

# MONMOUTHSHIRE COUNTY COUNCIL

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

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

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

## **OFFICERS IN ATTENDANCE:**

Craig O'Connor	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Amy Longford	Development Management Area Team Manager
Joanne Chase	Solicitor
Nicola Perry	Senior Democracy Officer

## **APOLOGIES:**

County Councillors Jill Bond and Emma Bryn

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

Item 8: DM/2021/00357 Provision of 120 dwellings on parcels B and C2 - Rockfield Farm, Undy, Monmouthshire, NP26 3EL - County Councillor Tony Easson declared a non-prejudicial interest as Chair of Licensing and Regulatory Committee in respect of the footpath extinguishment and realignment that may be consulted upon.

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

The minutes of the meeting held on 4<sup>th</sup> October 2022 were confirmed as an accurate record.

### **3. To consider the following Planning Application reports from the Chief Officer, Communities and Place (copies attached):**

### **4. DM/2019/01684: Change of use of agricultural land to B8 storage - Land to the south of Bryn Garage, B4598 Llangattock Lodge To Kemeys Road, Penpergwm, Monmouthshire**

We considered the report of the application and late correspondence received which was recommended for approval subject to the conditions outlined in the report. Presented to Planning Committee due to a request by the ex-ward member, an objection from the local community council and objections from five households.

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

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- The agricultural field has lorries and equipment. The application allows the return to agricultural use.
- A recommendation was suggested to limit the times trailers access the field in terms of lighting.
- Confirmation was also requested of the number of people employed during events.
- It was queried if the security floodlight is properly shielded in respect of light pollution.

The Development Area Manager responded:

- Land use is under consideration so the numbers employed is not material to application. Officers' views are that it is appropriate use of land.
- In terms of late-night use, any activity connected to storage use would be controlled by the operating hours condition. Works within the B8 use outside those hours is a breach of conditions and would be addressed by the planning enforcement function.
- The floodlights are on existing buildings and there are no permitted development light restrictions in place. This aspect can be looked at separately.

It was proposed by County Councillor M. Powell and seconded by County Councillor S. McConnel that application DM/2019/01684 be approved subject to the conditions outlined in the report.

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

For approval	- 13
Against approval	- 0
Abstentions	- 0

The proposition was carried.

We resolved that application DM/2019/01684 be approved subject to revised condition 10 as follows: Within 3 months of the date of this decision a restoration plan of the adjoining agricultural field (edged in red in the South East corner of the site as shown on drawing R M Hockey Scale 1:1250) shall be submitted for approval in writing by the Local Planning Authority. The plan shall include details of the removal of any hard surfacing and its return to grassland, it shall also include a timetable for implementation. The approved restoration plan shall be implemented in accordance with the approved details and timetable.

REASON: In the interests of visual amenity, LDP Policy DES1.

**5. DM/2020/00762: Full planning application for the change of use of the visitor centre at Llandegfedd, to allow the building to be used for meetings, functions and events and to extend the opening hours approved under planning permission DC/2012/00442 - Visitor Centre, Llandegfedd Visitor Centre, Croes-gweddyn Road, Coed-y-Paen, Monmouthshire**

We considered the reports of applications DM/2020/00762 and DM/2020/00763 together and with late correspondence, which were recommended for approval subject to the conditions outlined in the report.

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Councillor Graham Rogers, Llangybi Community Council, attended the meeting and outlined the following points:

- The commercialisation proposed will impact on the users of the Water Sports Centre which was originally granted permission for the exclusive use for water-based activities.
- The impact on local residents of noise, light pollution, traffic and the general wellbeing of visitors who wish to walk or sit quietly enjoying nature are important considerations.
- Many rare birds visit the site; the reservoir and surrounding land is a designated Site of Special Scientific Interest (SSSI). All public bodies must take reasonable steps to further the conservation and enhancements of the reasons for the SSSI.
- In Planning Policy Wales 11 there is a presumption against development likely to damage a SSSI echoed by Julie James MS for Climate Change, who proposes that the policy protection afforded to the SSSI needs to be strengthened. The proposals will not enhance the SSSI.
- The proposals will damage the site and disturb over-wintering birds. Suggestion that this will not occur is based on a wintering bird survey which is lacking in robustness.
- If permission is granted, a further condition is suggested that no indoor events extend after 5pm between 1<sup>st</sup> November to 28<sup>th</sup> February to minimise the risk to overwintering birds.

