late correspondence regarding the protection of trees. Also, subject to a contribution towards off-site affordable housing provision via a Section 106 Agreement.

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

For approval	-	11
Against approval	-	0
Abstentions	-	2

The proposition was carried.

We resolved that application DC/2017/00188 be approved subject to the eight conditions, as outlined in the report and subject to an additional condition, as outlined in late correspondence regarding the protection of trees. Also, subject to a contribution towards off-site affordable housing provision via a Section 106 Agreement.

6. APPLICATION DC/2017/00257 - RETENTION OF SINGLE STOREY TIMBER CLAD STABLE BLOCK AND TWO FREESTANDING CONTAINERS; NEW STEEL GATES AND FENCING; CONSTRUCTION OF TWO NEW STABLES. BLACKWALL STUD, STOKE BARN, MAGOR

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

In noting the detail of the application, it was considered that condition 3 should be amended to omit reference to the gates being set back by five metres, as they already are. Condition 3 should be amended to ensure that the gates are painted a dark green colour within three months of the date of permission, should the Committee approve the application.

Concern was expressed regarding the health and safety issues in respect of the 'spiked' gates. The Head of Legal Services and Monitoring Officer informed the Committee that this was not a Planning consideration. However, it was a safety issue which should be addressed by the applicant.

It was therefore proposed by County Councillor R.J. Higginson and seconded by County Councillor P. Murphy that application DC/2017/00257 be approved subject to the four conditions, as outlined in the report and that condition 3 should be amended to omit reference to the gates being set back by five metres, as they already are. Condition 3 should also be amended to ensure that the gates are painted a dark green colour within three months of the date of permission.

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

For approval	-	13
Against approval	-	0

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Abstentions - 1

The proposition was carried.

We resolved that application DC/2017/00257 be approved subject to the four conditions, as outlined in the report and that condition 3 would be amended to omit reference to the gates being set back by five metres, as they already are. Condition 3 would also be amended to ensure that the gates are painted a dark green colour within three months of the date of permission.

7. APPLICATION DC/2017/00444 - PROPOSED CONVERSION OF REDUNDANT AGRICULTURAL BARN TO 2 NO. DWELLINGS. NEW HOUSE FARM, LITTLE MILL, USK

We considered the report of the application and late correspondence, which was recommended for approval subject to the eight conditions, as outlined in the report and subject to resolving the necessary bat mitigation conditions with Natural Resources Wales (NRW) and the County Council's Ecology officer. Also, subject to achieving funding towards a Section 106 Agreement for affordable housing.

Having considered the report of the application, it was proposed by County Councillor A. Davies and seconded by County Councillor P. Murphy that application DC/2017/00444 be approved subject to the eight conditions, as outlined in the report and subject to resolving the necessary bat mitigation conditions with Natural Resources Wales (NRW) and the County Council's Ecology officer. Also, subject to a contribution towards off-site affordable housing provision via a Section 106 Agreement.

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

For approval	-	13
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DC/2017/00444 be approved subject to the eight conditions, as outlined in the report and subject to resolving the necessary bat mitigation conditions with Natural Resources Wales (NRW) and the County Council's Ecology officer. Also, subject to a contribution towards off-site affordable housing provision via a Section 106 Agreement.

8. Appeal Decision - White House Gwehelog

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 11th May 2017. Site: White House, Pant y Rheos Road, Gwehelog, Usk.

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The appeal was allowed and planning permission was granted for existing agricultural building (goat barn) attached to an existing outbuilding at White House, Pant y Rheos Road, Gwehelog, Usk, in accordance with the terms of the application, Ref. DC/2016/01221, dated 21 October 2016, subject to the following condition:

1) The development shall be carried out in accordance with the approved plans and documents: 1238(2)/PLN/01 (Goats Barn as Built); 1238(2)/PLN/02 (Goats Barn Site Layout).

9. Appeal Decision - Caxton Tower Rockfield

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 11th May 2017. Site: Caxton Tower, Newbolds Farm, Rockfield, Monmouth.

The appeal was allowed and planning permission was granted for 'Amendment to existing planning permission DC/2013/00623. Rehabilitation and extension of former hunting lodge to provide 1 no 3 bed dwelling to include the construction of an outbuilding and underground service route to connect the dwelling and outbuilding at Caxton Tower, Newbolds Farm, Rockfield, Monmouth. Following refusal of application for non-material amendment' at Caxton Tower, Newbolds Farm, Rockfield, Monmouth, in accordance with the terms of the application, Ref. DC/2016/01131, dated 27th September 2016, subject to the conditions set out in the schedule to the decision letter.

The meeting ended at 3.30 pm.