

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote
attendance on Tuesday, 5th July, 2022 at 2.00 pm**

PRESENT: County Councillor Phil Murphy (Chairman)
County Councillor Dale Rooke (Vice Chairman)

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn, Jan Butler,
Ben Callard, John Crook, Tony Easson, Steven Garratt,
Meirion Howells, Jayne McKenna, Maureen Powell, Sue Riley and
Ann Webb

County Councillors Martyn Groucutt and Peter Strong attended the
meeting by invitation of the Chair.

OFFICERS IN ATTENDANCE:

Craig O'Connor	Head of Planning
Amy Longford	Development Management Area Team Manager
Joanne Chase	Solicitor
Mark Davies	Highway Development Manager
Richard Williams	Democratic Services Officer

APOLOGIES:

None received.

1. Declarations of Interest

None received.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 5th July 2022 were confirmed and signed by the Chair.

3. Application DM/2021/01695 - The creation of one traveller pitch incorporating a static caravan, touring caravan, conversion of existing stable block to a day/utility room. Land Adjacent 1 Rogiet Pool Minnett's Lane, Rogiet, Monmouthshire.

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report with an additional condition that the height of the hedge to the front of the boundary should be maintained at a minimum of two metres in height.

The local Member for Rogiet, attending the meeting by invitation of the Chair, outlined the following information:

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

- The report refers to legislation which places an obligation on the Authority to consider such applications. Consider does not mean approve.
- The local Member has liaised with residents who live near the site and has liaised with Rogiet Community Council.
- Rogiet Community Council has presented several objections to the application.
- The application refers to a large static caravan and a block built stable which replaced a wooden stable. No horses have been kept on the site since the stable had been built.
- The block built stable is to be converted into a day room which is a permanent extension to the static caravan. There are also connections to the main sewer which the local Member considers to be a permanent arrangement.
- The local Member considers that approval of this application will result in a permanent residential site.
- Previous attempts to develop the site have been rejected as applications have laid outside the terms of the Local Development Plan (LDP). Protections provided by the LDP must be considered.
- Whilst the area in question is not a part of the green wedge it has been a part of the rural vista.
- The Landscape Green Infrastructure holding objection from December 2021 was quoted. It was considered that the matters raised in this objection had only partially been mitigated by amendments to the original application.
- The applicants had proposed the same site as a candidate site for housing under the revised LDP suggesting that it would be easier for the applicant to obtain approval for housing development.
- It was considered that each application stage is a way to obtaining permanent housing on the site. However, the report of the application dismisses this as irrelevant. Concern was expressed whether the application was a legitimate application for a family home or whether it was a speculative venture aiming to cash in on the housing market.
- It was considered that the applicant was exploring options with a view to maximising the land as a planning asset.

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

- There is a need for legal traveller sites within the County.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

- This is a small site with one caravan, one touring pitch and a day room.
- The site has utilities such as mains water and electricity.
- The site is well screened with a laurel hedge and a panel fence which would not create a detrimental visual impact from the road or the surrounding area. The hedge should be maintained as laurel or be replaced with a hedge that does not leaf drop. Advice from the ecologist could be sought regarding this matter. Officers could look at amending the landscape of the plans.
- The nearest property to the site will retain its privacy due to the orientation of this property.
- If approved, the height of the hedge should be maintained to the minimum height of two metres, as identified.
- With regard to the access, the applicant had submitted amended drawings that meet the requirements of the Highways Department. The existing access will be altered accordingly and accord with current standards, should the application be approved.
- With regard to the drainage, if the public sewers are available in the nearby lane or via the B4245, Welsh Water has a duty to enable connection for residential properties. Therefore, the applicant will have a right of entry onto the public sewerage system. It was noted that Welsh Water will be connecting the site to the public sewerage system.
- The Head of Planning informed the Committee that a condition could be added that the amended scheme access is erected prior to the beneficial use of the site.

