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Neuadd y Cyngor
Y Rhadyr
Brynbuga
NP15 1GA

Dydd Gwener, 25 Ebrill 2025

Hysbysiad o gyfarfod

Pwyllgor Cynllunio

Dydd Mawrth, 6ed Mai, 2025, 2.00 pm
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA

AGENDA

Eitem Ddim	Eitem	Tudallennau
1.	Ymddiheuriadau am absenoldeb	
2.	Datganiadau o Fuddiant	
3.	Cadarnhau cofnodion y cyfarfod blaenorol	1 - 4
4.	Ystyried yr adroddiadau canlynol ar Geisiadau Cynllunio gan y Prif Swyddog, Lle (atodir copïau)	
4.1.	Cais DM/2024/01281 – Cynnig ar gyfer 2 annedd ar wahân gyda pharcio ar y safle. Tir tu ôl i Rosemary, Heol Beaufort, Osbaston, Trefynwy.	5 - 20
5.	ER GWYBODAETH – Yr Arolygiaeth Gynllunio – Penderfyniadau a gafwyd am Apeliadau / Costau	
5.1.	Pendderyniad Apêl - 1 Monnow Keep, Trefynwy, Sir Fynwy NP25 3EX.	21 - 26
5.2.	Penderfyniad ar Gostau - 1 Monnow Keep, Trefynwy, Sir Fynwy, NP25 3EX.	27 - 28

Paul Matthews

Prif Weithredwr

CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

Jill Bond
Fay Bromfield
Emma Bryn
Jan Butler
John Crook
Tony Easson
Steven Garratt
Meirion Howells
Su McConnel
Jayne McKenna
Phil Murphy
Maureen Powell
Sue Riley
Dale Rooke
Ann Webb
Laura Wright

Gwybodaeth Gyhoeddus

Bydd rhaid i unrhyw person sydd eisiau siarad yn Y Pwyllgor Cynllunio cofrestru gyda Gwasanaethau Democrataidd erbyn hanner dydd ar diwrnod cyn y cyfarfod. Mae manylion ynglŷn a siarad yn cyhoeddus ar gael tu fewn l'r agenda neu yma [Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio](#)

Mynediad i gopiâu papur o agendâu ac adroddiadau

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

Edrych ar y cyfarfod ar-lein

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i www.monmouthshire.gov.uk neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

Y Gymraeg

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

Nodau a Gwerthoedd Cyngor Sir Fynwy

Ein Pwrpas

- i ddod yn sir ddi-garbon, gan gefnogi lles, iechyd ac urddas i bawb ar bob cam o'u bywydau.

Amcanion rydym yn gweithio tuag atynt

- Lle teg i fyw lle mae effeithiau anghydraddoldeb a thlodi wedi'u lleihau;
- Lle gwyrdd i fyw a gweithio gyda llai o allyriadau carbon a gwneud cyfraniad cadarnhaol at fynd i'r afael â'r argyfwng yn yr hinsawdd a natur;
- Lle ffyniannus ac uchelgeisiol, lle mae canol trefi bywiog a lle gall busnesau dyfu a datblygu;
- Lle diogel i fyw lle mae gan bobl gartref maen nhw'n teimlo'n ddiogel ynddo;
- Lle cysylltiedig lle mae pobl yn teimlo'n rhan o gymuned ac yn cael eu gwerthfawrogi;
- Lle dysgu lle mae pawb yn cael cyfle i gyrraedd eu potensial.

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.
- **Caredigrwydd** – Byddwn yn dangos caredigrwydd i bawb yr ydym yn gweithio gyda nhw, gan roi pwysigrwydd perthnasoedd a'r cysylltiadau sydd gennym â'n gilydd wrth wraidd pob rhyngweithio.

Diben

Diben yr adroddiadau a atodir a'r cyflwyniad cysylltiedig gan swyddogion i'r Pwyllgor yw galluogi'r Pwyllgor Cynllunio i wneud penderfyniad ar bob cais yn y rhestr a atodir, ar ôl pwysu a mesur y gwahanol ystyriaethau cynllunio perthnasol.

Dirprwywyd pwerau i'r Pwyllgor Cynllunio wneud penderfyniadau ar geisiadau cynllunio. Mae'r adroddiadau a gynhwysir yn yr atodlen yma'n asesu'r datblygiad arfaethedig yn erbyn polisi cynllunio perthnasol ac ystyriaethau cynllunio eraill perthnasol, a rhoi ystyriaeth i'r holl ymatebion ymgynghori a dderbyniwyd. Daw pob adroddiad i ben gydag argymhelliad swyddog i'r Pwyllgor Cynllunio ar p'un ai yw swyddogion yn ystyried y dylid rhoi caniatâd cynllunio (gydag awgrym am amodau cynllunio lle'n briodol) neu ei wrthod (gydag awgrymiadau am resymau dros wrthod).

Dan Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004, mae'n rhaid i bob cais cynllunio gael eu penderfynu yn unol â Chynllun Datblygu Lleol Sir Fynwy 2011-2021 (a fabwysiadwyd yn Chwefror 2014), os nad yw ystyriaethau cynllunio perthnasol yn awgrymu fel arall.

Disgwylir i'r holl benderfyniadau a wneir fod o fudd i'r Sir a'n cymunedau drwy ganiatáu datblygu ansawdd da yn y lleoliadau cywir, ac ymrwngthod â datblygiad amhriodol, ansawdd gwael neu yn y lleoliad anghywir. Mae cysylltiad uniongyrchol i amcan y Cyngor o adeiladu cymunedau cryf a chynaliadwy.

Gwneud penderfyniadau

Gellir cytuno ar geisiadau yn rhwym ar amodau cynllunio. Mae'n rhaid i amodau gyflawni'r holl feini prawf dilynol:

- Angenrheidiol i wneud y datblygiad arfaethedig yn dderbyniol;
- Perthnasol i ddeddfwriaeth cynllunio (h.y. ystyriaeth cynllunio);
- Perthnasol i'r datblygiad arfaethedig dan sylw;
- Manwl;
- Gorfodadwy; a
- Rhesymol ym mhob cyswllt arall.

Gellir cytuno i geisiadau yn amodol ar gytundeb cyfreithiol dan Adran 106 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd). Mae hyn yn sicrhau goblygiadau cynllunio i wrthbwysu effeithiau'r datblygiad arfaethedig. Fodd bynnag, mae'n rhaid i'r goblygiadau cynllunio hyn gyflawni'r holl feini prawf dilynol er mwyn iddynt fod yn gyfreithlon:

- Angenrheidiol i wneud y datblygiad yn dderbyniol mewn termau cynllunio;
- Uniongyrchol gysylltiedig â'r datblygiad; ac
- Wedi cysylltu'n deg ac yn rhesymol mewn maint a math i'r datblygiad.

Mae gan yr ymgeisydd hawl apelio statudol yn erbyn gwrthod caniatâd yn y rhan fwyaf o achosion, neu yn erbyn gosod amodau cynllunio, neu yn erbyn methiant y Cyngor i benderfynu ar gais o fewn y cyfnod statudol. Nid oes unrhyw hawl apelio trydydd parti yn erbyn penderfyniad.

Gall y Pwyllgor Cynllunio wneud argymhellion sy'n groes i argymhelliad y swyddog. Fodd bynnag, mae'n rhaid rhoi rhesymau am benderfyniadau o'r fath ac mae'n rhaid i'r penderfyniad fod yn seiliedig ar y Cynllun Datblygu Lleol (LDP) a/neu ystyriaethau cynllunio perthnasol. Pe byddai penderfyniad o'r fath yn cael ei herio mewn apêl, bydd yn ofynnol i Aelodau Pwyllgor amddiffyn eu penderfyniad drwy'r broses apêl.

Prif gyd-destun polisi

Mae'r LDP yn cynnwys y prif bolisiâu datblygu a dylunio. Yn hytrach nag ail-adrodd y rhain ar gyfer pob cais, caiff y geiriad llawn ei osod islaw er cymorth Aelodau.

Polisi EP1 - Gwarchod Amwynderau a'r Amgylchedd

Dylai datblygiad, yn cynnwys cynigion ar gyfer adeiladau newydd, estyniadau i adeiladau presennol a hysbysebion roi ystyriaeth i breifatrwydd, amwynder ac iechyd defnyddwyr adeiladau cyfagos. Ni chaniateir cynigion datblygu a fyddai'n achosi neu'n arwain at risg/niwed annerbyniol i amwynder lleol, iechyd, cymeriad/ansawdd cefn gwlad neu fuddiannau cadwraeth natur, tirlun neu bwysigrwydd treftadaeth adeiledig oherwydd y dilynol, os na fedrir dangos y gellir cymryd mesurau i oresgyn unrhyw risg sylweddol:

- Llygredd aer;
- Llygredd golau neu sŵn;
- Llygredd dŵr;
- Halogiad;
- Ansefydlogrwydd tir; neu
- Unrhyw risg a ddynodwyd i iechyd neu ddiogelwch y cyhoedd.