The Local Member for Llangybi Fawr, also Planning Committee Member outlined the following points:

- Urged deferment, or referral to Delegated Panel, for more in-depth surveys to ensure the SSSI will not be affected and no detrimental effect on wildlife.
  - No plausible justification to extend opening hours other than monetary. No objection to holding business meetings but object to indoor and outdoor functions.
  - Introducing more human activity and loud music will have a negative impact on wildlife.
  - The Senedd introduced a nature emergency in 2021. This application will be an overdevelopment of an SSSI site.
  - Torfaen CBC has a holding objection due to lack of evidence in surveys.
  - There are winding, narrow country lanes to access the site with no public transport so private vehicles and minibuses accessing functions will pose a threat to wildlife (badgers and otters especially in later evenings or early mornings) with no mitigation.
  - Residents will be impacted by large numbers of vehicles late at night
  - Lack of wintering bird surveys conducted.
  - Concerned that sound tests highlighted noticeable changes in behaviour of mallards.
  - Multiple organisations representing custodians of the environment have objected.
  - Referred to letter from Coed y Paen Residents Association suggested that if approved, consideration is given to amending the conditions
1. Conditions 2 & 3: Suggested development only starts once the reports mentioned in Condition 4 have been supplied and reviewed by the planning authority. Also, to remove the phrase "subsequent year".
  2. Condition 10: It is requested that officers investigate an ongoing issue and clarify how the Committee can be satisfied that the light spillage has not had an adverse effect on wildlife especially bats. An existing condition has not been enforced.

A Video was presented by Nicholas Morley, Coed Y Paen Residents Association on behalf of the objectors to make the following points:

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- The proposed changes will damage the tranquillity and wildlife, and threaten existing activities in the Visitor and Water Sports Centre
- Clear majority of Residents Association Members express opposition.
- Additional human activity, additional hours with additional traffic, parking, and goods vehicles, additional noise and lighting will affect the ecology of the site.
- Commercial activities would disrupt water sports activities and public access to the café, information sources and the water source centre.
- The car park will overflow at peak times.
- Accessible by single track lane which is e.g. too dangerous for children to cycle.
- Strongly object to the proposals

Dylan Green, Applicants Agent responded in support of the changes with the following points:

- Visitor Centre already benefits from planning permission for it to be used as a café and exhibition space, so principle of such functions in the visitor centre has already been agreed.
- Proposed extended opening hours and of expansion of the functions of the Visitor Centre doesn't fundamentally change the use of the building so the principle of development is considered acceptable.
- Objections from consultees due mainly to the reservoirs SSSI designation. Welsh Water has liaised closely with the Council throughout the application and fully adhered to all requests and agreed to carry out further assessments to mitigate the impact of development.
- Many initial objections from statutory consultees have been removed to reflect the additional assessments that have been submitted. NRW welcomes the overwinter bird survey work and is satisfied that initial concerns can be overcome and damage to the features the SSSI can be avoided if the proposed mitigation measures are implemented. The Council's biodiversity officer offers no objections and confirmed that the imposition of strict management limitations of no outdoor activities during the main overwintering bird season (November to February) would mitigate adverse impact on the features of the SSSI.
- Highways state no detriment to highway safety or capacity on immediate local highway network and Environmental Health Officer agrees.
- Whilst the planning application is for all year round use of the buildings, any activities on site would be primarily in line with the conditions of the SSSI. There will be no external events with live or recorded music and indoor music will be limited to 11pm.
- Regarding the change in opening hours, noise impact assessments have been carried out and concluded that as the nearest residential property is over 400m from the site on the other side of the reservoir, any noise generated from the facility will have a negligible effect.
- Over-wintering bird surveys on the impact on the bird population have concluded with imposition of the suggested conditions, it is not anticipated that elevated noise levels will have significant impact on waterfowl abundance. Llandegfedd Reservoir is considered as a green infrastructure asset for the public to enjoy that ties into Planning Policy Wales in terms of place making and contributes to the seven goals of wellbeing in the Future Generations Act.
- Safety of people using the visitor centre for events and potential behaviour is not a material planning consideration.

