

# 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 May, 2019 at 2.00 pm

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

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

County Councillors A. Watts and S. Woodhouse attended the  
meeting by invitation of the Chair.

County Councillor J. Becker left the meeting during consideration of application  
DC/2019/00001 and did not return to the meeting.

County Councillor D. Evans left the meeting during consideration of application  
DM/2018/02066 and did not return to the meeting.

County Councillor J. Higginson left the meeting following determination of application  
DM/2018/02066 and did not return to the meeting.

### **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
Shirley Wiggam	Senior Strategy & Policy Officer
Mark Davies	Highway Development Manager
John Rogers	Legal Officer
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

None.

#### **1. Declarations of Interest**

County Councillor M. Feakins declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/01872. He left the meeting taking no part in the discussion or voting thereon.

County Councillor R. Harris declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/01909, as he is an Abergavenny Town Councillor and voted for the approval of £30,000 grant towards the provision of the pavilion. He left the meeting taking no part in the discussion or voting thereon.

County Councillor R.J. Higginson declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2018/02053, as he is a

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friend of a family member of the applicant. He left the meeting taking no part in the discussion or voting thereon.

#### **2. Confirmation of Minutes**

The minutes of the Planning Committee meeting held on 2<sup>nd</sup> April 2019 were confirmed and signed by the Chair.

#### **3. Application DC/2019/00001 - Residential development of 345 dwellings and associated infrastructure and landscaping. Mabey Bridge, Station Road, Chepstow**

We considered the report of the application and late correspondence which was recommended for approval subject to the 16 conditions, as outlined in the report.

The Member for Thornwell, Chepstow attended the meeting by invitation of the Chair, as his ward adjoins the site, and outlined the following points:

- The proposed development is not sustainable for the environmental impact this will have on the town. Traffic congestion is affecting the health of people living on Hardwick Hill.
- A question was asked as to how many cars would be using the site on a daily basis.
- How many children are expected to be attending local schools from the site? Capacity currently exists for 100 pupils. The Member for Thornwell considered that potentially there could be 600 children requiring education living in dwellings on the site.
- The Member expressed concern that there is no reference to the flood alleviation scheme contained within the maps of the site. Concern was expressed that there was a risk of flooding to some properties that would be located on the proposed site.
- Concern was expressed that the affordable housing provision was located in a specific corner of the site rather than being dispersed across the site.

In response to the issues raised by the Member for Thornwell, the following points were noted:

- The outline and the principle of acceptability of the proposed development has been fully reviewed by Welsh Government and Monmouthshire County Council's Highways Department and has been approved up to 450 houses.
- This application is looking at the scale and design of the buildings and the layout of the development.

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- Access and traffic issues have previously been approved.
- In terms of the education contributions, this had been considered as part of the previous planning application for outline planning consent. Education services had been consulted at that time and it had been identified that there was a surplus of 115 spaces in the area. Therefore, no contributions were needed for any educational requirements.
- Flooding issues have been reviewed. Natural Resources Wales (NRW) has been consulted. None of the dwellings would be located on a C2 flood plain.
- In terms of affordable housing provision, it would be more beneficial to put the 1.5 acres of affordable land in one location to create economies of scale and to provide more affordable homes. If the affordable housing site was split in to two areas, namely, 1 acre and 0.5 acres, this would reduce the number of affordable homes that could be provided. The detail of the affordable housing provision with regard to the number of affordable housing units will be subject to a further reserve matters application.

Zoe Aubrey, Planning Manager at Barrett David Wilson Homes, attended the meeting by invitation of the Chair and outlined the following points:

- In terms of the children's nautical themed area, at its closest point it is at least 12 metres from the fence and thicket. The fence will be at least 1.2 metres high and the thicket will be 2 metres wide and will be allowed to grow naturally up to 1.5 metres with viewing points.
- In relation to flooding, the applicant had spent considerable time identifying the location of the hedge and thicket. This is useful from a health and safety perspective and is also required to prevent public access onto the salt marshes. The applicant did not want this to be located in an area that was subject to regular flooding. It is now located above the high tide line in an extreme event.
- With regard to the employment land area, as part of the outline application, there was a small area of land that was located within the C2 floodplain. However, there is a planning condition that requires the applicant to raise that area of land out of the C2 floodplain allowing development to be undertaken on that area of land. When these works have been completed, the applicant will apply to NRW to amend the flood mapping to confirm that area is no longer affected by C2 flooding.
- As the number of Housing units have reduced to 345 there will be a requirement of up to 85 primary school places. Therefore, there will be no issue in terms of education capacity caused by the proposed development.
- The wider benefits of the proposed development will create in the region of 860 direct, indirect and induced jobs contributing an additional £52M to gross value added. Approximately £5.6M towards additional local spends in the local

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economy whilst delivering a significant amount of open space on this proposed development. There will be up to 30 new affordable houses delivered. In terms of the employment area, this could accommodate up to 400 jobs.

