

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 7th
August, 2018 at 2.00 pm**

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

County Councillors: 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
Craig O'Connor	Development Management Area Team Manager
Andrew Jones	Development Management Area Team Manager
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer

APOLOGIES:

Councillors J.Becker and D. Blakebrough

1. Declarations of Interest.

County Councillor R. Edwards declared a prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/00695, as a relative to the applicant. She left the meeting and took no part in the discussion or decision.

2. To confirm for accuracy the minutes of the previous meeting.

The minutes of the meeting of Planning Committee held on 3rd July were approved and signed by the Chair.

3. APPLICATION DC/2017/00623 - Construction of sustainable low energy Eco-House dwelling with landscaping and surface car parking, plus new access/egress onto Hardwick Hill Lane by part demolition of existing garden boundary wall and replacement iron railings. Lower Hardwick, Hardwick Hill, Chepstow, NP16 5PN.

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

In doing so the following points were noted:

- Highways and access was a concern – comments by the Chepstow Society referred to another possible access. In response, the Development Services Manager advised that

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alternative access would be impractical due to two houses built in the intervening area. In terms of highways issues, this would need to be addressed under a traffic order.

- A new paper referring to air quality highlighted Hardwick Hill as a black spot. In response the Head of Planning stated that in terms of air quality there were two areas to consider:
 1. Will an extra dwelling make the problem materially worse? Waiting for response from environmental health.
 2. Is a dwelling so close to the main road that there is an air quality issue unacceptable for future amenity and health of future occupiers?

It was moved by County Councillor Higginson, and seconded by County Councillor Feakins that application DC/2017/00623 be approved subject to the conditions set out in the report, the submission of an acceptable air quality impact assessment and a S106 agreement to secure a financial contribution to affordable housing in the locality.

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

For approval	9
Against approval	2
Abstentions	2

4. APPLICATION DC/2018/00007 - Demolition of magistrates court and police station building and erection of a building comprising 47 retirement living apartments with associated residents lounge, refuse, electric, rechargeable buggy store, guest suite, substation and access, car parking and landscaped grounds. Abergavenny Magistrates Court And Police Station Site Tudor Street Abergavenny NP7 5YL.

We considered the report of the application which was recommended for approval subject to S106 agreement, and conditions set out in the report.

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

- To date there has been mostly positive feedback received, however opposing views of the Town Council, Civic Society and Transition Town are all well documented and addressed.
- The Planning Department have worked closely with developers and have made several changes to the overall design, including appearance to make the frontage more in keeping with the vicinity.
- Residents of a similar development in the Swan Meadow, Abergavenny, are very happy and benefit from being able to live independently and central to the town. Many no longer dependent on the use of cars in the town centre.

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

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- The plans have improved a great deal, and developments like this are a huge benefit to residents and their families.
- It was hoped that the Council's Delegation Panel will keep a close eye on the frontage.
- A deferment was suggested in order for developers to make improvements to the proposed design. Several Members expressed concerns around design. Cllr Webb congratulated the case officer for his hard work on this application and his negotiation
- The reduction of Section 106 money should be disputed. It was suggested that the Committee approve the application with an added condition that further negotiation takes place with the section 106 affordable housing contribution.

The Head of Planning explained that the case had been independently reviewed by the District Valuer. The initial figure requested would have been based on standard costs and do not factor in any site specific build costs. The DVS has looked at the applicant's build costs and proposed sale costs (with evidence from their nearby recent development) and advises the development is not viable with a higher contribution than that proposed in the report.

It was moved by County Councillor Powell, and seconded County Councillor Murphy that application DC/2018/00007 be approved subject to conditions and section 106 agreement outlined in the report.

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

For approval	8
Against approval	4
Abstentions	1

5. APPLICATION DC/2018/00138 - Erection of 1 no. stable block. Change of Use of Land for the Grazing of Horses. Land At 1 Great Oak Farm Cottages, Box Bush Road, Great Oak, Bryngwyn.

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

The Chair invited Ms. J. Bickford, representing objectors to the application, to address the committee, who outlined the following points:

- Ms. Bickford's home is at Box Barn, described in the proposal as 'some farm buildings'.
- The block of stables to house six horses, with tack and storage rooms attached is to be situated approximately 20 metres from the property, with its associated noise, smells and flies.
- There is no arrangement mentioned for husbandry, suggesting staff or grooms attending at different hours, creating disturbance and questioning security.
- There is no mention of drainage or removal of waste.
- A narrow section of Great Oak Road is prone to cars backing up regularly, and the addition of horse transportation will add to this situation. A deciduous hedge planted will become vulnerable.

Mr. N. Green, the applicant's agent, attended the meeting by invitation of the Chair and outlined the following points:

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- The development comprises six loose boxes, hay store and a tack room. The principle of siting stables in the open countryside should not be contentious, and is considered acceptable by the case officer.
- The proposed stables will be located adjacent to, but not against, a high hedge that borders Great Oak Farm Cottages Lane.
- The design and materials are designed to respect the character and appearance of the rural location with timber clad walls and plain tiled roof.
- The layout shows the proposed muck heap is 40 metres away from Box Bush Barn and out of site, and 45 metres away from the neighbouring property of Box Bush. However, the stables are a rural activity in a rural location, and any sights or smells associated are perfectly normal.
- The intended use is entirely private.
- The Highways Department is satisfied that the entrance design will not be detrimental to highway safety or conflict with transportation policy.
- The client is happy to comply with the four conditions.