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

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- It was questioned if there could be two events on at the same time – may be better to consider the applications separately as there's the potential to halve the impact by potentially approving one and rejecting the other.
- It was asked if light spill onto the reservoir is permissible under the current planning consent as the photos looked quite bad and could affect birds and bats.
- Clarification was sought on the cut-off time for music indoors.

The Development Manager responded:

- Confirming it states 12 external events for each application so 24 events per year. 28 days per calendar year to use land for a specific purpose for is allowed under permitted development rights. The application is limited to 24 days per calendar year. There is a condition limiting concurrent events to two, and outdoor events would have to finish at 5.00pm. Indoor events can go on later with music limited to 11.00pm.
- The light spill observed was from the Visitor Centre internal lighting. The condition on the original planning permission that would seek to control external lighting rather than internal lighting will be checked. A new condition can be considered to try and control external and internal lighting to limit light spillage from the buildings.

The Head of Planning explained there is a difference of opinion with NRW, other professionals and ecologists. The Council's Biodiversity Officer had no objections. Members were encouraged to make a balanced decision referring to the robust conditions, monitoring and ecological enhancement.

Continuing to consider the report of the application and the views expressed, the following points were noted:

- The proposals will affect the site and surrounding communities (humans and nature)
- The volume of documents and objections is overwhelming.
- Objections from ecologists, NRW, Wildlife experts and organisations cannot be ignored e.g. the impact on birds, otters, bats, badgers etc
- The condition monitoring otter or badger mortality at the site entrance is upsetting, retrospect and won't stop wildlife mortality.
- How will litter be managed?
- What is classed as an event and how many people can the venues hold?
- Is the public able to access the site during events. What impact will there be on the highway and verges if visitors cannot park on site. If events are advertised the narrow roads will be busier.
- Welcome a meeting on site with Torfaen CBC officers, NRW, the applicant and ecologists to get a better understanding of the hides and the types of wildlife.
- Is this a suitable party venue? No objections to meetings and events but not a party venue.
- The balcony of The Visitor Centre is allowed as an extension of the venue until 11 o'clock at night so with the light spill and music, its similar to an external event.
- Regarding the overwintering birds report and other wildlife, it was queried if there are plans to monitor ongoing impact if approval is granted.
- It was considered that the only advantage is to the applicant.

The Development Manager responded:

- Otters are unfortunately commonly subject to road mortality. The proposals would not significantly increase the number of vehicles using the highway network. There is an

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opportunity to establish a baseline from a survey of otter mortality. Adjustments can be made if the trend rises.

- The large carpark should cater for the users of the premises.
- Noise will be contained within the building and if there is noise when windows are open, Environmental Health can monitor that. Welsh Water is the responsible body with corporate responsibility to engage with the community, to be considerate and responsible operators of the site.
- Regarding over wintering birds there is condition which provides a safeguard of no use (including internal use) between 1st November to 28th February until a winter bird monitoring program has been agreed by the local planning authority with NRW.

The Head of Planning referred to the wildlife and emphasised that a balance is needed in terms of planning policy with the Minister for Climate Change's letter regarding the need to protect our SSSI. The proposed uses are heavily restricted. Members were reminded that there are two applications. If there are concerns about the cumulative impacts of both developments, it may be more appropriate for members to consider whether just one of the applications is considered favourably. Members were reminded not accepting officers' recommendations when there are no objections, could incur appeal process costs.