Polisi DES1 – Ystyriaethau Dylunio Cyffredinol

Dylai pob datblygiad fod o ddyluniad cynaliadwy ansawdd uchel a pharchu cymeriad lleol a nodweddion neilltuoel amgylchedd adeiledig, hanesyddol a naturiol Sir Fynwy. Bydd yn ofynnol i gynigion datblygu:

- a) Sicrhau amgylchedd diogel, dymunol a chyfleus sy'n hygyrch i bob aelod o'r gymuned, yn cefnogi egwyddorion diogelwch y gymuned ac yn annog cerdded a seiclo;
- b) Cyfrannu tuag at naws o le wrth sicrhau fod maint y datblygiad a'i ddwystr yn gydnaws gyda defnyddiau presennol;
- c) Parchu ffurf, maint, lleoliad, casglu, deunyddiau a gweddwlun ei osodiad ac unrhyw adeiladau cyfagos o ansawdd;
- d) Cynnal lefelau rhesymol o breifatrwydd ac amwynder defnyddwyr adeiladau cyfagos, lle'n berthnasol;
- e) Parchu'r golygfeydd adeiledig a naturiol lle maent yn cynnwys nodweddion hanesyddol a/neu amgylchedd adeiledig neu dirlun deniadol neu neilltuoel;
- f) Defnyddio technegau adeiladu, addurniad, arddulliau a golau i wella ymddangosiad y cynnig gan roi ystyriaeth i wead, lliw, patrwm, cadernid a saerniaeth mewn defnyddio deunyddiau;
- g) Ymgorffori a, lle'n bosibl, wella nodweddion presennol sydd o werth hanesyddol, gweledol neu gadwraeth natur a defnyddio'r traddodiad brodorol lle'n briodol;
- h) Cynnwys cynigion tirlun ar gyfer adeiladau newydd a defnyddiau tir fel eu bod yn integreiddio i'w hamgylchiadau, gan roi ystyriaeth i ymddangosiad y tirlun presennol a'i gymeriad cynhenid, fel y'i diffinnir drwy broses LANDMAP. Dylai tirlunio roi ystyriaeth i, a lle'n briodol gadw, coed a gwrychoedd presennol;
- i) Gwneud y defnydd mwyaf effeithiol o dir sy'n gydnaws gyda'r meini prawf uchod, yn cynnwys y dylai isafswm dwysedd net datblygiad preswyl fod yn 30 annedd fesul hectar, yn amodol ar faen prawf l) islaw;
- j) Sicrhau dyluniad sy'n ymateb i'r hinsawdd ac effeithiol o ran adnoddau. Dylid rhoi ystyriaeth i leoliad, cyfeiriadu, dwysedd, gweddwlun, ffurf adeiledig a thirlunio ac i effeithiolrwydd ynni a defnyddio ynni adnewyddadwy, yn cynnwys deunyddiau a thechnoleg;
- k) Meithrin dylunio cynhwysol;
- l) Sicrhau y caiff ardaloedd preswyl presennol a nodweddir gan safonau uchel o breifatrwydd ac ehangder eu gwarchod rhag gor-ddatblygu a mewnlenni ansensitif neu amhriodol.

Cyfeirir at bolisiau perthnasol allweddol eraill yr LDP yn adroddiad y swyddog.

Canllawiau Cynllunio Atodol (SPG):

Gall y Canllawiau Cynllunio Atodol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio perthnasol:

- Seilwaith Gwyrdd (mabwysiadwyd Ebrill 2015)
- Canllawiau Dylunio Trosi Adeiladau Amaethyddol (mabwysiadwyd Ebrill 2015)
- Polisi H4(g) LDP Trosi/Adfer Adeiladau yng Nghefn Gwlad i Ddefnydd Preswyl - Asesu Ail-dddefnydd ar gyfer Dibenion Busnes (mabwysiadwyd Ebrill 2015)
- Polisiau H5 a H6 LDP Anheddau yn Lle ac Ymestyn Anheddau Gwledig yng Nghefn Gwlad (mabwysiadwyd Ebrill 2015)

- Arfarniad Ardal Cadwraeth Trellech (Ebrill 2012)
- Garejys Domestig (mabwysiadwyd Ionawr 2013)
- Safonau Parcio Sir Fynwy (mabwysiadwyd Ionawr 2013)
- Ymagwedd at Oblygiadau Cynllunio (Mawrth 2013)
- Drafft Tai Fforddiadwy (Gorffennaf 2015)
- Drafft Ynni Adnewyddadwy ac Effeithiolrwydd Ynni (Rhagfyr 2014)
- Drafft Nodyn Cyngor Cynllunio ar Asesu Tirlun Datblygu ac Effaith Gweledol Tyrbinau Gwynt
- Drafft Prif Wynebau Siopau (Mehefin 2015)

Polisi Cynllunio Cyhoeddus

Gall y polisi cynllunio cenedlaethol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio berthnasol:

- Polisi Cynllunio Cymru (PPW) 12
- Nodiadau Cyngor Technegol (TAN) PPW:
- TAN 1: Cydastudiaethau Argaeledd Tir Tai (2014)
- TAN 2: Cynllunio a Thai Fforddiadwy (2006)
- TAN 3: Symleiddio Parthau Cynllunio (1996)
- TAN 4: Datblygiadau manwerthu a masnachol (Tachwedd 2016)
- TAN 5: Cadwraeth Natur a Chynllunio (2009)
- TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN 7: Rheoli Hysbysebion Awyr Agored (1996)
- TAN 8: Ynni Adnewyddadwy (2005)
- TAN 9: Gorfodaeth Rheoli Adeiladu (1997)
- TAN 10: Gorchmynion Cadwraeth Coed (1997)
- TAN 11: Sŵn (1997)
- TAN 12: Dylunio (2014)
- TAN 13: Twristiaeth (1997)
- TAN14: Cynllunio arfordirol (2021)
- TAN 15: Datblygu, llifogydd ac erdu arfordirol (Mawrth 2025)
- TAN 16: Chwaraeon, Hamdden a Gofodau Agored (2009)
- TAN 18: Trafnidiaeth (2007)
- TAN 20: Yr iaith Gymraeg (2017)
- TAN 21: Gwastraff (2014)
- TAN 23: Datblygu Economaidd (2014)
- TAN 24: Yr Amgylchedd Hanesyddol (2017)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 1: Agregau (30 Mawrth 2004)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 2: Glo (20 Ionawr 2009)
- Cylchlythyr Llywodraeth Cymru 016/2014 ar amodau cynllunio

Materion eraill

Gall y ddeddfwriaeth ddilynol arall fod yn berthnasol wrth wneud penderfyniadau

Deddf Cynllunio (Cymru) 2016

Daeth Adrannau 11 a 31 y Ddeddf Cynllunio i rym yn Ionawr 2016 yn golygu fod y Gymraeg yn ystyriaeth cynllunio berthnasol. Mae Adran 11 yn ei gwneud yn ofynnol i'r gwerthusiad cynaliadwyedd, a gymerir wrth baratoi LDP, gynnwys asesiad o effeithiau tebygol y cynllun ar ddefnydd y Gymraeg yn y gymuned. Lle mae cynllun integredig sengl yr awdurdod wedi dynodi bod y Gymraeg yn flaenoriaeth, dylai'r asesiad fedru dangos y cysylltiad rhwng yr ystyriaeth ar gyfer y Gymraeg a'r prif arfarniad cynaliadwyedd ar gyfer yr LDP, fel y'i nodir yn TAN 20.

Mae Adran 31 y Ddeddf Cynllunio yn egluro y gall awdurdodau cynllunio gynnwys ystyriaethau yn ymwneud â'r defnydd o'r Gymraeg wrth wneud penderfyniadau ar geisiadau am ganiatâd cynllunio, cyn belled ag mae'n berthnasol i'r Gymraeg. Nid yw'r darpariaethau yn rhoi unrhyw bwysiad ychwanegol i'r Gymraeg o gymharu ag ystyriaethau perthnasol eraill. Mater i'r awdurdod cynllunio lleol yn llwyr yw p'un ai yw'r Gymraeg yn ystyriaeth berthnasol mewn unrhyw gais cynllunio, a

dylai'r penderfyniad p'un ai i roi ystyriaeth i faterion y Gymraeg gael ei seilio ar yr ystyriaeth a roddwyd i'r Gymraeg fel rhan o broses paratoi'r LDP.

Cynhaliwyd gwerthusiad cynaliadwyedd ar Gynllun Datblygu Lleol (LDP) Sir Fynwy a fabwysiadwyd yn 2014, gan roi ystyriaeth i'r ystod lawn o ystyriaethau cymdeithasol, amgylcheddol ac economaidd, yn cynnwys y Gymraeg. Cyfran cymharol fach o boblogaeth Sir Fynwy sy'n siarad, darllen neu ysgrifennu Cymraeg o gymharu gydag awdurdodau lleol eraill yng Nghymru ac ni ystyriwyd fod angen i'r LDP gynnwys polisi penodol ar y Gymraeg. Roedd casgliad yr asesiad am effeithiau tebygol y cynllun ar y defnydd o'r Gymraeg yn y gymuned yn fach iawn.

Rheoliadau Asesiad Effaith ar yr Amgylchedd 1999

Mae Rheoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Lloegr a Chymru) 1999 fel y'i diwygiwyd gan Reoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Diwygiad) 2008 yn berthnasol i'r argymhellion a wnaed. Bydd y swyddog yn tynnu sylw at hynny pan gyflwynwyd Datganiad Amgylcheddol gyda chais.

Rheoliadau Cadwraeth Rhywogaethau a Chynefinoedd 2017

Lle aseswyd bod safe cais yn safle bridio neu glwydo ar gyfer rhywogaethau Ewropeaidd a warchodir, bydd angen fel arfer i'r datblygydd wneud cais am "randdirymiad" (trwydded datblygu) gan Cyfoeth Naturiol Cymrau. Mae pob rhywogaeth o ystlumod, pathewod a madfallod cribog mawr yn enghreifftiau o'r rhywogaethau gwarchodedig hyn. Wrth ystyried ceisiadau cynllunio mae'n ofynnol i Gyngor Sir Fynwy fel awdurdod cynllunio lleol roi ystyriaeth i Reoliadau Cadwraeth Rhywogaethau a Chynefinoedd 20120 (y Rheoliadau Cynefinoedd) ac i'r ffaith mai dim ond lle cyflawnir tri phrawf a nodir yn Erthygl 16 y Gyfarwydddeb Cynefinoedd y caniateir rhanddirymiadau. Caiff y tri phrawf eu nodi islaw.

(i) Mae'r rhanddirymiad er budd iechyd a diogelwch y cyhoedd, neu am resymau hanfodol eraill o ddiddordeb pennaf i'r cyhoedd, yn cynnwys rhai o natur economaidd a chanlyniadau buddiol o bwysigrwydd sylfaenol i'r amgylchedd.