It was proposed by County Councillor J. McKenna and seconded by County Councillor A. Webb that application DM/2021/01695 be approved subject to the conditions outlined in the report with the following additional conditions:

- The height of the hedge to the front of the boundary should be maintained at a minimum of 1.8 metres in height in perpetuity.
- Specifications of the landscaping will be submitted in relation to the species of hedge.
- Hedging and access will be constructed in accordance with the approved plans prior to the beneficial use of the site.

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

In favour of the proposal	-	12
Against the proposal	-	1
Abstentions	-	0

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

The proposition was carried.

We resolved that application DM/2021/01695 be approved subject to the conditions outlined in the report with the following additional conditions:

- The height of the hedge to the front of the boundary should be maintained at a minimum of 1.8 metres in height in perpetuity.
- Specifications of the landscaping will be submitted in relation to the species of hedge.
- Hedging and access will be constructed in accordance with the approved plans prior to the beneficial use of the site.

4. Application DM/2022/00557 - A new car park is to be constructed on land to the south of Severn Tunnel Junction station. Land at Severn Tunnel Junction for creation of car park, Station Road, Rogiet.

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 Rogiet, attending the meeting by invitation of the Chair, outlined the following information:

- Small changes to the scheme have been made in response to concerns raised, notably, a commitment to improve pedestrian safety over the road bridge that crosses the railway line.
- Many of Rogiet Community Council's concerns remain.
- The key issue is that the proposed car park is located in the wrong place. Being south of the railway it does nothing to draw traffic away from the heavily populated Station Road and can only be reached over a very narrow road bridge. Traffic leaving the NCP car park uses a three-way junction with poor visibility creating a danger of collision.
- In the report of the application, it states that the overall need for an additional car park is not the subject of this application on the grounds that the report only needs to consider whether this scheme meets the planning criteria in terms of the Local Development Plan (LDP). However, a significant part of the report attempts to justify the scheme on those grounds putting a case forward that additional spaces are needed in order to minimize on street parking.
- It was considered that on street parking is not a product of insufficient spaces within the existing car parks. Some motorists are unwilling to pay for parking and therefore park on the street. There are currently plenty of parking spaces available. It was noted that on previous visits to the car parks in this area, there

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

were many spaces available with about half the spaces in both car parks being empty.

- The need for additional car parking spaces seems to be predicated on the view that there will be significant growth in the use of the station. This is unproven. The forecast for growth was made before the pandemic and could not take into account that more people are now working from home.
- The report of the application states that there is an absence of contradictory studies. This is because it is too early to tell. It will be some time before proper studies can be undertaken to identify long term trends in either direction.
- This proposal in relation to other schemes – The Magor Walkway station is likely to come to fruition in the near future. There are also proposals for stations in east Newport and elsewhere, all of which will take passengers away from Severn Tunnel Junction.
- The local Member quoted section 6.1 of the report of the application. It was considered that this was an excessive assessment of the proposal which is just a car park.
- The application does nothing to encourage the desired interchanges between walking, cycling and buses and would only encourage more modal interchange between cars and trains if it is accepted that more car parking spaces were needed initially.
- A better scheme is being proposed by Transport for Wales for the link from the M48, M4 and B4245 to the north of the station which would draw traffic away from Station Road and also away from other areas of Rogiet itself.

In response, the Head of Planning informed the Committee:

- With this proposed development there is a need to look at Welsh Government's vision in terms of the transport strategy across Wales and across the Cardiff Capital Region in terms of the shift towards more sustainable modes of transport. The proposed development enables this to occur across the wider region.
- There is a pedestrian link from the car park to the train station to the north.
- There are wider proposals which are not part of the planning application but there is a proposal to produce a footbridge at a later stage which would be subject to further planning consent and funding requirements.
- As part of the road safety audit officers are exploring ways to widen the road or create priority access in either direction at the point where the road narrows. Overall, the Highways Department has no objections to the proposed development.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

The Highway Development Manager informed the Committee that the Highways department is unable to support an objection to this application.