Continuing to consider the report of the application and the views expressed, the following points were noted:

- It was understood that Welsh Water considers the water sport building is underused but as it is in an SSSI, it should be considered how to better use it to reflect its special nature.
- A Member suggested a compromise of rejecting the Visitor Centre but approving the heavily conditioned application on the water sports centre. It reduces the impact on the wildlife as it's further away.
- A Member suggested deferment to allow Welsh Water to consider which application to bring back.
- The Visitors Centre is nearest to the road so after dark there are lights from passing vehicles. The reservoir has areas where wildlife can exist well without being affected and would be further away from nesting birds.

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

For approval	- 3
Against approval	- 11
Abstentions	- 0

The proposal based on the officer's recommendation was rejected.

We resolved that application DM/2020/00762 be deferred to be refused

Proposed by CC Ben Callard and seconded by CC Jan Butler, the reason of refusal was based on ecological reasons but, as per adopted protocol, the matter would be reported back to a subsequent Committee for a reason for refusal to be debated.

**6. DM/2020/00763 Full planning application for the change of use of the water sports facility at Llandegfedd to allow the building to be used for meetings, functions and events and to extend the opening hours approved under planning permission DC/2012/00317 - Water Sports Centre, Llandegfedd Water Sports Centre, Croesgweddyn Road, Coed-y-Paen**

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The application was considered together with DM/2020/00762

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

For approval	- 2
Against approval	- 11
Abstentions	- 0

The proposal based on the officer's recommendation was rejected.

We resolved that application DM/2020/00762 be deferred to be refused

Proposed by CC Ben Callard and seconded by CC Jan Butler reason of refusal was based on ecological reasons but, as per adopted protocol, the matter would be reported back to a subsequent Committee for a reason for refusal to be debated.

#### **7. DM/2021/00357 Provision of 120 dwellings on parcels B and C2 - Rockfield Farm, Undy, Monmouthshire, NP26 3EL**

County Councillor Tony Easson declared a non-prejudicial interest as Chair of Licensing and Regulatory Committee in respect of the footpath extinguishment and realignment and may be consulted upon.

We considered the report of the application and late correspondence received which were recommended for approval subject to the conditions outlined in the report, and to defer the matter to delegated panel to resolve the issues of how to overcome the adoption of the highway.

The Local Member for Magor East with Undy, also Planning Committee Member outlined the following points:

- Highways refers to the impact of the existing public highway boundaries of Silurian Road and Elms Road where there are unresolved issues of property boundaries and parking issues
- How will access/egress to the site be managed.
- Lack of infrastructure
- The developers have chosen to retain the public highway with appropriate demarcation and to provide segregation between the plots. This needs to be resolved.
- There are concerns over the proposed proximity of plot 64 where there is a significant swathe of public Highway between the footway and the front of the dwelling. It is likely that the public Highway will be incorporated within the plot boundary. The plot layout could be changed or the applicant apply to extinguish the public Highway outside all plots.

The Senior Development Management Officer responded:

- The extinguishment is acknowledged, and it is noted that the public Highway runs along the front boundary of the plots. The main concern is plot 64 which has the largest expanse of adopted Highway within the front garden.
- The key issue is to ensure there is no housing or built form within the Highway location; which there is not.

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- Highways has no objection to the extinguishment of the highway. We seek to take the means of resolving the highways issue to delegated panel.
- In terms of access, this would be via the B4245 and through the new development. This allocation forms part of a wider plan potentially linking to developments that have been approved on Vinegar Hill and to Grange Road. This will be considered later.