The Head of Planning, Housing and Place Shaping informed the Committee that two parcels of land had been secured on the site totalling 1.5 acres of serviced and remediated lands. It had been agreed with the applicant that putting the 1 acre and the 0.5 acre together made better sense in obtaining efficient use of the land. The detail of the affordable housing provision will be presented to Planning Committee in a future application. The number of affordable units will be in the region of 20 – 25 due to the size of the plot.

The local Member for St. Mary's, Chepstow, also a Planning Committee Member, outlined the following points:

- The work of officers should be commended who have managed to negotiate with the applicant a multi-use coastal path, play areas that will integrate into the town and the lower end of Garden City will be opened up allowing residents access to the waterside. However, the proposed development is still lacking in what had been originally promised.
- Overall, the proposed development, though not a flagship development, will benefit the residents of Chepstow.

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

- The proposed development is sympathetic to the area.
- Commercially, the proposed development will improve the prosperity of the area as well as providing much needed market housing and affordable homes.
- The proposed development is an important opportunity for the town.
- The coastal path will be easily accessible and the riverside area will be improved.
- The design and variety of the buildings complements the history of the site.
- Information about the heritage of the site will be located at various points on the site.
- In terms of the recreational aspect, the site has been designed to provide an open space to be adaptable and be a multi-generational space.
- In response to questions raised in respect of the highways issues in the Chepstow area and the need for a construction management plan, it was noted that this was a detail considered at the outline consent stage. Therefore, the

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outline planning consent is extant. The outline consent is the planning permission.

- The outline planning consent contains a requirement for the applicant to undertake a viability study.
- The construction management plan has been submitted as a separate planning application. This has been approved by the Highways Department. The construction management plan has been agreed with the developer.
- With regard to the interpretation boards, the Local Planning Authority will have control over the naming of the streets which could incorporate the heritage of the site.
- With regard to the affordable units and their maintenance, it was noted that the 1 acre and 0.5 acres of land being located on one area would allow for more affordable homes to be built. The housing association would then manage and maintain that area.
- In response to questions raised regarding Green Infrastructure (GI) and conditions 7 and 11, it was noted that with regard to GI, the developer's GI officer had a different opinion to the local Authority. However, the information contained within the report was considered to be acceptable by the Planning Department. In terms of the GI management plan, there will be time triggers with a view to looking at the longer term over a period of 5, 10, 20 years' time. In terms of the verges and potential parking, officers can liaise with the developer regarding this matter with a view to obtaining approval via the delegation panel.

It was proposed by County Councillor D. Dovey and seconded by County Councillor M. Feakins that application DC/2019/00001 be approved subject to the 16 conditions, as outlined in the report and subject to the changes in the conditions, as outlined in late correspondence.

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

For approval	-	12
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DC/2019/00001 be approved subject to the 16 conditions, as outlined in the report and subject to the changes in the conditions, as outlined in late correspondence.

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#### **4. Application DM/2018/01872 - Three new detached market dwelling-houses with associated garage(s), car parking, access driveways and landscaping. Land Rear Of Rosebrook, Watery Lane, Monmouth**

We considered the report of the application and late correspondence which was presented for refusal for the one reason, as outlined in the report.

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

- The existing planning permission for two dwellings is appropriate and is more in keeping with existing properties. An additional dwelling would result in overdevelopment of the site.
- The footprint of the three houses has more in common with the host dwelling. Back land development has been approved by the Planning Committee in other areas of the County that are similar in size and location to this application.
- The reasons for refusal, as outlined in the report, refer to the design and to Policy DES1. The character of the area needs to be taken into account.
- The size of the three dwellings and their footprints fit into the site reasonably well.
- The site is located on the edge of town looking onto the open countryside. The lane accessing the site is narrow.

It was proposed by County Councillor G. Howard and seconded by County Councillor R. Harris that we be minded to approve application DM/2018/01872 and that the application be re-presented to a future meeting of Planning Committee with appropriate conditions.

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

For approval	-	5
Against approval	-	7
Abstentions	-	0

The proposition was not carried.

We resolved that application DM/2018/01872 be refused for the one reason, as outlined in the report.

#### **5. Application DM/2018/01909 - Open sided, roofed pavilion with new hard surfacing. Abergavenny Museum & Castle, Castle Street, Abergavenny, NP7 5EE**

We considered the report of the application which was presented for refusal for two reasons, as outlined in the report.