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

- There is a problem getting traffic into Severn Tunnel Junction Station via Rogiet. A previous scheme had been looked at with a view to having a link to the car park via the M4 Motorway with a footbridge being created. The aspirations of Caldicot, Rogiet and Magor has been to have a link from the M48 Motorway onto the B4245 linking with the Severn Tunnel Junction with a view to avoiding traffic having to access Rogiet village centre. Concern was expressed that private sector funding for the application was not coming forward. It was considered that this development was not required.
- An expansion of the site with the Metro plans and the increase in rail users means that more parking provision will be necessary.
- The site has been deemed suitable by officers.
- Planning permission for the car park is required before funding can be obtained to provide the footbridge. This will alleviate concerns regarding street lighting.
- If approved, the development will aim to alleviate the on-street parking problems that are occurring.
- By 2030, the sale of petrol and diesel vehicles will cease. There are 26 Electrical Vehicle (EV) charging points proposed. However, it was considered that this might not be enough considering that capacity of the proposed car park is for 172 vehicles. A mixture of rapid and slow charging points might be required.
- Questions were raised regarding whether solar power could be used to light the car park. Also, whether disabled and child places would be available as well as having bicycle racks in the car park to encourage active travel.
- In response to issues raised, the Head of Planning informed the Committee that with regard to EV charging it is a Planning policy requirement via Planning Policy Wales (PPW) that 10% of car parking schemes will provide EV charging provision. This scheme currently has 26 EV charging points proposed. However, a condition could be added to the application that 10% of the parking provision be EV charging. There are no current plans to provide solar lighting for the car park. Disabled Parking provision would be decided via Network Rail and NCP on the northern side of the car park. With regard to the car park, the proposed development needs to be considered on its own merits. Any other potential developments regarding the car park may still come forward via the planning application process.
- The car park lighting will be low level to keep light pollution to a minimum.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

- There is no provision in the landscaping plans for bicycle racks provision. This provision would not be appropriate for this site. However, Network Rail could be canvassed to provide this facility in the northern car park where it would be more accessible and more likely to be used.
- In response to concerns raised regarding the access road, the Highway Development Manager informed the Committee that the road safety audit will be undertaken outside of the Planning process. This is currently ongoing and matters relating to lighting will be looked at via this process. With regard to the junction, safety data indicates that there have been no recorded accidents in the previous 23 years.
- Commuter traffic will be already be parked in the proposed car park and will not coincide with morning or afternoon school traffic.
- Monmouthshire County Council will manage the car park.
- By approving the application and providing the car park with 172 parking spaces, this will go towards moving the modal shift in line with Welsh Government's Public Transport strategy to move away from private vehicle use.
- The proposal delivers on providing sustainable transport and has been evidenced not to have a harmful impact on highway impacts with the dedicated pedestrian link and the road safety measures that have been outlined.
- A safe, well-lit pedestrian route through the car park is required.
- Monmouthshire County Council Transport officers are promoting the proposed scheme.
- The SuDS application has been approved.

It was proposed by County Councillor J. Butler and seconded by County Councillor B. Callard that application DM/2022/00557 be approved subject to the conditions outlined in the report with an additional condition that 10% of the parking provision has Electric Vehicle (EV) charging points.

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

In favour of the proposal	-	13
Against the proposal	-	2
Abstentions	-	0

The proposition was carried.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

We resolved that application DM/2022/00557 be approved subject to the conditions outlined in the report with an additional condition that 10% of the parking provision has Electric Vehicle (EV) charging points.

5. Application DM/2021/01735 - Retention of domestic garage. 60 Old Barn Way, Abergavenny, NP7 6EA.

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

The Committee was informed that the proposed plans show no overhang of the roof. Therefore, if the application was approved the roof would be removed, the height of the walls reduced and a new roof would be installed which should be in compliance with the plans presented with no overhang.

