

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 3rd
November, 2015 at 2.00 pm**

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

County Councillors: D. Blakebrough, D. Dovey, D. Evans, R. Harris,
B. Hayward, J. Higginson, M. Powell, B. Strong, F. Taylor and
A. Wintle

OFFICERS IN ATTENDANCE:

Philip Thomas	Development Services Manager
Paula Clarke	Planning Applications and Enforcement Manager
Robert Tranter	Head of Legal Services & Temporary Monitoring Officer
Mark Hand	Head of Planning
John Pearson	Local Democracy Manager

APOLOGIES:

Councillors D. Edwards, P. Murphy, P. Watts and A. Webb

1. Declarations of Interest

None received

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

The minutes of the planning committee meeting held on the 6th October 2015 were confirmed and signed by the Chairman.

3. To consider the following Planning Application reports from the Chief Officer - Enterprise (copies attached)

Planning applications considered at the meeting were dealt with in a different order to the agenda.

We resolved that the following applications be refused

Application DC/2014/01001 – THE INSTALLATION OF A FREESTANDING 8M HIGH TOTEM SIGN – WESTGATE, LAND OF MERTHYR ROAD, LLANFOIST†*

Application DC/2014/01489 – DEMOLITION OF EXISTING DWELLING AND REPLACEMENT WITH NEW RESIDENTIAL DWELLING WITH ASSOCIATED ACCES, CURTILAGE AND LANDSCAPING WORKS – PWLL Y CATH, NEWCHURCH, DEVAUDEN

Notes

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† Denotes that objections were made to these applications.

* Denotes that late correspondence was received in respect of these applications.

Cllr Strong left the meeting after application DC/2014/00998 was considered

Cllrs Blakebrough and Wintle left the meeting after application DC/2014/01468 was considered and returned prior to application DC/2015/00688 was considered.

4. DC/2012/00685 - DEMOLITION OF EXISTING WOOLAWAY BUNGALOW & REPLACEMENT WITH A SINGLE DWELLING - KIMBERLEY, THE NARTH, MONMOUTH, NP25 4QN

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

Mr Nicholls, objecting to the application, attending the meeting by invitation of the chairman and outlined the following points:

- Mr Nicholls objected to paragraph 5.5.1 of the briefing notes
- He considered drainage to be an issue for the property and that the new scheme changes the current distribution of surface water.
- Highlighted that under a previous application for the property a porosity survey was needed.
- A property down the slope will be affected by the surface water drain away below.
- Mr Nicholls believes that insufficient consultation was conducted and the surface water needs to be addressed.

Paul Brice, agent to the applicant, attending the meeting by invitation of the chairman outlined his following points:

- Previous planning applications related to two dwellings but concerns around drainage led to the plans to be changed and is now therefore proposing a single property.
- Adjustments have been made to the plans to as requested alleviate any concerns.
- Other applications within the locality have been approved for larger and taller properties than this application.
- Request that the application be approved.

The committee queried 5.10 and 5.2.3 in relation to the ridge height and clarification on the height due to different measurements contained in the application report. An officer confirmed that the different measurements are due to property being sunk in to the ground and measurements presented are from neighbouring properties and at ground level.

Members are pleased that the Wye Valley AONB consider the plans to have no detrimental impact on the property but still has concerns around surface drainage water. Condition 7 of the application states that no surface water from site shall drain into county highway and queried if highways have confirmed they are happy that the proposals are fit for purpose? Officers confirmed that highways and building control had been consulted and are happy with the proposals in the application.

Members raised concerns around the consultation period and that the consultation closed the day of the meeting and queried whether the committee should only be considering the

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application once all relevant consultation and information is complete. Officers informed members that they had re-consulted on the amended plan even though they do not need to and if any further correspondence arrives before the end of the day that brings new information to light then it could be sent to the delegated panel for decision.

It was proposed by Councillor Blakeborough and seconded by Councillor Taylor that the application be deferred to a future meeting until the consultation period was complete.

Upon being put to the vote, the following votes were recorded and the motion not carried.

To defer	-	4
Against deferral	-	8

Having considered the report and the views expressed, it was proposed by County Councillor R. Harris and seconded by County Councillor M. Powell that application number DC/2012/00685 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	-	0
Abstentions	-	1

We resolved that application number DC/2012/00685 be approved subject to the conditions, as outlined in the report. Any further consultation objections received before 04/11/16 to be reported to the Delegated Panel prior to a decision being issued.