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The application had been originally reported to the Planning Committee on 2<sup>nd</sup> April 2019. At this meeting the Committee had been minded to refuse planning permission for the development on the basis of adverse impact on residential amenity and on the Scheduled Ancient Monument.

In noting the detail of the application, it was proposed by County Councillor G. Howard and seconded by County Councillor D. Evans that application DM/2018/01909 be refused for the two reasons, as outlined in the report.

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

For refusal	-	10
Against refusal	-	0
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2018/01909 be refused for the two reasons, as outlined in the report.

#### **6. Application DM/2018/02053 - Proposed detached dwelling. Green Acres Vinegar Hill, Undy, Caldicot, Monmouthshire**

We considered the report of the application and late correspondence which was recommended for approval subject to the seven conditions, as outlined in the report and subject to a Section 106 legal agreement.

In noting the detail of the application, the Committee considered that a reduction in the floor slab of the proposed dwelling would reduce the impact that the proposed dwelling might have on nearby existing properties.

It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Feakins that we defer consideration of application DM/2018/02053 to a future meeting of the Planning Committee to allow officers to liaise with the applicant to discuss reducing the floor slab of the proposed dwelling by one metre.

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

For deferral	-	12
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that we defer consideration of application DM/2018/02053 to a future meeting of the Planning Committee to allow officers to liaise with the applicant to discuss reducing the floor slab of the proposed dwelling by one metre.

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### **7. Application DM/2018/02066 - Outline application for the construction of 11 dwellings and associated works. Land adjacent to Clearview Court, Shirenewton**

We considered the report of the application and late correspondence which was recommended for approval subject to the 14 conditions, as outlined in the report and subject to a Section 106 legal agreement.

The local Member for Shirenewton, also a Planning Committee Member, outlined the following points:

- The affordable housing provision now has the parking spaces in the correct location for the plots.
- Highways concerns include the access. As local traffic parks in this area, it was suggested that the implementation of a Section 278 agreement at this location might alleviate the parking issues.
- The access is owned by the applicant. However, two nearby houses have a right of access over it. The previous extant permission did have a similar access to required standards. As the applicant owned the access, perhaps the same could apply to this access.
- It was noted that some of the plots fall outside of the boundary areas. A condition could be considered to remove permitted development rights in relation to the garden area of these plots.
- With regard to the quality of materials, these need to be of a high standard. This matter will be considered at the reserved matters stage.
- The height of the dwellings needs to be addressed at the reserved matters stage, as the heights need to be reviewed in view of the distance between an existing property and plot 6 being only 13 metres.

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

- This is an outline application. However, the Planning Authority is able to look at the scale of development and the design and location of windows at the reserved matters stage. The scale parameters proposed in the application would be not set and the scale could be looked at.
- The quality of materials will be considered at the reserved matters stage and the applicant could be asked to submit that as part of that application.
- A condition to remove the permitted development rights could be added to the plots outside of the allocation for outbuildings.

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- In terms of the existing access point and the realignment of the roads, it was noted that the access does not meet the exact standard of the Highways Department but in terms of delivering the market and affordable housing provision, it is considered that the existing access, although substandard, is acceptable to take the additional properties.
- The height parameters will be fixed and approved as part of this application. However, with regard to plot 6, potentially being a taller or shorter property in relation to the surrounding area, this will be considered at the reserved matters stage.
- With regard to controlling parking within the area, off the public highway, any vehicle parked at this location falls outside of the local Authority's control, should any illicit parking take place in this area.
- With regard to concerns expressed in respect of the height of some of the proposed properties, a condition could be added in submitting the reserved matters for the actual detail of the site, pursuant to that application, site sections be established which would indicate the section with the nearby existing properties which would provide an understanding of the relationship and visual aspect of the heights of those properties given the land levels and proximity.
- There are no plans to upgrade the private road to an adoptable standard due to restrictive covenants existing on this land.
- This is an outline planning application establishing the principle of whether the properties, the Section 106 agreement and access are acceptable.
- Plots 4 – 7 and plots 8 - 11 would be up to 8.9 metres to the ridge.

The local Members summed up, as follows:

- The local Member would like the parameters to be between 5 metres and eight metres.
- There are positives in respect of this site in terms of the affordable housing provision, the applicant has amended the site and improved the parking provision.
- On the whole, it is a reasonable site.

It was proposed by County Councillor L. Brown and seconded by County Councillor G. Howard that application DM/2018/02066 be approved subject to the 14 conditions, as outlined in the report and subject to a Section 106 legal agreement. Also, that the following additional conditions be added:

- Remove permitted development rights for outbuildings in the gardens of plots 4, 5 and 6.