(ii) Nad oes dewis arall boddhaol.

(iii) Nad yw'r rhanddirymiad yn niweidiol i gynnal y boblogaeth o'r rhywogaeth dan sylw drwy statws cadwraeth ffafriol yn eu hardal naturiol.

Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Nod y Ddeddf yw gwella llesiant cymdeithasol, economaidd, amgylcheddol a diwylliannol Cymru. Mae'r Ddeddf yn gosod nifer o amcanion llesiant

- **Cymru lewyrchus**; defnydd effeithiol o adnoddau, pobl fedrus ac addysgedig, cynhyrchu cyfoeth, darparu swyddi;
- **Cymru gref**; cynnal a chyfoethogi bioamrywiaeth ac ecosystemau sy'n cefnogi hynny ac a all addasu i newid (e.e. newid yn yr hinsawdd);
- **Cymru iachach**; cynyddu llesiant corfforol a meddyliol pobl i'r eithaf a deall effeithiau iechyd;
- **Cymru o gymunedau cydlynol**: cymunedau yn ddeniadol, hyfyw, diogel a gyda chysylltiadau da.
- **Cymru sy'n gyfrifol yn fyd-eang**: rhoi ystyriaeth i effaith ar lesiant byd-eang wrth ystyried llesiant cymdeithasol, economaidd ac amgylcheddol lleol;
- **Cymru gyda diwylliant egniol a'r iaith Gymraeg yn ffynnu**: caiff diwylliant, treftadaeth a'r Gymraeg eu hyrwyddo a'u diogelu. Caiff pobl eu hannog i gymryd rhan mewn chwaraeon, celf a hamdden;
- **Cymru fwy cyfartal**: gall pobl gyflawni eu potensial beth bynnag yw eu cefndir neu amgylchiadau.

Caiff nifer o egwyddorion datblygu cynaliadwy hefyd eu hamlinellu:

- **Hirdymor**: cydbwysu angen tymor byr gyda'r hirdymor a chynllunio ar gyfer y dyfodol;
- **Cydweithio**: cydweithio gyda phartneriaid eraill i gyflawni amcanion;
- **Ymggyfraniad**: cynnwys y rhai sydd â diddordeb a gofyn am eu barn;
- **Atal**: rhoi adnoddau i ateb problemau rhag digwydd neu waethgu;
- **Integreiddio**: cael effaith gadarnhaol ar bobl, yr economi a'r amgylchedd a cheisio bod o fudd i bob un o'r tri.

Mae'r gwaith a wneir gan awdurdod cynllunio lleol yn cysylltu'n uniongyrchol â hyrwyddo a sicrhau datblygu cynaliadwy ac yn anelu i sicrhau cydbwysedd rhwng y tri maes: amgylchedd, economi a chymdeithas.

Trefn Troseddu ac Anrhefn 1998

Mae Adran 17(1) Deddf Troseddu ac Anrhefn 1998 yn gosod dyletswydd ar awdurdod lleol i weithredu ei wahanol swyddogaethau gan roi ystyriaeth ddyledus i effaith debygol gweithredu'r swyddogaethau hynny ar, a'r angen i wneud popeth y gall ei wneud yn rhesymol i atal troseddu ac anrhefn yn ei ardal. Gall troseddu ac ofn troseddu fod yn ystyriaeth cynllunio berthnasol. Tynnir sylw at y pwnc hwn yn adroddiad y swyddog lle mae'n ffurfio ystyriaeth sylweddol ar gyfer cynnig.

Deddf Cydraddoldeb 2010

Mae Deddf Cydraddoldeb 2010 yn cynnwys dyletswydd cydraddoldeb sector cyhoeddus i integreiddio ystyriaeth cydraddoldeb a chysylltiadau da ym musnes rheolaidd awdurdodau cyhoeddus. Mae'r Ddeddf yn dynodi nifer o 'nodweddion gwarchodedig': oedran, anabledd, aillbennu rhywedd; priodas a phartneriaeth sifil; hil; crefydd neu gredo; rhyw; a chyfeiriadedd rhywiol. Bwriedir i gydymffurfiaeth arwain at benderfyniadau a wnaed ar sail gwybodaeth well a datblygu polisi a gwasanaethau sy'n fwy effeithlon ar gyfer defnyddwyr. Wrth weithredu ei swyddogaethau, mae'n rhaid i'r Cyngor roi ystyriaeth ddyledus i'r angen i: ddileu gwahaniaethu anghyfreithlon, aflonyddu, erledigaeth ac ymddygiad arall a gaiff ei wahardd gan y Ddeddf; hybu cyfle cyfartal rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt; a meithrin cysylltiadau da rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt. Mae rhoi ystyriaeth ddyledus i hyrwyddo cydraddoldeb yn cynnwys: dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchodedig; cymryd camau i ddiwallu anghenion o grwpiau gwarchodedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mesur Plant a Theuluoedd (Cymru)

Mae ymgynghoriad ar geisiadau cynllunio yn agored i'n holl ddinasyddion faint bynnag eu hoed; ni chynhelir unrhyw ymgynghoriad wedi'i dargedu a anelwyd yn benodol at blant a phobl ifanc. Yn dibynnu ar faint y datblygiad arfaethedig, rhoddir cyhoeddusrwydd i geisiadau drwy lythyrau i feddianwyr cyfagos, hysbysiadau safle, hysbysiadau yn y wasg a/neu gyfryngau cymdeithasol. Nid yw'n rhaid i bobl sy'n ymateb i ymgynghoriadau roi eu hoedran nac unrhyw ddata personol arall, ac felly ni chaiff y data yma ei gadw na'i gofnodi mewn unrhyw ffordd, ac ni chaiff ymatebion eu gwahanu yn ôl oedran.

Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio

Dim ond yn llwyr yn unol â'r protocol hwn y caniateir cyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio. Ni allwch fynnu siarad mewn Pwyllgor fel hawl. Mae'r gwahoddiad i siarad a'r ffordd y cynhelir y cyfarfod ar ddisgresiwn Cadeirydd y Pwyllgor Cynllunio ac yn amodol ar y pwyntiau a nodir islaw.

Pwy all siarad

Cynghorau Cymuned a Thref

Gall cynghorau cymuned a thref annerch y Pwyllgor Cynllunio. Dim ond aelodau etholedig cynghorau cymuned a thref gaiff siarad. Disgwylir i gynrychiolwyr gydymffurfio â'r egwyddorion dilynol: -

(i) Cydymffurfio â Chod Cenedlaethol Ymddygiad Llywodraeth Leol. (ii) Peidio cyflwyno gwybodaeth nad yw'n:

- gyson gyda sylwadau ysgrifenedig eu cyngor, neu
 - yn rhan o gais, neu
 - wedi ei gynnwys yn yr adroddiad neu ffeil cynllunio.

Aelodau'r Cyhoedd

Cyfyngir siarad i un aelod o'r cyhoedd yn gwrthwynebu datblygiad ac un aelod o'r cyhoedd yn cefnogi datblygiad. Lle mae mwy nag un person yn gwrthwynebu neu'n cefnogi, dylai'r unigolion neu grwpiau gydweithio i sefydlu llefarydd. Gall Cadeirydd y Pwyllgor weithredu disgresiwn i ganiatáu ail siaradwr ond dim ond mewn amgylchiadau eithriadol lle mae cais sylweddol yn ysgogi gwahanol safbwyntiau o fewn un 'ochr' y ddadl (e.e. cais archfarchnad lle mae un llefarydd yn cynrychioli preswylwyr ac un arall yn cynrychioli manwerthwyr lleol). Gall aelodau'r cyhoedd benodi cynrychiolwyr i siarad ar eu rhan.

Lle na ddeuir i gytundeb, bydd yr hawl i siarad yn mynd i'r person/sefydliad cyntaf i gofrestru eu cais. Lle mae'r gwrthwynebydd wedi cofrestru i siarad caiff yr ymgeisydd neu asiant yr hawl i ymateb.

Cyfyngir siarad i geisiadau lle cyflwynwyd llythyrau gwrthwynebu/cefnogaeth neu lofnodion ar ddeiseb i'r Cyngor gan 5 neu fwy o aelwydydd/sefydliadau gwahanol. Gall y Cadeirydd weithredu disgresiwn i ganiatáu siarad gan aelodau o'r cyhoedd lle gallai cais effeithio'n sylweddol ar ardal wledig prin ei phoblogaeth ond y derbyniwyd llai na 5 o lythyr yn gwrthwynebu/cefnogi.

Ymgeiswyr

Bydd gan ymgeiswyr neu eu hasiantau a benodwyd hawl ymateb lle mae aelodau'r cyhoedd neu gyngor cymuned/tref yn annerch pwyllgor. Fel arfer dim ond ar un achlysur y caniateir i'r cyhoedd siarad pan gaiff ceisiadau eu hystyried gan Bwyllgor Cynllunio. Pan ohirir ceisiadau ac yn arbennig pan gânt eu hailgyflwyno yn dilyn penderfyniad pwyllgor i benderfynu ar gais yn groes i gyngor swyddog, ni chaniateir i'r cyhoedd siarad fel arfer. Fodd bynnag bydd yn rhaid ystyried amgylchiadau arbennig ar geisiadau a all gyfiawnhau eithriad.

Cofrestru Cais i Siarad

I gofrestru cais i siarad, mae'n rhaid i wrthwynebwyr/cefnogwyr yn gyntaf fod wedi gwneud sylwadau ysgrifenedig ar y cais. Mae'n rhaid iddynt gynnwys eu cais i siarad gyda'u sylwadau neu ei gofrestru wedyn gyda'r Cyngor.