Having considered the report and the views expressed, the following points were noted by Committee Members:

- To consider proposals to locate the stables further back from the residential properties.
- Despite assurance over measurements there will be a disturbance to neighbours, and suggest the construction moved further down the site, with a lane alongside for access.
- That prior to any development taking place, the manure site be agreed.
- To consider conditions on hours of building during development, and hours of use.
- To consider a different layout of the stable, rather than an 'L' shape.

It was proposed by Councillor P. Murphy, and seconded by Councillor L. Brown that we defer consideration of application DC/2018/00138 to a future meeting of Planning Committee with a view to relocating the proposed stables and muck heap to a location further away from the nearby dwellings.

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

In favour of deferral 13
Against deferral 0

The proposition was carried.

6. APPLICATION DM/2018/00528 - Proposed replacement dwelling. Argoed Cottage New Mill Road Tregagle Trellech Monmouth.

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

The Chair welcomed Councillor Dr. Larry Stoter of Trellech United Community Council to speak on in respect of the application. In doing so the following points were noted:

- This is a large two storey development, overwhelming and intrusive to the general landscape. In its current position it has clear views into the neighbouring property.

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- It is not seen as a replacement dwelling, as a significant proportion of the existing dwelling is retained.
- The size of the new development – there is considerable dispute between TUCC and the neighbour, and the architects dimensions and calculations.

Mr. P Brice, the applicant's agent, was invited to speak, and outlined the following points:

- The windows are unsustainable due to fire and overlooking issues.
- When the client had bought the property, planning officers had advised to go for a replacement dwelling.
- The existing buildings were measured and new buildings designed with a 30% addition.
- This is a modest dwelling with 2 bathrooms and 3 small bedrooms. It has been dropped down half a level so you enter at ground floor level and the building is sunk into the ground by half a storey.
- The new building has been moved away from the existing so there is no overlooking of the neighbouring property.

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

- It was agreed that the existing property is not in a good state and has grown organically to the detriment of the original house.
- The garage should be excluded as a new build garage, as this could pose problems for future applications. Officers responded that we need to establish if there is visual damage by including the attached garage.
- Controls over the appearance of the retained element of the existing cottage were questioned. Officers responded that an additional condition would be proposed around the appearance and use of the existing building.
- The existing property would be retained as bat mitigation and as a domestic storage building, and not used as habitable accommodation. The applicant's agent confirmed that the Council had requested that the original buildings be maintained.

It was moved by County Councillor Murphy and seconded by County Councillor that application DM/2018/00528 be approved subject to 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

7. APPLICATION DM/2018/00695 - Erection of 8 signs advertising the farm park and farm shop. Brook Farm Holdings Chepstow Road Raglan Usk Monmouthshire.

We considered the report of the application which was recommended for approval subject to conditions as set out in the report.

County Councillor R. Edwards declared an interest and left the room during discussion and took no part in the vote.

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Having considered the report, it was moved by County Councillor Feakin and seconded by County Councillor that application DM/2018/00695 be approved subject to the conditions outlined in the report.

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

For approval	12
Against approval	0
Abstentions	1

8. APPLICATION DM/2018/00707 - Application to retain amendments to approved application DC/2017/00728 (Site 4). Residential Quarters Redchillies Thai And Indian Restaurant Five Lanes North Fives Lanes Caerwent.

We considered the report of the application which was recommended for approval subject to conditions as set out in the report.

Having considered the report, the following points were noted:

- The local Member has received many comments regarding this site and expressed frustrations regarding builders not adhering to approved plans.
- The original garage had been built in the wrong place and to the wrong design.

The Head of Planning understood the frustrations of Members but stressed that was not the basis for a planning decision.

It was moved by County Councillor Murphy, and seconded by County Councillor Powell that application DM/2018/00707 be refused on the basis that the scale and mass of the garage was excessive, its layout was out of character in relation to the remainder of the development, and it had an unacceptable overbearing effect on the amenity of the neighbouring dwelling to the east, conflicting with policies S17, DES1 b), c) and d) and EP1 of the adopted LDP.

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

For refusal	10
Against refusal	0
Abstentions	2

9. APPLICATION DM/2018/00769 - Outline development of up to 45 dwellings. Land At Chepstow Road Raglan NP15 2EN.

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

Councillor B. Willott, Chair of Raglan Community Council, attended the meeting by invitation of the Chair, and outlined the following points:

- The residents of Raglan do not object to a reasonable number of new homes, and there was a particular welcome to MCC commitment to 35% of affordable housing. However there are a number of concerns with the number of houses proposed for the site.