5. DC/2014/01000 - MCDONALD'S DRIVE THROUGH RESTAURANT - WESTGATE, LAND OFF MERTHYR ROAD, LLANFOIST

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

County Councillor M. Hickman addressed the committee as local member by invitation of the chairman and raised the following points:

- Councillor Hickman informed the committee that he would represent the views of the electorate but is difficult as there is a divide between those in support of the application and those against.
- Requested that the item be deferred as Llanfoist Community Council failed to register councillors to speak relating to the application in the specified time.
- Is concerned that a 24 hour fully illuminated site in Brecon Beacons National Park with dark sky status doesn't sit within the locality and would like to see a 3d model of how it would be situated.
- Disagreed with the application report which stated that the restaurant couldn't be built in Abergavenny town and believes that cattle market site would be a suitable location.
- Requested that if the application received approval then it needs strict conditions and clarity around the building materials to be used.

The committee addressed concerns regarding the 24 hour lighting of the restaurant and highlighted the transfer station next to the proposed site as being illuminated for the same period.

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Members raised concern relating to the litter that will be generated from the restaurant and who would be responsible for cleaning it up. Officers informed members that any waste on the adjacent trunk road would be the responsibility of the Welsh Government as they own the road. Any waste within 400 yards of the proposed site will be cleaned by the restaurants own staff three times a day and more if required.

The committee queried the concerns of the Brecon Beacons National Park, the landscaping officers of Monmouthshire County Council and the general piecemeal development of the proposed site. Officers informed the committee that wider site has received approval for this type of application and that approval contains detailed landscaping proposals which are not incorporated into this application which protect the surrounding area.

Members also queried if there was sufficient parking spaces proposed for the restaurant. Officers informed the committee that highways are satisfied with the number of spaces.

Having considered the report and the views expressed it was proposed by County Councillors R. Harris and seconded by County Councillor M. Powell that application DC/2014/01000 be approved subject to the conditions outlined in the report.

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

For Approval	-	11
Against Approval	-	1
Absentions	-	0

We resolved that application DC/2014/01000 be approved subject to the conditions, as outlined in the report.

6. DC/2014/00998 - VARIOUS SIGNS IN ASSOCIATION WITH PROPOSED MCDONALDS DRIVE THROUGH RESTAURANT - WESTGATE, LAND OFF MERTHYR ROAD, LLANFOIST

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

The committee raised concerns regarding the need for three 5 metre by 2 metre signs situated around the site and whether there was a need for these in addition to the twenty seven other signs contained in the application. Members also questioned if the signs were bilingual and if not that these were not in addition to the signs included in the application.

A discussion was also held around the need for illuminated welcome and goodbye signs on the site and it was proposed by County Councillor F. Taylor and seconded by County Councillor R. Hayward that they be removed from the application.

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

For removal	-	8
Against removal	-	3
Abstentions	-	0

It was then proposed by County Councillor J. Higginson and seconded by County Councillor M. Powell that the three 5 metre by 2 metre banner signs are removed from the application.

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

For removal	-	12
Against removal	-	0
Abstentions	-	0

County Councillor R. Harris proposed that the remaining 27 signs forming part of the application are approved and this was seconded by County Councillor M. Powell.

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

For Approval	-	10
Against Approval	-	2
Abstentions	-	0

We resolved that application DC/2014/00998 be approved subject to the conditions, as outlined in the report and the amendment agreed by the committee to remove the three 5 metre by 2 metre banner signs.

7. DC/2014/00999 - 6 NO. FASCIA SIGNS IN ASSOCIATION WITH PROPOSED MACDONALDS DRIVE THROUGH RESTAURANT - WESTGATE, LAND OFF MERTHYR ROAD, LLANFOIST

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

Having considered the report, it was proposed by County Councillor R. Higginson and seconded by County Councillor M. Powell that application DC/2014/00999 be approved subject to the conditions, as outlined in the report.

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

For Approval	-	10
Against Approval	-	1
Abstentions	-	0

We resolved that application DC/2014/00999 be approved subject to the conditions, as outlined in the report.

8. DC/2014/01468 - RESIDENTIAL DEVELOPMENT TO PROVIDE 209 DWELLINGS, RECONFIGURED ACCESS, PUBLIC OPEN SPACE AND OTHER ANCILLARY WORKS - SADBROOK PAPERMILL SADBROOK

We considered the report of the application which was recommended for refusal.

County Councillor P. Fox, addressing the committee as the local member, attended the meeting by invitation of the Chairman and outlined the following points:

- Whilst he accepts that access to a site are not grounds for refusal, this application shows that the Councils policy is not helpful given the access to the development is a singular traffic lighted bridge lane that will add significant pressure on the existing highways.