Caiff ymgeiswyr, asiantau a gwrthwynebwyr eu cynghori i aros mewn cysylltiad gyda'r swyddog achos am ddatblygiadau ar y cais. Cyfrifoldeb y rhai sy'n dymuno siarad yw gwirio os yw'r cais i gael ei ystyried gan y Pwyllgor Cynllunio drwy gysylltu â'r Swyddog Cynllunio, a all roi manylion o'r dyddiad tebygol ar gyfer clywed y cais. Caiff y drefn ar gyfer cofrestru'r cais i siarad ei nodi islaw.

Mae'n rhaid i unrhyw un sy'n dymuno siarad hysbysu Swyddogion Gwasanaethau Democrataidd y Cyngor drwy ffonio 01633 644219 neu drwy e-bost i registertospeak@monmouthshire.gov.uk. Caiff unrhyw geisiadau i siarad a gaiff eu e-bostio eu cydnabod cyn y dyddiad cau ar gyfer cofrestru i

siarad. Os nad ydych yn derbyn cydnabyddiaeth cyn y dyddiad cau, cysylltwch â Gwasanaethau Democrataidd ar 01633 644219 i wirio y cafodd eich cais ei dderbyn.

Mae'n rhaid i siaradwyr wneud hyn cyn gynted ag sydd modd, rhwng 12 canol dydd ar y dydd Mercher a 12 canol dydd ar y dydd Llun cyn y Pwyllgor. Gofynnir i chi adael rhif ffôn y gellir cysylltu â chi yn ystod y dydd.

Bydd y Cyngor yn cadw rhestr o bobl sy'n dymuno siarad yn y Pwyllgor Cynllunio.

Gweithdrefn yng Nghyfarfod y Pwyllgor Cynllunio

Dylai pobl sydd wedi cofrestru i siarad gyrraedd ddim hwyrach na 15 munud cyn dechrau'r cyfarfod. Bydd swyddog yn cynghori ar drefniadau seddi ac yn ateb ymholiadau. Caiff y weithdrefn ar gyfer delio gyda siarad gan y cyhoedd ei osod islaw:

- Bydd y Cadeirydd yn nodi'r cais i'w ystyried.
- Bydd swyddog yn cyflwyno crynodeb o'r cais a materion yn ymwneud â'r argymhelliad
- Os nad yw'r aelod lleol ar y Pwyllgor Cynllunio, bydd y Cadeirydd yn ei (g)wahodd i siarad am ddim mwy na 6 munud
- Yna bydd y Cadeirydd yn gwahodd cynrychiolydd y cyngor cymuned neu dref i siarad am ddim mwy na 4 munud.
- Bydd y Cadeirydd wedyn yn gwahodd yr ymgeisydd neu asiant a benodwyd (os yn berthnasol) i siarad am ddim mwy na 4 munud. Lle mae mwy na un person neu sefydliad yn siarad yn erbyn cais, ar ddisgresiwn y Cadeirydd bydd gan yr ymgeisydd neu'r asiant a benodwyd hawl i siarad am ddim mwy na 5 munud.
- Fel arfer cydymffurfir yn gaeth â chyfyngiadau amser, fodd bynnag bydd gan y Cadeirydd ddisgresiwn i addasu'r amser gan roi ystyriaeth i amgylchiadau'r cais neu'r rhai sy'n siarad.
- Dim ond unwaith y gall siaradwyr siarad.
- Bydd aelodau'r Pwyllgor Cynllunio wedyn yn trafod y cais, gan ddechrau gydag aelod lleol o'r Pwyllgor Cynllunio.
- Bydd y swyddogion yn ymateb i'r pwyntiau a godir os oes angen.
- Yn union cyn i'r mater gael ei roi i'r bleidlais, gwahoddir yr aelod lleol i grynhoi, gan siarad am ddim mwy na 2 funud.
- Ni all cynrychiolydd y cyngor cymuned neu dref neu wrthwynebydd/cefnogwyr neu'r ymgeisydd/asiant gymryd rhan yn ystyriaeth aelodau o'r cais ac ni allant ofyn cwestiynau os nad yw'r cadeirydd yn eu gwahodd i wneud hynny.
- Lle mae gwrthwynebydd/cefnogwr, ymgeisydd/asiant neu gyngor cymuned/tref wedi siarad ar gais, ni chaniateir unrhyw siarad pellach gan neu ar ran y grŵp hwnnw pe byddai'r cais yn cael ei ystyried eto mewn cyfarfod o'r pwyllgor yn y dyfodol heblaw y bu newid sylweddol yn y cais.
- Ar ddisgresiwn y Cadeirydd, gall y Cadeirydd neu aelod o'r Pwyllgor yn achlysurol geisio eglurhad ar bwynt a wnaed.
- Mae penderfyniad y Cadeirydd yn derfynol.
- Wrth gynnig p'un ai i dderbyn argymhelliad y swyddog neu i wneud diwygiad, bydd yr aelod sy'n gwneud y cynnig yn nodi'r cynnig yn glir.
- Pan gafodd y cynnig ei eilio, bydd y Cadeirydd yn dweud pa aelodau a gynigiodd ac a eiliodd y cynnig ac yn ailadrodd y cynnig a gynigwyd. Caiff enwau'r cynigydd a'r eilydd eu cofnodi.
- Bydd aelod yn peidio pleidleisio yng nghyswllt unrhyw gais cynllunio os na fu'n bresennol drwy gydol cyfarfod y Pwyllgor Cynllunio, y cyflwyniad llawn ac ystyriaeth y cais neilltuol hwnnw.
- Bydd unrhyw aelod sy'n ymatal rhag pleidleisio yn ystyried p'un ai i roi rheswm dros ei (h)ymatal.
- Bydd swyddog yn cyfrif y pleidleisiau ac yn cyhoeddi'r penderfyniad.

Cynnwys yr Arweithiau

Dylai sylwadau gan gynrychiolydd y cyngor tref/cymuned neu wrthwynebydd, cefnogwr neu ymgeisydd/asiant gael eu cyfyngu i faterion a godwyd yn eu sylwadau gwreiddiol a bod yn faterion cynllunio perthnasol. Mae hyn yn cynnwys:

- Polisiâu cynllunio cenedlaethol a lleol perthnasol
- Ymddangosiad a chymeriad y datblygiad, gweddllun a dwysedd

- Cynhyrchu traffig, diogelwch priffordd a pharcio/gwasanaethu;
- Cysgodi, edrych dros, ymyriad sŵn, aroglau neu golled arall amwynder.

Dylai siaradwyr osgoi cyfeirio at faterion y tu allan i gylch gorchwyl y Pwyllgor Cynllunio, megis:

- Anghydfod ffiniau, cyfamodau a hawliau eraill eiddo
- Sylwadau personol (e.e. cymhellion neu gamau gweithredu'r ymgeisydd hyd yma neu am aelodau neu swyddogion)
- Hawliau i olygfeydd neu ddibrisiant eiddo.

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Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
At the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote
attendance on Tuesday, 1st April, 2025 at 2.00 pm**

PRESENT: County Councillor Phil Murphy (Chair)
County Councillor Dale Rooke (Vice-Chair)

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn, Jan Butler,
John Crook, Tony Easson, Steven Garratt, Meirion Howells,
Su McConnel, Jayne McKenna, Maureen Powell, Ann Webb,
Laura Wright

County Councillor Peter Strong attended the meeting by invitation of
the Chair.

OFFICERS IN ATTENDANCE:

Amy Longford	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Joanne Chase	Solicitor and Head of Commercial Law
Richard Ray	Paralegal
Richard Williams	Democratic Services Officer

County Councillor Fay Bromfield left the meeting following determination of application
DM/2025/00043 and did not return.

County Councillor Ann Webb left the meeting following determination of application
DM/2024/01188 and did not return.

County Councillor Tony Easson left the meeting following determination of application
DM/2024/01188 and did not return.

APOLOGIES:

County Councillor Sue Riley

1. Declarations of Interest

None received.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 4th March 2025 were confirmed
as an accurate record.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
At the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote
attendance on Tuesday, 1st April, 2025 at 2.00 pm**

3. Application DM/2025/00043 - Rear single storey extension and conversion of semi-detached house to 3 No. one- bedroom flats. 9 St Mary's Crescent, Rogiet, Monmouthshire, NP26 3TB

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.

<https://www.youtube.com/live/J0v6TiKKxZE?si=HK-p3fOzfNOIJVDj&t=92>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Jan Butler that application DM/2025/00043 be approved subject to the conditions outlined in the report with an amendment to condition 5 to include the statement that the surface of the extended driveway area shall be made up of a permeable material.

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

For approval	-	10
Against approval	-	4
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2025/00043 be approved subject to the conditions outlined in the report with an amendment to condition 5 to include the statement that the surface of the extended driveway area shall be made up of a permeable material.

4. Application DM/2020/01345 - Proposed development of tourist accommodation in the form of three glamping pods, as well as associated access and ancillary works. Land at Wern y Cwrt, Croes Bychan Hall to Raglan, Wern y Cwrt, Bryngwyn, Monmouthshire

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

<https://www.youtube.com/live/J0v6TiKKxZE?si=h8kVwYSLYcWrfZwr&t=3692>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Maureen Powell that application DM/2020/01345 be approved subject to the conditions outlined in the report.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held At the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 1st April, 2025 at 2.00 pm

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

For approval	-	11
Against approval	-	3
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2020/01345 be approved subject to the conditions outlined in the report.

5. Application DM/2024/01188 - Mixed use development comprising shop extension to accommodate a new entrance and rear storeroom area; flatted development comprising 3 no. flats and associated development thereto following the demolition of dormer bungalow. 7-9 Main Road, Portskewett, NP26 5SG

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.

<https://www.youtube.com/live/J0v6TiKKxZE?si=vEESBaBVgXrx8si5&t=6060>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Ann Webb that application DM/2024/01188 be approved subject to the conditions outlined in the report, with an additional condition to require details of the surfacing of the car parking area at the front of the site to be submitted to and approved by the Local Planning Authority prior to the use commencing and carried out in accordance with the approved details; also, the three parking spaces shall be marked out and available for use prior to the use commencing.