The local Member for Lansdown, attending the meeting by invitation of the Chair, outlined the following information:

- There is a considerable overhanging of the roof which drains directly into the next-door neighbour's rear garden.
- The design indicates no overhang of the roof. The previous design also indicated no overhang of the roof.
- Concern was expressed regarding the drainage arrangements. If approved, the report of the application refers to there being a 10 metre deep soakaway being built. However, there is no evidence of a soakaway of this size having been built.
- The whole street is affected by the development and had asked to meet with the local Member and had requested that he write a letter of objection on their behalf.
- Concern was expressed that a precedent might be set. A similar retrospective application in the street under a previous administration had been refused and the building had subsequently been removed.
- For this site an application had been approved for a 'regular' sized garage and there had been no objection to that application. However, what was actually built was very large. Therefore, a retrospective application has been presented to the Planning Committee in which the garage is 40% bigger than the building that had obtained the original planning permission.
- The local Member considers that a compromise would be to allow the garage but with a flat roof.

In response, the Development Management Area Team Manager informed the Committee:

- The overhang is not shown on the proposed plans before the Committee today.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

- There will be gutters on either side with down pipes to accommodate drainage. The storm water will be controlled via a 45-gallon storage container at each end of the garage for garden use. The container overflow is to feed into a three-metre-deep soakaway.
- In terms of setting a precedent, every planning application must be considered on its own merits.
- The application is retrospective, but the Committee is required to consider the application as if the development was not in place and base its decisions on the application and plans presented.
- The option of a flat roof is not part of the application being presented to the Committee.

Mr. M. Turnbull, objecting to the application and representing objectors, had submitted a written statement in respect of the application which was read to the Planning Committee by a Planning Officer, as follows:

'I write to completely object to the structure proposed in application numbered DM/2021/01735.

The overall proposed size of the structure will still be out of scale with buildings in the immediate vicinity and since this is a retrospective application my objection is plain to see since the structure exists now. There is an assumption that the structure's dimensions are as indicated on drawing supplied which I herewith question. I would also point out that these "dimensions" indicate a structure with "internal measurements" some 7,000cm x 6,400cm. However, since the applicant has decided to add cement render and then clad the building in natural stone some 300/400cm thick the actual external sizes have been exaggerated by another 15 - 20% at least. The original permitted internal measurements were only 6,000cm x 7,000cm with a height of some four meters.

Currently, standing at some 5.7 metres high the excessive height of the structure towers over neighbouring buildings and whilst the applicant applied for a single story building it is obvious that a second floor will be utilized. This is the only logical reason for the acute angle which has increased the overall internal usable height as opposed to a more obtuse angle which would have reduced the overall impact of the build. The suggested reduction in overall height of some 400mm (16") is ridiculous. It would appear that the applicant proposes to remove the acute roof trusses, remove a course (or two) of blocks and then replace the acute roof trusses and associated tiles. This will do little to address the imposing visual height and impact of the structure.

Submitted drawing 21/SB/202A indicates the main beam height as 2540mm but not taking into account the concrete slab that forms the base. This gives a false impression of the measured height.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

Given the roof area, I am also astonished the original planning was allowed when only a water butt or 45-gallon container at each end. A little online research indicates a roof area of the approximate current size would yield some 126,000 litres of rain water per annum. I understand drainage soakaways some 10metres (30 feet) deep have now been adopted in March 2020 but would be interested if Building Control was consulted during their installation to check depth and methods. Was the soak away 3m or 10m in depth?

I note that officer Kate Bingham has recommended approval for this application.

In citing a mere 1.262m increase in height from the original planning permission in section 6.1.2. I would also point out this could be expressed as a 34% increase in the height from the original permission granted.