The Local Member for Magor East with Undy continued:

- There are unresolved issues e.g. the objection from the bio-diversity officer on at least eight points of concern. For example, there is no explanation how lost hedgerows will be replaced, nor how adequate provision for bats and birds made. It was responded that the most recent comments from the ecologist have removed the objection being satisfied with the proposed enhancements. A length of hedgerow was previously damaged through no fault of the applicant, but they have compensated with replanting of hedgerows throughout the site. Hedgerows and native hedgerow planting are proposed around the sink.
- The objection from public rights of way states that concerns can be addressed through the imposition of the condition in the report but there are other concerns. The applicant fails to acknowledge Public footpath 372/23 and the plan should be resubmitted including detail of the public right-of-way crossing and adjoining the site and should identify adverse impacts. It was responded that there is a public footpath that runs through the site. Due to its current alignment it would make development of this site almost impossible as it would take out a significant portion of the developable land. The applicants are aware that they need to apply to realign the footpath. It is proposed to run from the public open space in the southwest through the site through the central pedestrianised link and then would meet Silurian Road.
- A concern is how to ensure that that footpath is always open and free to use by the public as stipulated. The Head of Planning explained that it's the same with any construction sites with regards to footpaths. They may get temporarily diverted or protected by barriers to maintain access during construction.
- The eleven comments concerning landscaping were raised. It was responded that amended plans overcome the issues raised since the holding objection was received. Referring to the front of plot 64, planting is not allowed within the highway. There is a lot of on-street tree planting mitigating for the loss of the hedgerows.
- Accessibility to seating areas. It was responded that in the public area of open space in the south west there are three seating areas. The landscape officer asked for them to be multi-purpose. Seating areas providing access to those less Mobile would require paths which would erode open space. To resolve this there is additional seating areas throughout the site that are DDA compliant.
- The traffic management scheme is required before work commences. It was responded that condition 8 states that prior to any works commencing that a construction management plan would be received. The Head of Planning addressed the concerns stating that significant meetings took place with green infrastructure, landscape and highways colleagues. There are inevitable compromises across the site to balance all the different issues. This scheme has higher than average affordable housing provision and tree-lined streets. There is fully a sustainable drainage system, attenuation ponds and a protected SINC. There is a protected woodland area in the middle that is being further enhanced with additional hedgerow and planting.

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



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- It was questioned how the houses are heated and why solar panels are not installed on all the buildings.
- Regarding the proposed road names, it was suggested not to use variations of the same name ("Rockfield") to avoid confusion.

The Senior Development Management Officer responded:

- Heating of the buildings and solar panels are building control matters and not within the remit of the planning committee but may be considered in the revised local development plan.
- Street naming is not the remit of the Planning Committee but the comments can be passed to the relevant department.
- Houses are needed in the county and the necessary infrastructure for the people who will live in all the new housing developments was identified in the adopted LDP and financial contributions secured via a s106 agreement relating to the earlier outline permission for this site.

The Senior Development Management Officer responded:

- The required 25% affordable housing has been exceeded.
- Accessibility of the site was explored during the allocation when the local development plan was being adopted and it was decided that this was a sustainable location that had access to facilities within the vicinity. Additionally, the outline consent was subject to a S106 that provided financial contributions for e.g. play, and improvements to the highway network. New residents will use facilities e.g. provide support for local shops, pubs, and businesses.

Continuing consideration of the report of the application, the following points were noted:

- Long-term upkeep of the hedges and trees is a concern. It was responded that the intention is that the public right of way be adopted by the council that would take on responsibility.
- Solar PV panels, air source heat pumps and electric charge points should be installed, and this message should be fed back to the developers. The Head of Planning applauded this thought but explained it is not embedded in national planning policy. However, the officer has negotiated 84% electric charging infrastructure and the developer is delivering that as part of the scheme so the Energy Efficiency of these buildings will be to a high standard.
- It was queried if the developers could approach purchasers to see if they would be interested in installing heat pumps.
- It was requested that there are no issues with adopting the roads referring to the delays at Kingswood Gate, Monmouth.
- Sports facilities should be considered and an Active Travel Plan. It was commented that there are lots of sports facilities local to the site.
- Considering Active Travel, provisions for future bus routes and wide pavements are encouraging for walking. It would be good to see some safe dedicated cycle routes in the design maybe as a shared pavement.
- The types of houses on the site will naturally house families so it is good to see links to the neighbouring park.
- The traffic management plan for the construction must be adhered to.