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 that application DM/2024/01188 be approved subject to the conditions outlined in the report, with an additional condition to require details of the surfacing of the car parking area at the front of the site to be submitted to and approved by the Local Planning Authority prior to the use commencing and carried out in accordance with the approved details; also, the three parking spaces shall be marked out and available for use prior to the use commencing.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
At the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote
attendance on Tuesday, 1st April, 2025 at 2.00 pm**

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

<https://www.youtube.com/live/J0v6TiKKxZE?si=YQnQtE3xvyO3Eknz&t=7270>

6.1. Rear Barn, Manor Farm, St Bride's Road, St Brides Netherwent, NP26 3AT

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at Rear Barn, Manor Farm, St Bride's Road, St Brides Netherwent on 5th March 2025.

We noted that the appeal had been allowed, and planning permission had been granted for a modest two storey extension to create larger kitchen / dining on the ground floor with home office over at Rear Barn, Manor Farm, St Bride's Road, St Brides Netherwent, NP26 3AT, in accordance with the terms of the application, Ref DM/2024/00516, dated 20 April 2024, subject to the conditions set out in the schedule to the decision.

The meeting ended at 4.06 pm.

Application Number: DM/2024/01281

Proposal: Proposed 2no. detached dwellings with on-site parking

Address: Land to rear of Rosemary, Beaufort Road, Osbaston, Monmouth

Applicant: Dr R Handley

Plans: 1757[PL]01 B
1757[PL]102 A
1757[PL]103 A
Preliminary Ecological Appraisal 26 April 2024
BCP/RBR/001 C
OS Location Plan
1757[PL]104
GI Statement 1757
Hydrogeo Surface Water Drainage Statement HYG1336
Proposed North West Elevation (Beaufort Road)

RECOMMENDATION: Approve subject to a s106 agreement

Case Officer: David Wong
Date Valid: 14.10.2024

This application is presented to Planning Committee as there have been five or more objections

1.0 APPLICATION DETAILS

1.1 Site Description

1.1.1 The site falls continuously from the roadside (Beaufort Road) to its east, and is flanked on all sides by existing residential properties, with ground floor levels below those of Rosemary. Rosemary, the host property, was recently demolished as part of planning approval DM/2021/01336 that included its replacement. A 2020 permission (DM/2019/00898) also granted approval for a two-storey dwelling at the rear garden's southern end, sharing the existing vehicular access.

1.1.2 This application proposes two detached dwellings with on-site parking, replacing the previously approved schemes. While the number of residential units remains the same, this application features a revised design and separate access points for each dwelling.

1.1.3 The proposed dwelling on Plot 1, intended as a replacement, involves a reduced footprint compared to the approved scheme DM/2021/01336. The dwelling is set further back from the road, does not extend beyond the neighbouring property 'Downlea', and presents a shorter front elevation facing Beaufort Road. The ridge height of Plot 1 is 250mm lower than the approved dwelling.

1.1.4 Plot 2, corresponding to the 2020 permission (DM/2019/00898), presents a more contemporary architectural design than the previous approval. The overall height and finished floor level (ffl) of this proposal remain consistent with the previously approved version, at 7.7m and 49.00m AOD, respectively. The access arrangement for this plot differs from the approved plan; a new, separate access is proposed between Plot 1 and Downlea. The proposed dwelling on Plot 2 would be positioned at a greater distance from 11 Charles Close, while the separation from 12 Charles Close would be maintained at the previously approved distance.

1.1.5 The external finishing materials for both proposed dwellings will consist of a combination of render and horizontal cladding, and natural slate roofing. The windows are proposed to be either aluminum or uPVC double glazing, subject to product availability. Similarly, the doors will be either aluminum or composite.

2.0 RELEVANT PLANNING HISTORY

Reference Number	Description	Decision Date
DM/2019/00898	New detached two storey dwelling with integral garage and driveway access from highway with on-site parking and turning	Approved 11.09.2020
DM/2021/01336	Demolition of existing two storey dwelling. Construction of new dwelling & associated works.	Approved 12.01.2022
DM/2022/00953	Discharge of conditions 3 and 4 relating to application DM/2021/01336: Landscape proposals	Approved 21.09.2022

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 – Spatial Distribution of New Housing
S4 – Affordable Housing Provision
S13 – Landscape, Green Infrastructure & the Natural Environment
S16 – Transport
S17 – Place Making and Design

Development Management Policies

DES1 – General Design Considerations
EP1 – Amenity & Environmental Protection
EP3 - Lighting
GI1 – Green Infrastructure
H1 – Residential Development in Main Towns etc.
NE1 – Nature Conservation & Development
MV1 – Proposed Developments & Highway Considerations
LC5 – Protection & Enhancement of Landscape Character

Supplementary Planning Guidance

Affordable Housing Supplementary Planning Guidance July 2019

Infill Development (Policies H1, H2 and H3) November 2019

Monmouthshire Parking Standards (January 2013)

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

4.0 NATIONAL PLANNING POLICY Future

Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Monmouth Town Council - Recommendation: REFUSAL on the following grounds:

- i. The proposed was not in-keeping with the surrounding area;
- ii. the real potential for over-development on the site and sub-sequential loss of privacy for neighbouring properties;
- iii. lack of required parking capacity and subsequent safe vehicular access, and
- iv. the potentially negative ecological impact.

Councillors noted the report from NRW and agreed with their condition to conduct a Construction Environmental Management Plan (CEMP) and the recommendation to further consult an in-house ecologist on the appropriate surveys needed.

Councillors were minded that the majority of the public comments referenced that the proposed tandem houses would not be in-keeping with the area and that the neighbouring bungalows could potentially lose some privacy.

The Committee agreed with the public comments and raised concerns that the proposal was not in-keeping with the area and felt that should it be approved it would be an over-developed site.

Further concerns were raised regarding the potential increase in water run-off and foul drainage as well as the lack of required parking spaces and subsequent safe vehicular access.

MCC Landscape and GI - No objection. Further information submitted includes an acceptable GI statement (BCP ref 1757) and amended plan (ref 1757(PL)01B) detailing ecological enhancements. Additionally, drawing 1757(PL)104 showing low-level planting set back to ensure visibility from Plot 2's entrance onto the highway, while maintaining some planting within the streetscape, is acceptable from a Landscape and GI perspective.

MCC Environmental Health - There are no objections from Environmental Health; a pre-commencement Construction Environmental Management Plan (CEMP) is requested.

MCC Highways - No grounds to object to the application. The latest drawings have addressed the concerns by providing the correct level of parking (3 parking spaces) for Plot 1 in accordance with the Monmouthshire Parking Standards.

A visibility splay from the new access to Plot 2 is also provided which demonstrates that the visibility splay is in accordance with the minimum standards contained within Manual for Streets for a 20mph speed limit road. Considering that Beaufort Road is a single carriageway there is additional visibility available beyond the minimum of 22m to the centre line of the carriageway, where vehicles will typically be travelling due to the nature of the road. There are no highway grounds to sustain an objection to the application subject to the following conditions being applied to any grant of planning approval:

1. The development is constructed strictly in accordance with the approved drawings.
2. A Construction Traffic Management Plan is submitted for approval prior to commencement of the development.

Dwr Cymru - Welsh Water (DC-WW) - No objection. The development requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features.

The proposed development site is located in the catchment of a public sewerage system which drains to Monmouth (Wyesham) Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We would advise that this WwTW has a phosphorus consent limit of 2mg/l and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. Accordingly, we would advise there is currently suitable hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

Requested that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network to prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

The application site is located in a foul only drainage network where the discharging of surface

water into the public sewer would not be permitted. Therefore, a condition is requested to ensure no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Natural Resources Wales (NRW) - The application site is within the catchment of the River Wye Special Area of Conservation (SAC). In line with our Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. To overcome these concerns, further consideration is required regarding foul drainage. In addition, the site is bordered by a watercourse (unnamed) which flows into the River Monnow. Therefore, a pre-commencement Construction Environmental Management Plan is requested for the protection of the environment during construction.

MCC Ecology - Initial concerns addressed. Further to previous ecology comments, an email from Buckle Chamberlain dated 11 December 2024 and Green Infrastructure Statement have been submitted. Based on the submitted information, the impacts can be screened out. In addition, a lighting condition along with conditions that were highlighted on the previous response are requested. The measures to ensure net benefit for biodiversity are detailed on revised drawing and in the Green Infrastructure Statement are welcomed and implementation will need to be secured by condition if consent is granted. Make sure that there is no phosphate issue as per NRW's response.

MCC SAB Team - The watercourse at the bottom of the site is an appropriate surface water discharge location. The proposed development will require a Sustainable Drainage System (SuDS).

5.2 Neighbour Notification

Ten neighbour objections received. The planning-related objections are summarised below.

Principle

The proposed infill development is inappropriate.

There are no tandem properties in the area and by allowing this, it will set a precedent for the locality.

MCC is committed to achieve zero-carbon status while championing the well-being and dignity of all residents. Therefore, this proposal will surely be declined and plans for a single dwelling in keeping with the neighbourhood.

Design

This is a near-identical tandem-building application that attracted significant objection. The design of the properties are out of keeping with the surrounding area.

The external finishes for both properties are not in keep with the surrounding construction. The ridge line of plot 1 is too high and does not respect the streetscene and the adjoining bungalows.

Rosemary is an attractive single dwelling and its replacement/removal is unacceptable.

The proposal will reduce the amount of garden space for the property which is unacceptable.

The proposal will destroy the character of the village.

The proposal is considered to be an over-development of the site and will harm the well-being of neighbours.

Biodiversity/Ecology

The proposal will increase sewage and have an adverse impact towards the Wye catchment area. The treeline (bat flight path) and the brook (pathway to the Monnow and further to the river Wye SAC) will be directly affected by the proposed development.

