

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 5th
December, 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

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 Manager
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

None.

1. Declarations of Interest

There were no declarations of interest made by Members.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 7th November 2017 were confirmed and signed by the Chair.

3. APPLICATION DC/2016/01128 - CHANGE OF USE OF LAND FROM AGRICULTURAL USE TO A CAMPING SITE FOR 4 TEMPORARY SHEPHERD HUTS TO BE OCCUPIED BETWEEN THE 1ST MARCH AND THE 31ST OCTOBER ANNUALLY AND ASSOCIATED ACCESS ROAD AND A NEW TOILET BLOCK. CEFN TILLA, LLANDENNY, USK, NP15 1DG

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

Councillor R. Moorby, representing Raglan Community Council, attended the meeting by invitation of the Chair and outlined the following points:

- Raglan Community Council has been pressing for, and not yet received, details of a number of items. The Community Council had written to Monmouthshire County Council requesting further details.

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- There were no details regarding engineering works to level out plots and where the water and power would come from. There is no information available regarding drainage and sewage, with a moveable toilet block being provided. However, if this is not the case, there are still issues regarding drainage and sewage at this site.
- There will be minimal works for access. However, the field has a significant slope to it with the shepherd huts being located at the bottom of the slope. In inclement weather, the field becomes slippery and muddy and there is potential for vehicles to become stuck in the field in these conditions.
- No information has come forward regarding lighting of the site. Concern was expressed that if all night lighting was proposed for the site, then there would be light pollution coming from this site. Residents are able to view the site from their properties and would not be keen to have light pollution in this area of the countryside.
- Concern was expressed that the proposal might lead to a precedent being set for the site to be developed further in the future.

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

- There are only four shepherd huts proposed in order to be more sympathetic to the local environment and to be more eco-friendly.
- There will be solar panels on top of each of the huts allowing them to be self-sufficient with regard to energy provision.
- Parking provision will be provide at the top of the site.
- There will be no light pollution at night. Visitors will be required to use torches when moving around after dark.
- The toilet block will be self-contained. Drainage will not be required.
- This venture will help towards maintaining the up keep of Cefn Tilla.

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

- The grass reinforcement system consists of a membrane set into the ground which allows the grass to grow between it but will provide a relatively level surface. However, there will be some regrading required. The membrane then allows for a structure to be placed upon it providing a level and solid base for the shepherd huts.
- The water for the huts will come via the mains water supply.

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- The safeguarding zone for the gliding club is not an issue at this site, as the huts will be low structures.
- Some diversity in the countryside and tourist related activity should be welcomed. The application is modest and is a good design.
- Concern was expressed regarding the vehicular access off the main road and that there is no formal parking arrangement. This might lead to parking on the lane. A condition could be added within the consent to seek details of a more formalised parking area with some landscaping around it to mitigate any impact.
- Conditions 3 and 4 control details of drainage and hard and soft landscaping. Therefore, the issues relating to car parking could be drawn out in the discharge of those conditions which could be brought to the Delegation Panel for approval.

It was proposed by County Councillor M. Powell and seconded by County Councillor A. Webb that application DC/2016/01128 be approved subject to the conditions, as outlined in the report and also subject to the discharge of conditions three and four being considered via the Delegation Panel. Condition four to be reworded to include parking provision and add a 'no lighting' condition for the site.

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

For approval	-	15
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2016/01128 be approved subject to the conditions, as outlined in the report and also subject to the discharge of conditions three and four being considered via the Delegation Panel. Condition four to be reworded to include parking provision and add a 'no lighting' condition for the site.

4. APPLICATION DC/2017/00376 - OUTLINE PLANNING CONSENT FOR AN ENERGY CENTRE IN THE FORM OF A GAS-POWERED COMBINED HEAT AND POWER (CHP) PLANT, PROVIDING UP TO 4MW OF ELECTRICAL POWER. VALLEY ENTERPRISE PARK, HADNOCK ROAD, MONMOUTH, NP25 3NQ

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

Councillor F. Cotton, representing Monmouth Town Council, attended the meeting by invitation of the Chair and outlined the following points:

- There is no proposed use or customer for the heat generated, bar negligible output to the pumping station.

