

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee County Hall, Usk - Remote Attendance Tuesday, 1st March, 2022 at 2.00 pm

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

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

OFFICERS IN ATTENDANCE:

Craig O'Connor	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Mark Davies	Highway Development Manager
Denzil – John Turbevill	Commercial Solicitor
Ian Saunders	Chief Operating Officer, MonLife
Mike Moran	Community Infrastructure Coordinator
Richard Williams	Democratic Services Officer

APOLOGIES:

None.

1. Declarations of Interest

None received.

2. To confirm for accuracy the following minutes:

2.1. Planning Committee - 12th January 2022

The minutes of the Planning Committee meeting dated 12th January 2022 were confirmed and signed by the Chair.

2.2. Planning Committee - 1st February 2022

The minutes of the Planning Committee meeting dated 1st February 2022 were confirmed and signed by the Chair.

3. DM/2020/00400 - Construction of a 1km closed road cycle track, vehicle access and car parking - Land adjoining Racecourse Farm & Llanfoist Waste Transfer Station, Abergavenny NP7 9LQ

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report including the revised conditions in late correspondence, the additional Events Management Plan

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condition and the resolution of the appropriate assessment regarding the foul drainage phosphate issue with Natural Resources Wales (NRW).

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

- Concern was expressed regarding traffic issues around the site, in particular potential parking issues occurring on-site for the larger events that will be held at the venue.
- The school site had been identified as a potential area for parking provision on these occasions. However, when this is full, vehicles might be inclined to park in the nearby residential estate which already experiences school traffic.
- It has been suggested that a field not located within the red line boundary could accommodate in the region of 300 parking spaces. This has not been proposed to be conditioned within the report. The site has also been proposed as an allotment site so could not also be used for overspill car parking.
- Access to the site can be difficult with high volumes of traffic in the area at certain times of the day. Additional traffic generated from the proposed cycle track would exacerbate the existing traffic problems in the area. Transport surveys had been undertaken on a Sunday during the lockdown period which did not accurately reflect the vehicle movements for the area. It was considered that a further survey should have been undertaken.
- Concern was expressed regarding how the condition to control foul water would be enforced.
- Sound amplification generated from spectators attending large events on the site was a concern.
- Out of hours security needed to be addressed.

In response, the Development Services Manager provided the Committee with the following information:

- With regard to the parking overspill issue, officers are looking to condition this via the Events Management Plan.
- Foul water would be a matter for the Authority to enforce and monitor. As part of the detailed Foul Drainage Plan we would seek a plan from the appointed contractor for them to verify where they would move the waste to ensure that it is being located outside the phosphate area.
- The events being held at the site will be on a smaller scale with nominal spectators anticipated to attend.

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- Out of hours security can be controlled by having a barrier to prevent the track being used during this period.

The Community Infrastructure Coordinator provided the Committee with the following information:

- The overspill car park area has been considered as a potential allotment site. However, the site has been discounted as the field is a flood plain and floods at certain times of the year.
- It is not anticipated that there will be many large events being held on the site.

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

- In response to a question raised regarding the overspill car park and whether a condition could be added for use of the land outside of the redline boundary, it was noted that this matter would be discussed with the Authority's legal department prior to issuing a decision.
- In response to questions raised regarding phosphates, it was noted that the Authority is working with Natural Resources Wales (NRW) and environmental regulators to ensure that there are no pathways for this waste to enter into the water course. A mitigation measure of a Foul Drainage Management Plan is being proposed whereby all contractors disposing of the waste will have to adhere to. This would be a condition. In terms of consulting Welsh Water, it does not usually comment on the detail of local planning authority's decision making with regard to the impact of potential phosphate entering into the water course. The local Authority works with NRW which is the environmental regulator in this respect.
- The positive aspects of the application outweigh the negative aspects.
- The pond at the site is largely owned by a third party.
- Significant green infrastructure measures are being provided at the site via condition.
- The temporary toilet provision will be in place until there is a solution to address the phosphate issue. Positive conversations are being held with NRW and Welsh Water with a view to addressing the longer-term issue of toilet provision at the site.
- For larger events, the management plan will be used. Larger events also require an event safety advisory group with a view to minimizing the impact in the area. However, the vast majority of events being held at the site will not trigger this type of concern.