A scheme of biodiversity net gain enhancement is required.

An additional tandem dwelling to the rear garden will adversely affect ground water drainage and ecology.

There has already been expressed concern by NRW over the drainage and water run-off issues by building on a saturated area.

Drainage

The kerb side drain on the highway is no longer fit for purpose.

A proper surface water scheme is required.

The position of the access manhole shown on the drawing is totally incorrect.
The proposal will put extra strain on the water and sewage system.

Highways

The construction movement associated with this development will further damage boundary walls and road surface.

More cars in the area would have an impact on the surrounding roads.

Neighbour Amenity

The proposal will have a negative impact on air and noise quality.

Loss of light and privacy to Llyswen and Charles Close properties

Planning permission is being sought on many occasions over many years and is affecting the health and wellbeing of the residents.

5.4 Local Member Representations

None received.

Please note all representations can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.1 EVALUATION

6.2 Principle of Development

6.2.1 The site is inside the Monmouth Development Boundary (LDP Policy H1). Monmouth is one of the Main Towns for the purposes of LDP Policy S1. Both LDP policies S1 and H1 presume in favour of new residential development subject to detailed planning considerations. The site is located within one of the County's most sustainable settlements, which aligns with Planning Policy Wales (PPW12) that supports new residential development in sustainable locations.

6.2.2 The Council's Infill Development Supplementary Planning Guidance (SPG) (in relation to Policies H1, H2, and H3), adopted in November 2019, provides further guidance on the considerations employed by the Council.

6.2.3 It is noted that planning permissions have already been granted for replacing the host property, Rosemary, under DM/2021/01336, and a 2020 permission (DM/2019/00898) for a two-storey dwelling at the rear garden of the site. The current application proposes a revised scheme in relation to the above planning permissions. Given that there is no increase in residential units and the principle of a residential plot towards the rear has been established, there are no objections to the principle of this proposal.

6.2 Good Design

6.2.1 The details of the previous permissions are material and must be taken into consideration as a fall-back position.

6.2.2 This part of Monmouth is characterised by a mix of properties with a variety of finishing materials and architectural styles, and Rosemary is located next to properties with various plot sizes. Thus, there is no single design pattern to which this new development should have regard.

6.2.3 Due to the topography of the land (the land slopes away to its east), when the previously approved replacement dwelling (DM/2021/01336) on Plot 1 is viewed from the highway, it has the appearance of a single storey property. The previously approved replacement dwelling is in fact a two-storey property. It is considered that the proposed dwelling on Plot 1 under this application would result in a reduced visual impact on the streetscene as it features a narrower front elevation than the previously approved replacement dwelling. Also, the overall height of this proposal is lower than the approved version.

6.2.4 In terms of the proposed dwelling on Plot 2, it has a more contemporary architectural design than the previous approval. The overall height and finished floor level (ffl) of this proposal remain consistent with the previously approved version, at 7.7m and 49.00, respectively.

6.2.5 There is no objection from the Council's Landscape and GI Officer. Further information has been submitted that includes a GI statement (BCP ref 1757) and amended plan (ref 1757(PL)01B) detailing ecological enhancements. Additionally, drawing 1757(PL)104 shows low-level planting set back to ensure visibility from Plot 2's entrance onto the highway, while maintaining some planting within the streetscape. This is considered acceptable from a Landscape and GI perspective.

6.2.6 The proposed dwellings under this scheme largely occupy the same footprints as the previously approved permissions. It is considered that the scale, mass, design and materials of the proposals are appropriate, simple and well-mannered and would complement the existing streetscene. Consequently, the proposal is considered to be in accordance with LDP Policy DES1.

6.3 Biodiversity/Phosphate

6.3.1 There was an initial holding objection from the Council's Ecologist relating to the lighting design of Plot 2 and a demonstrable lack of net benefit for biodiversity.

6.3.2 Following this, the agent provided additional information to address the ecological concerns. The submitted information, including the Green Infrastructure Statement, confirms that the closest area of the building will be 6.5m from the boundary fence and 13m from the ditch at the rear of the garden. A 1.8m high close-boarded fence will be installed 5m from the ditch which will provide some interception of light spill. It has been confirmed that there will be no external lighting to the rear of Plot 2. As such, it is considered that there is unlikely to be a credible risk of significant adverse impacts on the bat corridor as a result of the relatively sensitive scheme design. Therefore, impacts can be screened out. Prevention of installation of lighting to the rear of Plot 2 would need to be secured by condition.

6.3.3 The measures to ensure net benefit for biodiversity have now been detailed on a revised drawing and the submitted Green Infrastructure Statement and are welcomed. Their implementation would need to be secured by condition if consent is granted.

6.3.4 NRW confirmed that the application site is within the catchment of the River Wye Special Area of Conservation (SAC). In line with NRW's Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation, under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

6.3.5 There is no increase in the number of residential units created. The principle of a residential plot (Plot 2) and the replacement dwelling at Rosemary have already been established. Therefore, essentially, this is a revised scheme for the design of the already approved development. Under the Phosphate Guidance published by NRW, when development proposals involve connection to public wastewater treatment works (which this proposal does) planning authorities should consult with the sewerage undertaker to determine whether the environmental permit for the associated wastewater treatment works has been assessed against the revised nutrient targets set out in the conservation objectives for the river SAC.

6.3.6 Welsh Water, the sewerage undertaker, confirms that the proposed development site is located in the catchment of a public sewerage system which drains to Monmouth (Wyesham) Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). They advise that this WwTW has a phosphorus consent limit of 2mg/l and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance. Accordingly, they advise there is currently suitable hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from this proposed development.

6.3.7 The site is bordered by a watercourse (unnamed) which flows into the River Monnow. There is no pollution objection from NRW. However, a pre-commencement Construction Environmental Management Plan is proposed as a condition to protect the environment during construction.

6.3.8 Given the above, the proposal would comply with LDP Policy NE1.

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6.4 Impact on Amenity

6.4.1 The distance of the proposed dwellings under this scheme is set further away from the side

boundaries, running along the north-east and the south-west, allowing more separation space.

6.4.2 There will be upper window openings on the side elevations of these dwellings. However, none of these would be habitable room windows; they are to serve the staircase and the toilets.

6.4.3 The separation distance between the proposed dwelling on Plot 2 and no.12 Charles Close will be maintained at the previously approved distance.

6.4.4 It is considered that this scheme will not have any greater impact on the amenity of the neighbouring properties. Subject to a Construction Environmental Management Plan (CEMP), the Council's Environmental Health Department has raised no concerns. Therefore, subject to the securing of obscure glazing to the windows of the proposed toilets and submission of a CEMP, this application is deemed compliant with LDP Policies DES1 and EP1.

6.5 Highways

6.5.1 The Council's Highways Department had initial concerns regarding the proposed parking provision for Plot 1, and the visibility sprays for the new access to Plot 2. Subsequently, further information was submitted to address these concerns. The revised drawings have now shown the correct level of parking (3 spaces) for Plot 1 in accordance with the Monmouthshire Parking Standards. Also, it has now been demonstrated that the visibility splay for the proposed access would be in accordance with the minimum standards contained in Manual for Streets for a 20mph speed limit road. Considering that Beaufort Road is a single carriageway there is additional visibility available beyond the minimum of 22m to the centre line of the carriageway, where vehicles will typically be travelling due to the relatively narrow nature of the road.

6.5.2 Considering the foregoing, there are no highway grounds to sustain an objection to the application, subject to the condition that the development is constructed strictly in accordance with the approved drawings and that a Construction Traffic Management Plan is submitted for approval prior to the commencement of development. The Council's Highways Department raised no concerns regarding the road conditions due to any increase in traffic movements associated with one additional dwelling. Consequently, with the imposition of appropriate conditions, the application is considered to comply in compliance with LDP Policy MV1.

6.6 Surface Water Drainage/SuDS

6.6.1 A drainage strategy has been submitted for consideration and the Council's Lead Local Flood Authority and SuDS Approval Body offers no objection to the proposal as they confirmed that the watercourse at the bottom of the site is an appropriate surface water discharge location. An informative is requested to remind the developer that the proposed development will require a Sustainable Drainage System (SuDS) designed, constructed and maintained in accordance with the Statutory Standards for SuDS in Wales and approved by MCC as SuDS Approving Body (SAB). Therefore, there is no objection to this element of the proposal.

6.7 Affordable Housing

6.7.1 Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Single dwellings are required to make a financial contribution to this and the amount will depend on the size and location of the proposed dwelling. No affordable housing contribution is required for the replacement dwelling at Plot 1 while the financial contribution required for Plot 2 would be £9,630 that would be secured through a section 106 Legal Agreement.

6.8 Response to the Representations of Third Parties and Town Council

6.8.1 In respect of the neighbour objections:

Principle

The proposed infill development is inappropriate in this location.

The plot towards the rear is tandem development that is out of character.

MCC is committed to achieve zero-carbon status while championing the well-being and dignity of all residents. Therefore, this proposal will surely be declined and plans for a single dwelling in keeping with the neighbourhood.

LPA response: Please refer to section 6.1 of this report.

This is a near-identical tandem-building application that attracted significant objection. The design of the properties are out of keeping with the surrounding area. The external finishes for both properties are not in keep with the surrounding constructions. The ridge line of plot 1 is too high and does not respect the streetscene and the adjoining bungalows. Rosemary is an attractive single dwelling and its replacement/removal is unacceptable. The proposal will reduce the amount of garden space for the property which is unacceptable. The proposal will destroy the character of the village. The proposal is considered to be an over-development of the site and will harm the well-being of neighbours. LPA response: Please refer to section 6.2 of this report.