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- The possibility of supply to the new swimming pool complex is suggested but not substantiated.
- The scale of the capacity and output needs to be acknowledged. Even with the Spa Hotel complex, the heat generated would be in excess of that used.
- The approval was previously granted on the premise that the Spa Hotel and the Combined Heat and Power (CHP) plant were symbiotic but this is not the case.
- The heat produced by such a plant would be sufficient to provide heat for an Olympic sized swimming pool and a substantial hospital complex, and the heating and hot water for 300 to 400 domestic homes together.
- There appears to be no proposed use or consumer for the energy generated except for sale to the national grid.
- This is a fossil fuel burning power station, lacking the efficiencies of a CHP which will need to dump the excessive amounts of generated heat as a waste product.
- Gas is a fossil fuel generating carbon dioxide, making a contribution to global warming.
- Claims that it will be a benign beneficial provider of energy to the town and its economy is not substantiated in this proposal.
- The application gives no indication that energy will be retailed to the community at beneficial rates.
- Under the Well-being of Future Generations Act, the proposal fails.
- The proposal fails on the globally responsible Wales that we aim to be.
- Under the Environmental Act, we have a responsibility to reduce greenhouse gasses. If this proposal does not go ahead then the production of greenhouse gasses will be avoided.
- Should the proposal go ahead with end users of heat generated identified, then, by its increased efficiency of greenhouse gas fuel, it would constitute responsible use of a fossil fuel but no end user of heat has been identified.
- Monmouth Town Council would look favourably on this application if it demonstrated the most efficient use of gas fuel. This would require an identified destination or user of the heat produced. If it demonstrated beneficial and lower cost and efficient power supply, both heat and power to the local community, and if it was a constituent part of a development bringing advantages to the local community. The Town Council considers that it does not and therefore does not support the application.

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

- As the application is for outline permission, approval of the application should be considered, as the Committee will need greater context to know what the proposal will be in order to identify whether there is a problem with the heat output.
- It is vital that the development is a Combined Heat and Power plant which would be positive for the town.
- It is an appropriate type of development being less vulnerable development for a flood zone.
- In response to a question raised regarding community benefit, it was noted that this matter was not a part of the planning process and would have to be covered via a separate agreement between the developer and the local community.
- If there are details of an end heat user, this information might be available at the reserved matters stage. It will be a commercial decision for the applicant to decide who the end user is should the application be approved and to supply that end user with the energy. This is not something that can be controlled via the Planning Committee.
- Concern was expressed that this development was being proposed, as a developer was intending to provide an energy project that might or might not be useful to what happens on the surrounding land.
- The Combined Heat and Power plant is not efficient, neither is it very innovative. There are no benefits to Monmouth with regard to employment or free energy to local schools.
- It would be easier to market this area if a Combined Heat and Power plant was located at this site.
- Condition 4 refers to environmental health issues. Environmental Health officers are satisfied that the information submitted to date is acceptable and the principle of a Combined Heat and Power plant being located at this site is acceptable. The finer details will be reviewed at the reserved matters stage.

It was proposed by County Councillor A. Davies and seconded by County Councillor A. Webb that application DC/2017/00376 be approved subject to the conditions, as outlined in the report.

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

For approval	-	11
Against approval	-	3

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Abstentions - 1

The proposition was carried.

We resolved that application DC/2017/00376 be approved subject to the conditions, as outlined in the report.