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It was confirmed that the roads have been designed to be of adoptable standard but adoption can be subject to delay. To deliver the required number of dwellings, there was no land available for sports facilities. There is the area of open space that is proposed to be used for informal play and a financial contribution was secured through the section 106 agreement. Active Travel was not considered as part of the wider plan for this site. To address this element, several footpath links have been designed with pedestrian permeability in mind also links to the existing Road network and infrastructure.

The Head of Planning had received a message from Monmouthshire Housing that all units will be off gas, EPCA rated and all will have PV panels.

Summing up, the Local Member for Magor East with Undy was pleased many of his concerns had been considered. He still took issue with the infrastructure on behalf of the residents and area. He supported the application.

It was proposed by County Councillor J. Crook and seconded by County Councillor A. Easson that application DM/2021/00357 be approved subject to the conditions outlined in the report.

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

For approval	- 13
Against approval	- 1
Abstentions	- 0

The proposition was carried.

We resolved that application DM/2021/00357 be approved subject to the conditions outlined in the report and subject to referral to the Council's Delegated Panel to clarify i) resolution of the extinguishment of the highway on Silurian Road and 1m wide service strip on east-west access road.

#### **8. DM/2021/02005 Revision of Allowed Appeal APP/E6840/A/17/3168486 to create an additional pitch (7 to 8) with modifications to layout, design and ecological enhancements - Land Adjacent To Upper Maerdy Farm, Red Hill To The B4235, Llangeview Monmouthshire**

We considered the report of the application and late correspondence received which was recommended for approval subject to the conditions outlined in the report, and the additional condition to secure implementation of the soft landscaping scheme.

The Local Member for Llanybi Fawr, also Planning Committee Member outlined the following points:

- Welcomed the application that meets the needs of the local development plan and the gypsy and traveller guidance from Welsh Government.
- Clarification was requested regarding the need for thirteen pitches, and if this pitch would contribute to the thirteen.
- Damaged hedgerows had not been reinstated but was included in the conditions.
- Concerns raised on the planning application web site had been answered in the officer's report.

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- The site is well kept, well laid out, and is to accommodate a family member.
- The application was supported with officers' recommendations

The Head of Planning confirmed that our gypsy and traveller assessment confirms the authority has to make provision for thirteen pitches. The pitch in question would meet part of that need.

It was proposed by County Councillor F. Bromfield and seconded by County Councillor M. Powell that application DM/2021/02005 be approved subject to the conditions outlined in the report and the additional condition to secure implementation of landscaping.

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/2021/02005 be approved subject to the conditions outlined in the report.

#### **9. DM/2022/00969 Erection of a steel framed portal building to be used for the production and canning of spring water - Tump Farm, Usk Road, Llantrisant, NP15 1LU**

We considered the report of the application which was referred by the Delegation Panel and is recommended for approval subject to the conditions outlined in the report with the additional condition as presented today as follows:

- Prior to the initial production of canned spring water, a noise management plan should be submitted and approved in writing by the local planning authority. The noise management plan should detail measures that will be implemented to manage noise from the proposed development, including operating hours, to prevent impact on the amenity of residents living in the locality. The proposed development shall therefore be carried out in accordance with the noise management plan in perpetuity, unless otherwise agreed in writing by the local planning authority. Reason: To protect the amenity of neighbouring properties and to ensure compliance with LDP Policy EP1.

The Local Member for Llangybi Fawr, also Planning Committee Member outlined the following points:

- The application to create a diversified farm business was welcomed.
- Spring water is already being extracted and stored on site. Natural Resources Wales has no concerns other than noting that if the business is expanded, this would warrant a planning application and a license will also be required.
- In terms of the road to the farm, this is frequently used by HGVs to several farms, it was suggested that one additional HGV per week would not cause a detrimental effect.
- The planting of fruit trees was welcomed for the wildlife and biodiversity on the farm.
- The canning process is planned to be sustainable and carbon neutral.
- The applicant has been sympathetic to the design of the building and kept it aligned to buildings on the farm.