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- We are unable to insist that the applicant provides photovoltaic (PV) lighting as part of the planning application.
- The circuit will be for wheeled vehicles only. It will be fenced off to prevent unauthorised access outside of the scheduled times of use. The public footpaths that run through the site will be diverted around the outside of the fence.

The local Member summed up as follows:

- The traffic survey was atypical having been undertaken on a Sunday during lockdown.
- An additional survey might have identified improvements to the site that could have been enacted.
- The local Member wants to see cycling provision in Abergavenny.
- On this occasion, the local Member has decided to abstain from voting on this application as he has concerns regarding the highways issues.

It was proposed by County Councillor M. Feakins and seconded by County Councillor R. Harris that application DM/2020/00400 be approved subject to the conditions outlined in the report including the revised conditions in late correspondence, the additional Events Management Plan condition and the resolution of the appropriate assessment regarding the foul drainage phosphate issue with Natural Resources Wales (NRW).

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

For approval	12
Against approval	0
Abstentions	3

The proposition was carried.

We resolved that application DM/2020/00400 be approved subject to the conditions outlined in the report including the revised conditions in late correspondence, the additional Events Management Plan condition and the resolution of the appropriate assessment regarding the foul drainage phosphate issue with Natural Resources Wales (NRW).

4. DM/2020/01495 - A new 4-bedroom dwelling on land adjacent to The Royal George Hotel - Land to the west of the Royal George Hotel, Forge Road, Tintern

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 Agreement.

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The local Member for St. Arvans, also a Planning Committee, outlined the following points:

- Parking provision within Tintern is limited.
- Concern was expressed that there will not be sufficient parking provision for this application.
- The spaces located outside the hotel are narrow and confirmation is required regarding the number of accessible disabled parking spaces located by the front door to the hotel.
- The application site was originally established as a motel with parking provision provided.
- The Monmouthshire Parking Standards Policy is 20 years old and it was considered that this required reviewing, going forward.

Tintern Community Council, had submitted a written statement outlining the community council's objections to the application which was read to the Planning Committee by the Head of Planning, as follows:

'Both Tintern Community Council (TCC) and local residents have previously raised significant concerns regarding the impact of the proposed application in reducing the level of car parking provision at the Royal George Hotel (Wild Hare).

TCC's concerns on this issue remain and have not been satisfactorily addressed.

First, it must be recognised that Tintern already suffers from substantial problems with parking capacity, due to the large visitor/tourist population regularly exceeding the available car parking provision in the village. On a regular basis all car parking spaces in the village are full and, as a result, cars are parked on the public highways, verges and residential lanes, understandably causing public safety and traffic issues and local residential concerns. If the proposed development which is the subject of this application is allowed, this would result in the loss of approximately 12 car parking spaces at the rear of the hotel premises. In the context explained above, TCC cannot support any proposal which would have the consequence of reducing the availability of car parking spaces in the village.

Secondly, the figures which are being used in the current planning application and the planning committee report require clarification as they are inconsistent with the current reality 'on the ground' at the site. TCC notes that:

- *The planning committee report states that there are currently 38 spaces at the front of the hotel premises and that the number required for the premises would be 34, therefore that the requirement would be met.*

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- *This is not correct. The car park to the front of the hotel is currently laid out and marked up for 28 car parking spaces (i.e. 10 spaces less than the planning committee report refers to as being the current figure). TCC does not understand where or how the planning committee report has obtained the figure of 38 spaces.*
- *As noted above, the current car parking capacity at the rear of the hotel is approximately 12 spaces. When combined with the current 28 marked car parking spaces at the front of the hotel, that is a current combined total of 40 spaces (front and rear). If the 12 spaces at the rear of the hotel are lost (as a result of the proposed development which is the subject of this planning application), that will result in the hotel having just 28 car parking spaces. This would be below the required figure (34) referred to in the planning committee report.*
- *The figures given in the application and planning committee report therefore do not correspond with the reality on site. TCC requests further investigation and clarification of these numbers.*

Thirdly, if (as TCC understands) the car parking provision which will be available if the proposed development does proceed is just 28 spaces, then TCC submits that (in addition to not meeting the requirement of 34 car parking spaces noted in the planning committee report) this appears to be substantially inadequate for this very popular and thriving business to accommodate the parking needs of its (a) hotel guests, (b) restaurant/bar/coffee shop guests and (c) staff. Local residents have raised concerns with TCC that the current car parking provision at the front of the hotel is regularly full, therefore demonstrating that the retention of car parking provision at the rear of the hotel is of key importance.'