Biodiversity/Ecology

The proposal will increase sewerage flows and have an adverse impact towards the Wye catchment area. The treeline (fat flight path) and the brook (pathway to the Monnow and further to the river Wye SAC) will be directly affected by the proposed development. A scheme of biodiversity net gain enhancement is required. An additional tandem dwelling to the rear garden will adversely affect on ground water drainage and ecology. There has already been expressed concern by NRW over the drainage and water run-off issues by building on a saturated area. LPA response: Please refer to paragraph 6.3 of this report.

Drainage/ Highways

The kerb side drain on the highway is no longer fit for purpose. A proper surface water system is required. The position of the access manhole shown on the drawing is totally incorrect. More cars in the area would have an impact on the surrounding roads. The proposal will put extra strain on the water and sewage system. The construction movement associated with this development will further damage boundary walls and road surface. LPA response: Please refer to sections 6.5 and 6.6 of this report.

Neighbour Amenity

The proposal will have a negative impact on air and noise quality. Loss of light and privacy to Llyswen and Charles Close properties. Planning permission has been sought on many occasions over many years and is affecting the health and wellbeing of the local residents. LPA response: Please refer to paragraph 6.4 of this report.

6.9 Well-Being of Future Generations (Wales) Act 2015

6.9.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.10 Conclusion

6.10.1 The principle of development at this site has been established by previous planning permissions. The current proposal is acceptable having regards to planning policy and all other material considerations and would not cause harm to neighbouring dwellings as a result of traffic, loss of amenity, flooding or drainage or cause any loss to biodiversity, subject to conditions.

7.0 RECOMMENDATION: APPROVE subject to a s106 agreement

- The provision of an off-site financial contribution towards affordable housing in the locality totalling £9,630.

1 This development shall be begun within 5 years from the date of this

permission. REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, the CTMP shall take into account the specific environmental and physical constraints of the adjoining highway network. The CTMP shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, measures to protect adjoining users from construction works, provision for the unloading and loading of construction materials and waste within the curtilage of the site, the parking of all associated construction vehicles. The development shall be carried out in accordance with the approved CTMP.

REASON: To ensure the development is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

5 Construction Ecological Management Plan

No development shall take place (including ground works, vegetation clearance) until a Construction Ecological Management plan, which includes but is not limited to measures detailed in Section 10 of the Preliminary Ecological Appraisal report (Just Mammals Limited, April 2024), has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following as a minimum:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction
- d) The location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication.
- f) Use of protective fences, exclusion barriers and warning signs.
- g) General site management: details of the construction programme including method statements, surface water management and measures, site waste management and disposal, sustainable drainage (pre- and post-construction), maintenance and monitoring programmes.
- h) Pollution prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and an incident response plan.
- i) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the adjacent watercourse and associated habitat and wildlife in accordance with the Wildlife and Countryside Act 1981 (as amended) and LDP Policy NE1.

6 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the buildings or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and

specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the Local Planning Authority.

Reason: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

7 All works shall proceed in accordance with proposed measures to secure net benefit for biodiversity in accordance with Section 10 of the Preliminary Ecological Appraisal report (Just Mammals Limited, April 2024) and Drawing 1757[PL]01A. Evidence of implementation of measures to achieve net benefit for biodiversity must be provided to the LPA no more than three months later than the first beneficial use of the development.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1.

8 No development or phase of development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- o Construction methods: how waste generated will be managed - must comply with the Duty of Care regulations with regard to the use, storage, transport and disposal of waste material.
- o General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain. Measures proposed to prevent any contaminated material, suspended solids entering the watercourse.
- o Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- o Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- o Details of how surface water, including dewatering excavations, will be managed. Any discharge must comply with NRW Regulatory Position statement (attached) or a discharge permit will be required. If a permit is required, this must be in place before work commences.
- o Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

REASON: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

9 The windows on the first floor of any side elevation of the dwellings hereby approved, shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

10 Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

11 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. Planting of Trees shall

be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES1, S13, and GI1 and NE1.

12 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

INFORMATIVES

1 Dwr Cymru – Welsh Water

Advice

SURFACE WATER

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

SEWERAGE

The proposed development site is located in the catchment of a public sewerage system which drains to Monmouth (Wyesham) Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We would advise that this WwTW has a phosphorus consent limit of 2mg/l and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. Accordingly, we would advise there is currently suitable hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

ASSET PROTECTION

After reviewing the submitted information we advise that the proposed development site is crossed by a 150mm public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the submitted drawing titled 'Site Plan as Proposed' it appears that no operational development will occur within the required 3m protection zone either side of the centreline.

In light of the above, if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

Condition

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is a mandatory requirement to first enter into a Section 104 Adoption

Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership

by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption.

We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It would therefore be recommended that the developer engage in consultation with Monmouthshire County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

2 MCC Highways - NOTES TO APPLICANT

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

3 NRW Advice:

Pollution prevention guidance is available on the NetRegs website. In particular, we refer the applicant/developer to Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

4 MCC Landscape/GI Informative: **Page 18**

NESTING BIRDS - Please note that all birds are protected by the Wildlife and Countryside Act

1981 (as amended).

The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September. BS 5837:2012 Trees in relation to design, demolition and construction to provide further guidance on tree protection Policy NE1 - Nature Conservation and Development seeks to ensure the protection and enhancement of wildlife and landscape resources by appropriate building design, site layouts, landscaping techniques and choice of plant species.

Planning Policy Wales - Net Benefit for Biodiversity

Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity". This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

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Appeal Decisions

by Richard E. Jenkins BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date of decisions: 2025/04/24

APPEAL A

Appeal reference: CAS-03489-N9P2F0

Site address: 1 Monnow Keep, Monmouth, Monmouthshire, NP25 3EX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act.
 - The appeal is made by Alex Dawson against an enforcement notice issued by Monmouthshire County Council.
 - The enforcement notice, numbered E23/143, was issued on 16 May 2024.
 - The breach of planning control as alleged in the notice is: 1) Engineering works to raise the ground so that it is level with the domestic garden of No.1 Monnow Keep, with associated retaining wall and timber fence above; and 2) Change of use of riverbank to residential use of the land shown edged blue within Appendix B in association with the dwelling known as 1 Monnow Keep.
 - The requirements of the notice are to 1) Remove the retaining wall (as shown edged in purple Appendices B and C) and return the ground to its original condition and levels prior to the breach of planning control occurring. For the avoidance of doubt the original levels are shown in Appendix C; 2) Remove the timber fencing (as shown in green in Appendix B) in its entirety; 3) All resulting materials from the completion of points 1 and 2 above shall be removed from the site in their entirety; and 4) Cease the residential use of the land as shown edged blue in Appendix A.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (e) and (f) of the Town and Country Planning Act 1990, as amended.
 - A site visit was made on 11 March 2025.
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APPEAL B

Appeal reference: CAS-03492-Q9Y8Q4

Site address: 1 Monnow Keep, Monmouth, NP25 3EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

- The appeal is made by Mr Alex Dawson against the decision of Monmouthshire County Council.
 - The application Ref: DM/2024/00285, dated 7 March 2024, was refused by notice dated 22 April 2024.
 - The development proposed is change of use of land into garden and first floor rear extension.
 - A site visit was made on 11 March 2025.
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Decisions

Appeal A - Ref: CAS-03489-N9P2F0

1. The appeal is dismissed and the Enforcement Notice upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act, as amended.

Appeal B – Ref: CAS-03492-Q9Y8Q4

2. The appeal is dismissed.

Procedural Matters

3. As set out above, there are two appeals at the site. Whilst I shall consider each appeal on its own individual merits, to avoid any duplication, I shall deal with the two cases together in this document, albeit with separate formal decisions. For the avoidance of any doubt, Appeal A relates to an Enforcement Notice which attacks both matters of operational development and a material change of use, as set out in the decision letter template above. Appeal B relates to an appeal lodged under Section 78 of the above Act, against the Council's refusal to grant planning permission.
4. The Welsh Government published a new Technical Advice Note (TAN) 15: *Development, Flooding and Coastal Erosion* (2025) during the processing of the appeals. That document confirms that it should be read in conjunction with Planning Policy Wales (PPW) and the Welsh National Marine Plan and that it replaces TAN14: *Coastal Planning* (1998) and the previous TAN15: *Development and Flood Risk* (2004). However, the Ministerial Written Statement dated 31 March 2025, which accompanied the publication of the new TAN, confirms that there will be a transitional period for its implementation. Specifically, planning applications that were submitted and registered before the publication of the new TAN, such as those subject of these appeals, shall continue to be assessed against the previous version. I shall consider the appeals accordingly.

Application for Costs

5. Applications for costs have been submitted by the appellant against Monmouthshire County Council. These applications are the subject of separate Decisions.

Reasons

The Appeal under Ground (e) of Appeal A

6. An appeal under ground (e) is that the Enforcement Notice was not served on everyone with an interest in the land. It is well-established in law that, in such cases, it is necessary

to consider whether any issue arising from the service of the Notice resulted in substantial prejudice.

7. In this case, the appellant notes that the Council originally served a Notice with conflicting dates. Specifically, the originally served Notice incorporated an issue date of 16 May 2023 and an 'appeal by' date of 22 February 2024. The appellant also contends that two copies of the Notice should have been served on him and only one was served. The Council acknowledges the errors referred to by the appellant and notes that the Notice was served afresh. It has also demonstrated that there is no legislative requirement for two copies of the Notice to be served. Within this context, and in light of the fact that the appellant was clearly aware of the Notice being served, and managed to lodge a valid appeal, I am not aware of any substantial prejudice arising from the concerns raised. As such, and bearing in mind the principles established through caselaw, I find that substantial prejudice has not been demonstrated and that the appeal under ground (e) must therefore fail.