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- Very little noise will be generated from the canning process. Business hours will be 7am to 6pm (Monday-Saturday)

No speakers from Llantrisant Community Council were present. At the Chair's discretion, Jonathan Eadie, spoke on behalf of residents of three properties impacted by the application excluding the applicants' properties.

- The three properties are supplied by a borehole and sited off the Old road, Llantrisant abutting Wentwood Forest and are omitted from the report.
- NRW has assessed water requirements for the farm, current, and approved dwellings, and the new canning operation.
- Environmental Health wants to consider noise levels of the proposed operations in an inferior single skin, uninsulated metal shed. Noise emanating from the valley side is amplified upwards contrary to the report and is not mitigated by vegetation as recessed in the valley. A noise management plan was requested.
- The proposal offends NRW's duty under the Future Wales National Plan to balance current and future water needs (environment, society, and economy).
- Extraction and removal from site reduces water resilience and places incremental strain on a single source. Reduced water levels and borehole pressures threaten viability of existing homes and businesses.
- Tankers bringing water from offsite sources increases noise and traffic
- Similar ventures have scaled to 24/7 operation with increased noise and traffic, and other adverse outcomes.
- Unsuppressed manufacturing noise for 48 hours over a six-day week is not the same as intermittent agricultural activity which is acceptable.
- Creation of an orchard does not materially offset the industrial impacts and risks to rare and protected species.
- The report does not allow the committee to discharge its duty under Planning Policy Wales (PPW11).

The applicant, Mark Williams, attended the meeting and outlined the following points:

- Family Farm with costs too high and revenue too low hence the need to diversify.
- A sustainable development supporting the climate agenda, for the family and community and supports the Council's own objectives. The Corporate Plan refers to sustainable, local agricultural and farming practices with public services and residents consuming more local and seasonal produce, to provide more encourage businesses and with a focus on innovation in the food and drink sector.
- The shed is in keeping with existing farm buildings and planning to reinstate the orchard with more fruit trees that could possibly flavour the water in future.
- The farm is part of a Welsh Government project involving planting hedgerows, trees and creating streamside corridors and ponds. The environment is a key focus.
- Local hospitality and businesses are keen to stock the water to support Monmouthshire's food and drink sector.
- The water is the farm's own personal / private supply and water from farming practices is utilised - no abstraction license is required. The water has been tested; outcomes awaited. The spring water emerges naturally 24 hours a day. No boreholes are planned. It is stored in a storage tank and taken by gravity to the farm. If the water is not used, it is returned to the stream or ground.
- A fully costed business plan has been shared with planning officers and significant further investment is planned.

## **MONMOUTHSHIRE COUNTY COUNCIL**

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

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

- There is sufficient distance from neighbours not to be affected by noise.
- Water supply: Residents have their own water supply via borehole.
- The Farm has 250 acres; in periods of rainfall there will be considerable run off likely to be in excess of requirements.
- Water extraction is not a planning consideration.
- The site is accessed on the highway between Wentwood and Usk which is a good road for motor vehicles to use.
- The driveway entrance has a large visibility display and therefore good visibility on entry/exit to site.
- The report anticipated just HGV and three small vans at the site per week and would cause little impact on the highway and volume of traffic. Highways has raised concerns if the site was to expand only.
- Low key development, low height building and low detrimental impact.
- Tree planting will provide the benefit of low carbon emissions and will improve the visual impact of the area
- Biodiversity benefit of providing wildlife with food, shelter and habitat.
- More detail on renewable energy and sustainable methods was requested.
- Farmers need to diversify and additional income needs to be derived from the land.
- It's a rural county and there is a need to support start-up businesses such as this

The Development Management Area Manager responded:

- Policy background relates to RE3 agricultural diversification that has several criteria (three not relevant) and the application meets the remainder:
  1. Non agricultural development is running in conjunction complementary to the activities on the site at present
  2. Supported by a business case
  3. Can demonstrate that all the existing buildings are being used where a new build is required
  4. Proposals for new builds meet the criteria in LC1 (landscape policies)
  5. Proposed the building will be cut into the bank so there is a proposed condition to require a full Section drawing to show the level of cut, the retaining wall, and its construction. It is anticipated it will match the existing arrangements in blockwork with timber post and rail fence.