Ms. P. Gibson, objecting to the application, had prepared an audio recording which was presented to Planning Committee and the following points were outlined:

- Due to the loss of the rear car park there will be an increase in on road parking giving rise to increased congestion, access and safety issues.
- The highways report assess the parking space proposed for the new house to be sufficient. The objector's issue is that 12 current spaces will no longer be available to the hotel.
- Forge Road and Tintern are busy. Concern was expressed that the removal of the rear car park will further increase congestion and safety risks to local people and visitors.
- Removing the rear car park will reduce the parking provision available at the Royal George to below mandated levels. Based on the application, The Planning Department states that 34 spaces are required. The applicant claims there are 38 spaces. However, objectors to the application disagree stating that there are

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26 spaces. Removing the tables in front of the coffee shop would generate another four spaces giving a total 30 spaces.

- It is considered that the application understates the square meterage.
- We are requesting all public areas present and potential will be taken into account, such as the old function room, the upstairs bedrooms, the outdoor pizza area, coffee shop and gardens. With these included the parking requirement would exceed 34 spaces.
- Both car parks are extensively used by their customers. The Royal George has indicated on social media that parking provision is an issue for them.
- It was requested whether the calculation relating to the number of available spaces has been independently verified.
- Promises that no future events will be held and that a home close to the site would be beneficial, and not relevant when applying council policies. The Royal George was put up for sale in December 2021 and is still on the market.
- The objectors asked that the plot of land within the application be legally reinstated within the grounds of the Royal George site as the spaces it provides are needed by the business.
- The proposal goes against the Local Development Plan (LDP) and is not in keeping with an Area of Outstanding Natural Beauty (AONB) and Conservation area.
- The proposal is not considered to be a visual enhancement and will have a negative impact on the amenity and privacy of a nearby listed property opposite the site and the Royal George itself.
- The Heritage officer has only provided a weak endorsement of the application stating that the location does not lend itself in terms of setting to the development.
- Removing the yellow barriers and the redundant camera pole would enhance the appearance and allow use of all the parking spaces.
- It was considered that a precedent would be established as the properties to the west are being used to set the context and to justify this infill. These are the three affordable houses built in recent years which were not objected to.
- The site is on a flood plain and has flooded in the past. The objector made reference to Planning Policy TAN 15.
- The objectors recognise the balance between business needs and the villagers is delicate. However, this is not in the interest of the villagers of Tintern.

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- It was requested that the Planning Committee takes a long term view when considering the application as the rear cark cannot be re-instated if the application is approved.

Mr S. Harries, the applicant's agent, had prepared a video recording which was presented to Planning Committee and the following points were outlined:

- The proposal is for a single dwelling in a location that is related to the village of Tintern.
- The site is located amongst existing residential uses and alongside the former Royal George Hotel, now known as the Wild Hare.
- The applicant is the proprietor of the Wild Hare and has run the hotel for four years turning it into a thriving local business employing up to 40 people during peak times.
- The proposal is for a new family home for the applicant adjacent to their place of work promoting local businesses and sustainable travel.
- As a small village and a popular tourist destination with historical significance supporting local business within Tintern should be an important consideration.
- The principle of the proposed dwelling is established by virtue of the site being in a central location within the village and alongside existing complementary land uses.
- The proposed development would be classed as a minor infilling between existing residential uses thereby complying with LDP Policy H3.
- In design terms, though there is no consistency of vernacular in the site vicinity, there is traditional form that this proposal has sought to compliment. The dwelling as proposed has been amended since the submission of the original application in consultation with Heritage Officers. The Heritage Officers now conclude that the proposal is in keeping with the local vernacular as a result of the amendments to the plans.
- The site is within Tintern conservation area by way of its siting between existing buildings, the local topography and the dwelling setting along the valley with limited panoramic views, the proposed dwelling will not adversely impact upon the setting of the conservation area. This position is supported by the Heritage Officers who have offered no objection.
- The dwelling and the access are both outside of the defined flood zone with only the rear of the site in zone C2. The application has been accompanied by a flood consequences assessment which has resulted in no objection from Natural Resources Wales (NRW).