5. APPLICATION DC/2017/01120 - TWO STOREY REAR EXTENSION, PORCH AND SINGLE STOREY REAR EXTENSION TO KITCHEN. WOODSIDE, CRICK

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

Ms. J. Bayntun, objecting to the application, attended the meeting by invitation of the Chair and outlined the following points:

- The extension proposed at Woodside seems to be out of keeping with the design and character of a pair of semi-detached houses because of its size and position.
- It will make the kitchen at Sunnyside very dark as well as spoiling the outlook from the kitchen windows.
- Sunnyside and Woodside were originally designed in such a way that the rear sections were set wide apart from each other to protect the amenity of both dwellings. The extension at Woodside would be built right up to the joint boundary.
- From inside the kitchen at Sunnyside the proposed extension would be visually overbearing and oppressive.
- The proposed two storey extension at Woodside projects further out than the extension at Sunnyside. It would block the afternoon sun and cast a shadow over all of the rooms at the rear of Sunnyside.
- Sunnyside's kitchen has two windows, both of which receive direct sunlight that would be blocked by the proposed extension.
- The proximity and size of the extension would also significantly reduce the ambient light received at other times of the day.
- Because of its position in relation to Woodside, the two storey extension at Sunnyside does not have a similar impact upon Woodside because the sun never shines from that direction.
- The restriction of light to the kitchen at Sunnyside would force the residents to use electric lighting at all times of the day.

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- It would be more appropriate to build the extension at Woodside further away from the joint boundary or even sideways, adjacent to the rear.

The applicant, Mr. Cooke, attended the meeting by invitation of the Chair and outlined the following points:

- The applicant wants to keep the character of the property. Therefore, he decided not to extend to the front and rear as per the 2014 original plans which had received approval from Planning Committee.
- This application, with guidance from the Planning Department, was to have a substantially reduced extension instead of the 2014 original application.
- It was considered that the best option was to extend the property to the rear which was in keeping with the neighbour's extension at Sunnyside and not diminishing the original character of the property.
- To build the two storey extension, the applicant is removing an existing bathroom so the actual impact of the new extension will only be one metre. The two storey extension will match the neighbour's extension at Sunnyside.
- This extension complies with the guidance of the Planning Case Officer's report.
- At the site inspection the applicant marked out the proposed extension. With the topography of the ground, the extension at a certain point is at least 100mm to 150mm lower and the roofline is set back by 300mm. Access to light for the neighbour is therefore more accessible.
- The applicant is only intending to extend his property by 30% more than its original footprint. This will provide an upstairs family bathroom and a larger kitchen.

The local Member for Shirenewton, also a Planning Committee Member, decided to comment on this application after listening to the Planning Committee's views.

Having considered the report of the application and the views expressed, Members considered that a significant proportion of the application could be undertaken via permitted development rights. The only part of the development that would not be covered via permitted development rights would be the two storey element of the application. However, the two storey extension could be constructed to three metres depth and the four metres depth of the single storey below. The matter for determination is whether that extra one metre of depth from the two storey extension is detrimental to the neighbour's amenity or not.

Though the extension will have an impact on the neighbour's amenity, something taller than that proposed could have been built without the need for any consent.

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The local Member summed up by stating that she has sympathy with the neighbour regarding the issue in relation to the kitchen window. However, there is the issue regarding the planning policies. In terms of the development, the only issue might be if the two storey and single storey together might impact cumulatively creating overshadowing and overdevelopment. However, the applicant is applying for planning permission for a two storey extension and the neighbour has already built a similar two storey extension.

There is also a one storey extension which is very close to the boundary and this will have an impact on the neighbour's amenity. Planning Committee could consider the situation with regard to residential amenity. Even with permitted development rights, according to the Planning Policy for Wales, the Committee should consider reasonableness, also, i.e., overshadowing.

It was proposed by County Councillor P. Murphy and seconded by County Councillor A. Webb that application DC/2017/01120 be approved subject to the three conditions, as outlined in the report.

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

For approval	-	13
Against approval	-	0
Abstentions	-	2

The proposition was carried.

We resolved that application DC/2017/01120 be approved subject to the three conditions, as outlined in the report.