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- The site is prone to flooding. Covering much of the site with concrete will increase flood risk both to new house owners, and house owners in neighbouring roads. The flood risk will be intensified with the density of 45 houses on the site.
- Insurance premiums are likely to be high and result in an increase for existing homeowners.
- The density will have an ecological impact on wildlife. This could be mitigated if the properties were further away from the stream.
- Traffic management concerns include the exit close to Fayre Oaks Road will need careful engineering.
- It is requested that developers reduce the height of tallest proposed buildings so that no building is over two storeys high, and that these two storey buildings are on the outside of the site by Chepstow Road, or at least away from neighbouring properties in the Willows and Fayre Oaks.

Mr. G. Willmott, representing objectors to the application, attended the meeting by invitation of the Chair, and outlined the following points:

- Objections are based mainly on the density of houses proposed, which is not in keeping with the surrounding area.
- At the public enquiry the inspector stated that the site was too small to support 45 dwellings, and that figure was calculated when the development was thought to encompass the whole site of 2.18 hectares. This is no longer the case and the usable area is now 1.5 hectares.
- It is believed that 30 dwellings is a more acceptable figure, and in keeping with the quality of housing for the village.
- It was asked that the draft plan is withdrawn and replaced with a new plan for 30 dwellings, with 50% affordable housing.

Mr. M. Cullen of Alder King, the planning agent acting on behalf of MCC, attended the meeting by invitation of the Chair, and outlined the following points:

- Extensive pre-application consultation has been undertaken with the Council and members of the public, and the site benefits from an allocation within the adopted local plan for up to 45 dwellings, and is considered to be in a sustainable location.
- It is anticipated that the development will feature 2 storey dwellings, with some single storey, and some 2 and a half storey homes to add variety and interest.
- The development will be designed to reflect and complement the wider context of the village in terms of its overall architectural style.
- No development is proposed within flood zone C2. The intention being to safeguard ecology and safeguard the space for public amenity
- A transport statement confirms there are no highway safety issues.
- The proposals include the provision of 35% affordable housing, which equates to 16 units.
- The application comprises sustainable development in accordance with the Council's LDP.

The Head of Planning, Housing and Place Shaping provided an extract from the inspector's report:

Report on the examination into the Monmouthshire Local Development Plan

6.73 In the light of the constraints described above, others such as the utilities' infrastructure crossing the site, and the need to take account of general planning considerations including the

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privacy and amenity of existing residents, it is possible that the developable area will not be sufficient for 45 dwellings. As explained in paragraph 4.12 above the indicative number for each site is necessary for the calculation of overall housing provision and to let those with an interest in sites know what is likely to happen. If they are not achieved, however, the development would not be contrary to policy.

6.74 All in all the flood risk and traffic concerns do not cast significant doubt on the deliverability of the site and thus do not prevent its allocation; detailed matters will be deliberated and ironed out at the planning application stage. The allocation is based on robust and credible evidence and is not contrary to either TAN15 or TAN18. MAC48 will add the allocation to the renumbered Policy SAH10.

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

- Taking into account the matter of density, we should be giving a steer to local developers that we don't want to see developments with 45 dwellings.
- The points were acknowledged and considered valid, and would therefore be taken into consideration when a detailed application is presented.
- Comments were made regarding the number of bedrooms per dwelling, which could make a difference to the combined density. This would be looked at during the reserve matters stage.
- Reassurance was sought surrounding the water board and sewage treatment plant. Detail would be sought but it was understood there was no sewerage capacity constraint in the Raglan area.
- A Member expressed disappointment at the attempt to minimise the number of dwellings being developed, considering the desperate need for homes.

It was proposed by County Councillor Murphy and seconded by County Councillor Powell that application DM/2018/00769 be approved subject to conditions, and a S106 agreement as outlined in the report.

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

For approval	12
Against approval	0
Abstentions	1

10. APPLICATION DM/2018/00910 - Community hub facility and associated landscaping. Three Fields Site Main Road Magor Monmouthshire.

We considered the report of the application which was recommended for approval subject to conditions.

Councillor Murphy read a statement from Councillor L. Dymock, with similar sentiments echoed by Councillor F. Taylor, in full support of the application.

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Members were keen to support the application and recognised the importance of meeting places for communities.

It was moved by Councillor Murphy, and seconded by Councillor Higginson that application DM/2018/00910 be approved subject to conditions, as outlined in the report.

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

In favour	13
Against	0
Abstentions	0

11. Appeal Decision - Green Meadow Farm, Llandevenny Road, Llandevenny, Magor.

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 18th June 2018. Site: Green Meadow Farm, Llandevenny, Magor. NP26 3DB.

The appeal had been dismissed.

12. Appeal Decision - Ridge House Stables, Earlswood, Chepstow, Monmouthshire.

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 20th February 2018. Site: Ridge House Stables, Earlswood, Chepstow. NP16 6AN.

The appeal was allowed.

13. Costs Decision - Ridge House Stables, Earlswood, Chepstow, Monmouthshire.

We received the Planning Inspectorate report which related to a cost decision following a hearing that had been made on 20th February 2018. Site: Ridge House Stables, Earlswood, Chepstow. NP16 6AN.

The application for an award of costs was refused.

The meeting ended at 17:30pm