Section 6.1.3 refers to “other existing garages and outbuildings” in the near vicinity to the rear of Old Barn Way. I have measured all and not found one that exceeds 3.5m in overall height, ergo, the proposed altered structure will be some 75% taller than any of these comparable.

I object most strongly to approval of this planning application and request the committee reject the application.’

Mr. S. Bull, applicant, had submitted a written statement in respect of the application which was read to the Planning Committee by a Planning Officer, as follows:

‘I would like the committee to take note of the following inaccuracies in the Planning Committee report that Councillor Groucutt / objectors have stated and to note my response on the planning portal site.

5.2 Neighbor Notification:

1. The actual stone is 200mm (8”) and not 300-400mm.
2. I understand that there is no maximum size although there is a minimum as per the Monmouthshire Supplementary Planning Guidance for Domestic Garages 2013 and therefore each application should be treated on its own merits.
3. The new ridge height proposed will be 5.263m and not 5.3m.
4. The Garage does not block any views as described.
5. The application resembles that passed in 2019, a garage with storage, the only difference is the ridge height is higher than that for a permitted outbuilding.
6. The committee to note that not every neighbour is affected by the proposed development as described by Councillor Groucutt. The next door neighbour, number 62, have raised no objections or signed any petition. They have no issues.’

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

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

- The garage is a household planning application for domestic use only. The only acceptable uses for the garage would be auxiliary to the main house.
- There is a condition whereby the applicant is required to reduce the roof measurements outlined in the report within three months of planning consent being given. If the Planning Committee is not minded to approve the application, the Committee has the original planning consent which has already been approved.
- The garage is very big. The applicant had planning permission for a garage of four metres in height but decided to build a garage that is almost six metres in height. Concern was expressed that this has been distressing for the neighbours.
- Some Members considered that it would be appropriate to not approve the application and the that the applicant adheres to the original planning consent that has been granted.
- If the application is approved, the height of the garage will be reduced by half a metre with the pitch of the roof remaining in its current form.
- The garage has a large footprint and was considered to be too large.

In response, to questions raised the Development Management Area Team Manager informed the Committee that:

- The garage is for domestic use only so any other use would require planning permission.
- The roof lights were part of the approved scheme.
- No part of the development is to project past the boundary line between the properties.
- The footprint is similar to that which has already been approved.

The local Member summed up as follows:

- The applicant has permission for a garage that would be in scale with every other garage in the area.
- This is a residential application with a very large garage.
- The local Member asked that the Planning Committee considers refusal of the application and refer back to the original planning application which has already been approved by Planning Committee.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held In the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 5th July, 2022 at 2.00 pm

It was proposed by County Councillor P. Murphy and seconded by County Councillor A. Easson that we be minded to defer consideration of application DM/2021/01735 to allow officers to liaise with the applicant regarding the height of the garage. If the applicant decides not to amend the scheme, the application would be re-presented to the Planning Committee with a recommendation for refusal with appropriate reasons, namely, the visual impact on the street scene.

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

For deferral	-	8
Against deferral	-	7
Abstentions	-	0

The proposition was carried.

We resolved that we be minded to defer consideration of application DM/2021/01735 to allow officers to liaise with the applicant regarding the height of the garage. If the applicant decides not to amend the scheme, the application would be re-presented to the Planning Committee with a recommendation for refusal with appropriate reasons, namely, the visual impact on the street scene.

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

6.1. Lingfield Cottage, Five Lanes, Caerwent, Caldicot

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at Lingfield Cottage, Five Lanes, Caerwent, Caldicot on 5th April 2022

We noted that:

- The appeal had been dismissed insofar as it relates to the annex.
- The appeal was allowed insofar as it related to the car port at Lingfield Cottage, Five Lanes, Caerwent, Caldicot, Wales NP26 5PQ in accordance with the terms of the application as amended, Reference 20/00140/OUT, dated 11 February 2020, subject to the conditions set out in the annex to this decision.

The meeting ended at 4.19 pm.