6. APPLICATION DC/2017/01256 - RETROSPECTIVE APPLICATION TO RELOCATE GARDEN BUILDING AND REVISED PLANTING SCHEME. TAWELFAN, 22A PEN Y POUND, ABERGAVENNY, NP7 7RN

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.

Ms. M. Gibson, representing objectors, attended the meeting by invitation of the Chair and outlined the following points:

- Legally, this is a far more complex matter than whether a pavilion can be allowed in a front garden or anything to do with permitted development rights.
- It is regarding a significant breach of a strict planning condition which residents had reasonable expectation that would be implemented.
- The problem is that with the original consent for the large indoor swimming pool, there was a strict condition requiring the implementation of a compensatory green landscaping plan.

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- There was no suggestion of a large high roofed pavilion on a concrete plinth directly in front of the pool building where an open vista and lawn were marked on the original consented plan.
- The officer handling the application for the pool had produced a fair and balanced report. However, the binding plan had been cast aside and rendered impossible to implement by the moving of the pavilion. Residents considered that this could not be fair.
- The proposed new plan is inferior in its layout and now places the pavilion in an intrusive dominating position. In its former position it caused no hindrance and no loss of privacies.
- The report refers to evergreen screening borders. However, in reality this is now only in areas near the house and pool.
- The applicant had been informed by the County Council's enforcement officer that if work continued to be carried out, it was at their own risk. Despite this, the pavilion was moved and a broad shingle and paved path was laid.
- Neighbours question how after such a strict approval was imposed, another planning officer is recommending approval.
- There are some inaccuracies within the report of the application.

Mr. M. Williams, applicant, attended the meeting by invitation of the Chair and outlined the following points:

- The applicant did not think he needed planning permission to move a garden hut from one side of his garden to the front of the garden when the swimming pool building was built.
- It is in a better position now than originally positioned.
- The hut was originally on a concrete plinth and is again on such a plinth in its new location.
- The hut had power at its original location as well as in its new location.
- The hut is not visible from a neighbour's property. In order to view the hut, the neighbour would have to open her gate.
- The hut is in a better location now than originally placed.

Having considered the report of the application and the views expressed, Members considered that the pavilion was better located in its current position and was not overbearing to the surrounding area.

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It was therefore proposed by County Councillor M. Powell and seconded by County Councillor J. Becker that application DC/2017/01256 be approved subject to the two conditions, as outlined in the report.

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

For approval	-	15
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2017/01256 be approved subject to the two conditions, as outlined in the report.

7. APPLICATION DC/2016/00703 - CONVERSION OF PART OF AN EXISTING BUILDING THAT CURRENTLY HAS A MIXED D2 USE AND A C3 USE INTO A SINGLE DWELLING (C3 USE). DEWSTOW GOLF CLUB, DEWSTOW ROAD, CAERWENT NP26 5AH

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

The local Member for Caerwent, also a Planning Committee Member, informed the Planning Committee that there had been a successful golf club on this site for many years. However, in recent years the use of the course had declined. The current owner had initially tried to run it as a golf club but this was no longer commercially viable and the club had closed down. Therefore, it is time to regularise the position and approval of the application would achieve this.

Having considered the report of the application and the views expressed by the local Member, the Committee expressed its support for the application. However, concern was expressed that the proposed dwelling should not be subdivided into other dwellings. It was noted that as there is a recommendation proposed within the application for a Section 106 Agreement, the matter relating to subdivision of the property could be incorporated into this agreement.

It was proposed by County Councillor P. Murphy and seconded by County Councillor G. Howard that application DC/2016/00703 be approved subject to the three conditions, as outlined in the report and also subject to a Section 106 Agreement to secure an affordable housing contribution and to ensure that the property is not subdivided into multiple residential units without planning permission.

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

For approval	-	15
Against approval	-	0
Abstentions	-	0

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The proposition was carried.