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- Require sections through the site to demonstrate the relationship of the proposal to the existing dwellings to the north of the site, which are opposite the site.

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

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/02066 be approved subject to the 14 conditions, as outlined in the report and subject to a Section 106 legal agreement. Also, that the following additional conditions be added:

- Remove permitted development rights for outbuildings in the gardens of plots 4, 5 and 6.
- Require sections through the site to demonstrate the relationship of the proposal to the existing dwellings to the north of the site, which are opposite the site.

#### **8. Application DM/2019/00026 - New Dwelling with associated garage. Tengboche, Glynwood Lane, Chapel Hill, Tintern**

We considered the report of the application and late correspondence which was recommended for approval subject to the 11 conditions, as outlined in the report and subject to a Section 106 legal agreement.

The local Member for St. Arvans, also a Planning Committee Member, requested that a condition be added to require obscure glazing to the upper window in the gable facing the existing dwellings.

The majority of the Committee were in favour of the application. However, concern was expressed that the north elevation of the proposed dwelling was not very well articulated. The plans show existing hedgerow but there is no mention of trees that would provide any screening. It was considered that the mass of the dwelling will be quite dominating for the outlook of the bungalows.

It was proposed by County Councillor A. Webb and seconded by County Councillor P. Murphy that application DM/2019/00026 be approved subject to the 11 conditions, as outlined in the report and subject to a Section 106 legal agreement. Also, that a further condition be added to require obscure glazing to the upper window in the gable facing the existing dwellings.

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

For approval	-	10
Against approval	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00026 be approved subject to the 11 conditions, as outlined in the report and subject to a Section 106 legal agreement. Also, that a further condition be added to require obscure glazing to the upper window in the gable facing the existing dwellings.

#### **9. Application DM/2019/00118 - Renew outline approval DC/2012/00450 and DC/2016/00059. Land opposite 5 Severn View, Caldicot**

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 subject to a Section 106 legal agreement.

In noting the detail of the application, it was proposed by County Councillor P. Clarke and seconded by County Councillor M. Feakins that application DM/2019/00118 be approved subject to the conditions, as outlined in the report and subject to a Section 106 legal agreement.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00118 be approved subject to the conditions, as outlined in the report and subject to a Section 106 legal agreement.

#### **10. Application DM/2019/00333 - Retrospective application for the erection of a fence. 3 Canon Lane, Caerwent, Caldicot, Monmouthshire NP26 4QQ**

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.

The local Member for Caerwent, also a Planning Committee Member, expressed some sympathy with some residents regarding the benefits of slightly reducing the height of the fence. However, it was noted that the fence was only slightly higher than the existing hedge, which could potentially grow higher than the fence. In light of this information, the local Member expressed his support for the application. If the applicant voluntarily reduced the height of the fence by six inches, that would be beneficial to local residents.

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It was proposed by County Councillor M. Feakins and seconded by County Councillor R. Harris that application DM/2019/00333 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	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00333 be approved subject to the two conditions, as outlined in the report.

**11. Application DM/2019/00352 - Twinning monument to be erected in commemoration of 30 years of twinning. Gabb Square, Baker Street, Abergavenny, NP7 5BA**

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

In noting the detail of the application, the monument had already been erected. Therefore, condition 1 no longer applied.

It was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DM/2019/00352 be approved subject to the remaining condition, as outlined in the report.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00352 be approved subject to the remaining condition, as outlined in the report.

**12. Application DM/2019/00362 - Proposed internal alterations and external amendments to South West corner. Caldicot Library, Woodstock Way, Caldicot, NP26 5DB**

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

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In noting the detail of the application, it was proposed by County Councillor A. Davies and seconded by County Councillor M. Feakins that application DM/2019/00362 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	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00362 be approved subject to the three conditions, as outlined in the report.

#### **13. Application DM/2019/00440 - Two outdoor classrooms and a polytunnel. The Dell Primary School, Welsh Street, Chepstow, NP16 5UQ**

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.

In noting the detail of the application, it was proposed by County Councillor D. Dovey and seconded by County Councillor R. Harris that application DM/2019/00440 be approved subject to the two conditions, as outlined in the report and that an additional ecological condition be added, as outlined in late correspondence.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00440 be approved subject to the two conditions, as outlined in the report and that an additional ecological condition be added, as outlined in late correspondence.

#### **14. New Planning Appeals Received**

We noted the new appeals received between 23<sup>rd</sup> March 2019 and 23<sup>rd</sup> April 2019.

**The meeting ended at 4.58 pm.**