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- He is pleased that the application is recommended for refusal. Whilst he accepts that the LDP designates 190 houses to be built on the proposed site but is still concerned at the size of the development which will double the size of the village.
- A fundamental reason for rejecting the application is that the proposals do not include any affordable when the Councils policy states that 25% of the development must be affordable housing.
- The increase in traffic and congestion also poses a risk to school routes and walking routes around the area.

Mr Watkins, objecting to the application and speaking on behalf of Portskewett Community Council, attended the meeting by invitation of the Chairman and outlined the following points:

- He supported the points raised by County Councillor P. Fox
- The main area of concern for the Community Council was the access to the site across the bridge. He queried the last time a structural engineers report was completed on the bridge to assess if it can cope with the additional traffic and heavy vehicles used for the development works.
- Also concerned that as the bridge is the only access to the area residents would be cut off if the bridge failed.
- Other concerns include insufficient parking as well as a roundabout being a preferred entrance to the site rather than a junction.

The committee also raised concerns at the lack of affordable housing which goes against the council policy and wishes of the committee and are disappointed with the developer for not including this in the proposals.

Members also raised concerns around the lack of proposed parking and the potential issues this may cause emergency services and refuse vehicles in navigating the site due to the need for side street parking.

Members queried whether Section 106 funding that has been requested includes funding for improvements to transport links and assessments to the bridge. Members were informed that the funding requested is to extend the local schools to cope with the additional children that will attend as a result of the development leisure provision, bus service improvements and a travel plan.

The committee were provided with an update from the Head of Planning as to the history of the application for the site and how they have arrived at the current position.

Having considered the report and the views expressed, it was proposed by County Councillor R. Higginson and seconded by County Councillor D. Evans that application DC/2014/01468 be refused.

Upon being put to the vote it was unanimously agreed to refuse the application and we resolved that application DC/2014/01468 be refused.

For refusal	–	11
Against refusal	–	0
Abstentions	-	0

9. DC/2015/00688 - RESIDENTIAL DEVELOPMENT TO PROVIDE 5 DWELLINGS (INCLUDING 60% AFFORDABLE HOUSING) AND ASSOCIATED WORKS AND THE

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PROVISION OF A NEW VEHICULAR ACCESS - LAND AT SHIRENEWTON (LDP ALLOCATION SITE SAH11 xiv) b))

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

County Councillor G. Down, addressing the committee as the local member, attended the meeting by invitation of the Chairman and outlined the following points:

- Whilst the community council think the site is too crammed and four houses would be better than five he would accept five as suitable number of properties.
- The only concern is that there are two accesses to the site, one for private houses and one for affordable houses. It is his belief that this is wrong and the site should have a single access to all properties which would avoid the need for re-siting an historic hedgerow.

The committee questioned the need for the site to have two accesses rather just one. With no logical reason for two entrances, it was proposed by County Councillor F. Taylor and seconded by County Councillor D. Blakebrough that the application is deferred to a future meeting to allow the application to be amended to contain a single entrance.

Upon being put to the vote it was unanimously approved for deferral and we resolved that application DC/2015/00688 be deferred.

To defer	-	11
Against	-	0
Abstentions	-	0

10. DC/2015/00895 - EXTENSION OF PARKING AREA AND CREATION OF OVERFLOW PARKING AREA FOR HUMBLE BY NATURE FARM VISITOR ATTRACTION - HUMBLE BY NATURE, UPPER MEEND FARM, LYDART, MONMOUTH

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

The committee queried the materials to be used for the overflow car park as during site visit the owner raised concerns around the area becoming muddy.

It was also noted that the application is retrospective and is not the first time an application for this site has been made retrospectively. Members were in agreement that the planning process must be followed and should consider imposing penalties for any future retrospective applications. The Head of Planning explained that legislation requires retrospective applications to be considered on their planning merits: the applicant cannot be penalised simply because the application is retrospective. A letter had been written to the applicants previously at the request of committee, and it should be noted that the extended parking area already in place had been carried out prior to that letter being sent.

Having considered the report and the views expressed, it was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DC/2015/00895 be approved, subject to the conditions, as outlined in the report.

Upon being put to the vote it was unanimously approved and we resolved that application DC/2015/00895 be approved subject to the conditions, as outlined in the report.

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To approve	–	11
Against approval	–	0
Abstentions	-	0

The meeting ended at 5.15 pm