We resolved that application DC/2016/00703 be approved subject to the three conditions, as outlined in the report and also subject to a Section 106 Agreement to secure an affordable housing contribution and to ensure that the property is not subdivided into multiple residential units without planning permission.

8. APPLICATION DC/2017/00651 - ERECTION OF A TWO-STOREY ANNEXE. 40A MAIN ROAD, PORTSKEWETT

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.

This application had previously been presented to Planning Committee on 7th November 2017 with an officer recommendation for approval. However, Members had expressed concern regarding the design, as it was not considered to relate well to the main house. It had been agreed that consideration of application DC/2017/00651 should be deferred to a future meeting of the Planning Committee to allow officers to liaise with the applicant with a view to agreeing a more appropriate design.

Since then, an amended plan had been received which indicated decorative amendments to the proposed annexe, featuring re-constituted stone quoins, lintels and cills, and overhanging eaves and barge boards to match the existing dwelling house. It was again advised by officers to make other design alterations including options to reduce the height of the annexe to single storey and compensate by increasing the floor area, position the annexe further away from the boundary with the neighbours of Hill Barn View (by attaching the annexe to the main dwelling), or explore converting the existing garage to annexe accommodation. These design suggestions were not agreed and the applicant wanted the Planning Committee to consider the annexe with the same dimensions and profile as presented in the previous Planning Committee meeting.

The application is re-presented to Planning Committee with the same style annexe proposal with alterations to the decorative nature of the building so it is more in keeping with the existing dwelling.

Having considered the report of the application some members expressed concern regarding the orientation of the roof and how the one and a half storey extension relates to the building as a whole. If the roof was turned around by 90 degrees facing the same way as the main roof, first floor accommodation could still be created by building a dormer at the front and rear which would be more aesthetically pleasing.

However, other Members considered that having liaised with the applicant some improvements had been made with regard to the aesthetics of the building and the application complied with planning regulations.

It was noted that the application is an annexe only to the main building and will be secondary accommodation. The visual impact on the wider area is negligible.

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Following the debate, it was proposed by County Councillor G. Howard and seconded by County Councillor R.J. Higginson that we be minded to refuse application DC/2017/00651 on the grounds that the proposal detracts from the character and appearance of the parent dwelling and the surrounding area, contrary to Planning Policy DES1 and that the application be re-presented to Planning Committee with appropriate reasons for refusal.

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

For refusal	9
Against refusal	5
Abstentions	1

The proposition was carried.

We resolved that we be minded to refuse application DC/2017/00651 on the grounds that the proposal detracts from the character and appearance of the parent dwelling and the surrounding area, contrary to Planning Policy DES1 and that the application be re-presented to Planning Committee with appropriate reasons for refusal.

9. APPLICATION DC/2017/00829 - PROPOSED NEW DWELLING. 20 CROSSWAY, ROGJET

We considered the report of the application and late correspondence which was recommended for approval subject to the three conditions, as outlined in the report and subject to a Section 106 agreement requiring a financial contribution of £9,982 towards affordable housing in the local area.

Having considered the report of the application it was noted that there was enough parking provision on the site. It was therefore proposed by County Councillor M. Feakins and seconded by County Councillor A. Webb that application DC/2017/00829 be approved subject to the three conditions, as outlined in the report and subject to a Section 106 Agreement requiring a financial contribution of £9,982 towards affordable housing in the local area.

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

For approval	-	15
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2017/00829 be approved subject to the three conditions, as outlined in the report and subject to a Section 106 Agreement requiring a financial contribution of £9,982 towards affordable housing in the local area.

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**10. Appeal Decision - Wern Farm, Ash Cottage to Newbridge on Usk,
Tredunnock**

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on the 9th October 2017. Site: Wern Farm, Ash Cottage to Newbridge on Usk, Tredunnock.

We noted that the appeal had been dismissed.

The meeting ended at 4.12 pm.