The application is supported and policy compliant.

- In terms of scalability, the proposed equipment is capable of canning 8000 cans a day equating to 1 HGV and three small van visits per week. The Highways Officer is satisfied. In terms of production and highways impact, the operation is considered acceptable.
- There is a condition to limit use within this building so if the business expands with a new building, a planning application would be required.
- The noise management plan requires operating hours to be specified and adhered to.
- Water abstraction is not part of the consideration of this application and is dealt with through NRW.

## MONMOUTHSHIRE COUNTY COUNCIL

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- In terms of biodiversity, the land is grazed and has limited ecological value. There are biodiversity enhancements such as tree planting on the site plan considered acceptable with no objections from NRW
- Energy efficiency measures: Policy does not prescribe levels of energy efficiency. This aspect can be managed through building regulations. The applicants have made a commitment that the building will be environmentally friendly.
- Clarification was provided that on the elevation drawings it is shown that there are juniper green metal sheeting for all elevations on the building so if timber cladding was to be used, that would need separate consideration as part of an amendment to the plans. An amended plan would be considered by Delegated Panel.

The applicant responded to the following points:

- The cut in level with the other buildings will be one uniform level.
- 8000 cans a day is the maximum capacity of the proposed machinery achievable by e.g. Year 3.
- Plan to installed PV panels on the roof after two years, also rainwater harvesting .
- Sustainable local wood will be used for the cladding on the front of the building. With Juniper Green 40mm insulated panels around the outside

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

For approval	- 14
Against approval	- 0
Abstentions	- 0

The proposition was carried.

We resolved to approve application: DM/2022/00969 subject to agreeing a revised external materials plan (to include timber cladding) via Panel; additional conditions to require a site section and a Noise Management Plan

**10. DM/2022/00484 Full planning application for the construction of 9 dwellings including means of access, drainage, landscaping, associated engineering and infrastructure works - Land at former Tythe House, Church Road, Undy, NP26 3EN**

Application DM/2022/00484 was deferred to December 2022 meeting.

**11. FOR INFORMATION - The Planning Inspectorate - Appeals Decisions Received**

**12. CAS-01509-P1Z2X3 - 2-4 Monnow Street, Monmouth, Monmouthshire, NP25 3EE**

We received a Planning Inspectorate Appeals decision regarding 2-4 Monnow Street, Monmouth (a planning application to change from A1 use (Music Shop) to an adult gaming centre). The application was refused by officers under delegated powers citing concerns on vitality attractiveness and viability of our central shopping area. It was appealed and the inspector didn't feel that such a use would cause unacceptable harm and would safeguard the vitality and viability of the town centre and was compliant with our one of our retail policies (RET2) in the current local development plan.

## **MONMOUTHSHIRE COUNTY COUNCIL**

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

The inspector observed some vacant units in the Town Centre noting that it would retain a shop front and that it was not evidenced that it wouldn't attract footfall.

Officers' decision was overturned, and planning permission granted.

The following points were noted:

- The two carousels in the window must be moved following an appeal to the Gambling Commission.
- The Town Council was very disappointed about this decision and it has been recorded in the local press as a Welsh government decision rather than being that of an independent inspector.
- It was queried if all the conditions been met with the correct documentation. It was responded that an application has been made to the local planning Authority in respect of conditions 3 and 4 and consultation is in progress with the relevant consultees in respect of noise management , and the scheme of enhancement has been consulted on with our ecologists. The application is currently pending consideration.
- It was clarified that the centre can be used by over 18s.

**The meeting ended at 6.10 pm**