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- Supposed historic flooding of the site is based on evidence relating to a blocked culvert.
- There have been objections to the loss of the existing car park that makes up the application site as an overflow car park for the Wild Hare. Through review of the capacity of the main car park of the hotel and the County's car parking standards, it is clear that there is sufficient existing car parking provision meaning there can be no sustainable Highways objection on the basis of loss of parking provision. The Highways Officer accepts that there is no concern from a highways safety perspective and has no objection to the proposals.
- The plot is within walking distance of all local facilities and the applicant's place of work, the Wild Hare.
- The principle of residential development on the site is acceptable. All technical issues have been addressed and the proposal accords with local and national planning policy.
- The applicant's agent asked that the Committee follows the officers' recommendation to approve the application.

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

- Some Members expressed concern regarding whether there will be an adequate number of parking spaces available for the hotel and for the proposed new dwelling and where these spaces will be located on the site. It was considered that deferral of the application would be appropriate to allow officers to negotiate with the applicant with a view to identifying the number of parking spaces available and where they will be located on the site.
- Other Members considered that there was adequate parking provision for the hotel and the new dwelling, as outlined in the report of the application.
- The Head of Planning informed the Committee that the parking provision at the rear of the property is private parking only. The minimum parking spaces required by the business to operate is 32 spaces. The Highways and Planning Departments have reviewed the application and consider that there is no reason to sustain an objection to the proposed dwelling based on the lack of car parking provision for the business.

The local Member summed up as follows:

- There is a need to know where the disabled parking spaces are located on the site.
- The Parking Standards Policy needs to be reviewed.

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- The original use of the space was for the motel units. Therefore, change of use needs to be considered.
- The local Member supports deferment of the application to establish where the parking spaces will be and whether they will be the correct size.

It was proposed by County Councillor L. Brown and seconded by County Councillor R. Harris that we be minded to defer consideration of application DM/2020/01495 to allow officers to negotiate with the applicant with a view to identifying the number of parking spaces available and where they will be located on the site. The application will then be re-presented to a future Planning Committee for consideration.

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

For deferral	-	10
Against deferral	-	4
Abstentions	-	0

The proposition was carried.

We resolved that we be minded to defer consideration of application DM/2020/01495 to allow officers to negotiate with the applicant with a view to identifying the number of parking spaces available and where they will be located on the site. The application will then be re-presented to a future Planning Committee meeting for consideration.

5. DM/2021/01416 - Proposed installation of 2no. shower/toilet blocks, to serve site visitors and nearby camp site - Old Station, Tintern, Chepstow, NP16 7NX

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

The local Member for St. Arvans, also a Planning Committee Member, expressed her support for the application.

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

- The floodlight on the gable end of the Old Station building should be replaced with a more suitable alternative in keeping with the surrounding area, with a view to reducing light pollution on the site.

It was proposed by County Councillor A. Webb and seconded by County Councillor P. Murphy that application DM/2021/01416 be approved subject to the conditions outlined in the report.

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

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For approval	-	13
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/01416 be approved subject to the conditions outlined in the report.

6. FOR INFORMATION - The Planning Inspectorate - Appeals Decisions Received:

6.1. Greenfield Llanfoist Appeal Costs Decision

We received the Planning Inspectorate report which related to a costs decision following a site visit that had been held at Greenfield, Merthyr Road, Llanfoist on 13th July 2021.

We noted that the application for an award of costs was allowed in part in the terms set out in the Costs Decision report.

6.2. Greenfield Llanfoist Appeal Decision

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at Greenfield, Merthyr Road, Llanfoist on 13th July 2021.

We noted that the appeal had been dismissed.

6.3. Manor Garage Rogiet Appeal Decision

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at land adjacent to Manor Garage, Rogiet Road, Rogiet on 15th November 2021.

We noted that the appeal had been dismissed.

The meeting ended at 4.07 pm.