Appeal B and the Appeal under Ground (a) of Appeal A

8. The proposal subject of Appeal B sought retrospective planning permission for the change of use of land located to the rear of No.1 Monnow Keep to form part of the rear garden area of that property. It also sought planning permission for a proposed first floor extension to the existing garage located to the side of the main dwelling. Planning permission was refused for both elements of the scheme on 22 April 2024.
9. Enforcement action was subsequently pursued against the change of use of the land located to the rear of No.1 and the wider works associated with that act of development. Specifically, an Enforcement Notice was issued on 16 May 2024 attacking: 1) the engineering works associated with the raising of the ground level, the retaining wall and the boundary fence; and 2) the material change of use of the riverbank to residential use.
10. Given that the works to the rear garden area are entirely severable from the proposed first floor extension to the existing garage, and hence raise separate planning issues, I shall consider each matter in turn.

Works to the rear of No.1 Monnow Keep

11. Having regard to the reasons for issuing the Enforcement Notice subject of Appeal A, and the evidence associated with Appeal B, the main issue in respect of the works to extend the garden area to the rear of the appeal property is whether the development is acceptable having regard to issues of flood risk.
12. The works to the rear of No.1 Monnow Keep include the change of use of the land to form part of the garden area of that property, the raising of the ground level, and the construction of a retaining wall with timber fence above. These works replaced a point of access to the river which runs to the rear of the property. Indeed, the Council object to the works on the basis that the development unacceptably interferes with the ability of Natural Resources Wales (NRW) and other bodies to carry out flood control works or maintenance. In setting out such concerns, both the Council and NRW have noted that the land forms part of a strategic flood alleviation scheme on the River Monnow which provides protection to properties at Monnow Keep and the wider area.
13. NRW and the Council indicate that the land and associated access gate has been used to operate, maintain and repair the flood alleviation scheme for a number of years. This alleged interference is said to compromise NRW's ability to exercise its legal powers of flood risk management and may compromise its ability to effectively manage flood risk in the area. Whilst not forming part of the reason for refusal subject of Appeal B, or the

reasons for issuing the Enforcement Notice subject of Appeal A, the evidence also notes that the land in question forms part of Zone C1 of the 'Development Advice Maps' referenced in TAN15 (2004). It is similarly identified as Flood Zone 2 and 3 Rivers in the more up to date 'Flood Maps for Planning' referenced in the more recent TAN15 (2025).

14. The appellant contends that the works have been undertaken on private land. Specifically, it is submitted that the access gate and fence that have been removed to accommodate the works are privately owned and that NRW and other statutory bodies have no access rights over the land. The appellant also notes that the removal of the access gate does not prevent statutory bodies from accessing the land, with other access points available within a short distance from the appeal site.
15. The dispute over land ownership and rights of access are not matters for me to adjudicate on within the context of either the appeal lodged under Section 78 or that lodged under Section 174 of the above Act. Indeed, it would be beyond my jurisdiction to make comment on such matters within this context and a determination in respect of such arguments would need to be pursued through separate legislative processes. Similarly, the matter of whether or not a Flood Risk Activity Permit should have been obtained is also not a matter that weighs heavily in respect of the appeals given that it is a requirement of separate legislation.
16. However, whilst the change of use only relates to 'garden land', it nonetheless comprises a residential use which is highly vulnerable for the purposes of national policy and, as set out above, the development would be located in an area subject of flood risk. Both PPW and TAN15 (2004) are clear that development proposals should be directed away from Zone C wherever possible. Section 6.2 of TAN15 (2004) goes on to state that development should only be permitted within Zones C1 and C2 if determined to be justified in that location. Specifically, such development would only be justified if it can be demonstrated that:
 - i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
 - ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;AND,
 - iii. It concurs with the aims of PPW and meets the definition of previously developed land; and,
 - iv. The potential consequences of a flooding event for the particular type of development have been considered and found to be acceptable.
17. The works in question clearly fail to satisfy the alternative requirements of criteria i) and ii). The development subject of the appeals has also not been subject of a Flood Consequences Assessment (FCA) to determine whether or not the potential consequences of a flooding event would be acceptable. It is clearly relevant to note that Section 11.19 of TAN15 (2004) provides some flexibility for householder applications. However, this would only assist where the development would not be likely to have a direct and adverse effect on a watercourse or its flood defences, would impede access to flood defence and management facilities or where the cumulative impact of such developments could have a significant effect on flood storage capacity or flood flows.
18. Within this context, and even if access to the flood defence and management facilities can be achieved via the alternative routes referenced by the appellant, there are obvious

concerns relating to flood storage capacity and flood flows that have not been properly tested through an FCA. Indeed, the raising of ground levels and the use of retaining walls alongside a riverbank clearly has potential to displace water during a flooding event and thus increase the risk of flooding off-site. On this basis, and in the absence of sufficient evidence to fully assess the consequences of a flooding event, I do not consider that the flexibility provided by Section 11.19 of TAN15 assists the appellant's case. For the avoidance of any doubt, the outcome would not be materially different under the more up to date TAN15 (2025).

19. Such harm and associated policy conflict is not in my view justified by the potential for the antisocial behaviour referenced in the appellant's evidence. The appellant contends that the refusal of planning permission, and indeed the requirements of the Enforcement Notice, interfere with the occupants' rights under Article 1 of the Human Rights Act. However, I am satisfied that the refusal of planning permission would be justified and in pursuit of a legitimate planning aim, namely in the interest of exacerbating flood risks. Indeed, I am satisfied that the decision to refuse planning permission is both reasonable and proportionate and that it is, therefore, justified in light of the available evidence.
20. Therefore, based on the foregoing analysis, I find that it has not been satisfactorily demonstrated that the development would be acceptable in terms of flood risk. The development would therefore conflict with the thrust of Policy SD3 of the adopted Monmouthshire Local Development Plan (LDP). It would also conflict with the clear aims of national planning policy.

Proposed First Floor Extension

21. Having regard to the evidence submitted in respect of Appeal B, the main issue in respect of the proposed first floor extension is whether the development would preserve or enhance the character or appearance of the Monmouth Conservation Area.
22. In this respect, the extension to the existing garage would, by virtue of its scale, siting, form and overall design, represent an insensitive and visually incongruous addition that would injuriously alter the character and appearance of the host property and the area more generally. Such harm would be accentuated in this instance given the prominent location of the garage at the end of the terrace, adjacent to the neighbouring car park and clearly visible in the wider streetscene. Such public harm would not, in my view, be outweighed by the personal benefits that the development would bring to the occupants of the appeal property.
23. On this basis I find that the proposed development would cause material harm to the character and visual amenities of the area and thus fail to preserve or enhance the character or appearance of the Monmouth Conservation Area. The development would therefore run counter to the thrust of Policies DES1(c), HE1(a and b) and HE2 (c) of the adopted Monmouthshire LDP, as well as the placemaking principles that underpin national planning policy.

Conclusion on ground (a) of Appeal A, and Appeal B

24. Based on the foregoing, and having considered all matters raised, I find that the appeal under ground (a) of Appeal A should fail and that planning permission should be refused on the application deemed to have been made under Section 177(5) of the 1990 Act, as amended. Appeal B should also be dismissed.
25. In coming to these conclusions, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future

Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that the decisions are in accordance with the sustainable development principle through their contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

The Appeal under Ground (f) of Appeal A

26. An appeal under ground (f) is that the steps required to comply with the requirements of the Notice are excessive, and that lesser steps would overcome the objections. In this case, the requirements of the Notice are to: remove the retaining wall and return the ground to its original condition and levels prior to the breach of planning control occurring; remove the timber fencing in its entirety; remove all materials resulting from the previous steps; and to cease the residential use of the land.
27. Much of the appellant's arguments relate to the fact that the land is privately owned and that reinstating an access gate would cause a significant risk of antisocial behaviour. It is also submitted that such an act would represent an intrusion of the Article 1 rights under the Human Rights Act. However, I am not convinced that the requirements of the Notice require public access to be reinstated. Indeed, rights of access could be demonstrated or restricted through separate legislative processes and such matters are beyond my jurisdiction in determining these appeals. I have also found under the assessment of planning merits above that the refusal of planning permission is both reasonable and proportionate, and in pursuit of a legitimate planning aim. For this reason, I do not consider the human rights arguments to warrant lesser steps under the ground (f) appeal.
28. On this basis, and bearing in mind the lack of any appropriate lesser steps being advanced by the appellant, I find that the steps required to comply with the requirements of the Notice are not excessive and that the appeal under ground (f) must therefore fail.

Overall Conclusions

29. Based on the foregoing, and having considered all matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Richard E. Jenkins

INSPECTOR



Costs Decision

by Richard E. Jenkins BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24/04/2025

Cost application in relation to Appeal A - Ref: CAS-03489-N9P2F0

Site address: 1 Monnow Keep, Monmouth, Monmouthshire, NP25 3EX

- The application is made under the Town and Country Planning Act 1990, Sections 174, 322C and Schedule 6.
 - The application is made by Alex Dawson for a full award of costs against Monmouthshire County Council.
 - The appeal was against an Enforcement Notice alleging: 1) Engineering works to raise the ground so that it is level with the domestic garden of No.1 Monnow Keep, with associated retaining wall and timber fence above; and 2) Change of use of riverbank to residential use of the land shown edged blue within Appendix B in association with the dwelling known as 1 Monnow Keep.
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Cost application in relation to Appeal B - Ref: CAS-03492-Q9Y8Q4

Site address: 1 Monnow Keep, Monmouth, Monmouthshire, NP25 3EX

- The application is made under the Town and Country Planning Act 1990, Sections 78, 322C and Schedule 6.
 - The application is made by Alex Dawson for a full award of costs against Monmouthshire County Council.
 - The appeal was against the refusal of planning permission for the change of use of land into garden and first floor rear extension.
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Decisions

Appeal A - Ref: CAS-03489-N9P2F0

1. The application for an award of costs is refused.

Appeal B - Ref: CAS-03492-Q9Y8Q4

2. The application for an award of costs is refused.

Procedural Matters

3. As set out above, the applications for an award of costs relate to Appeal A (Ref: CAS-03489-N9P2F0) and Appeal B (Ref: CAS-03492-Q9Y8Q4). Given that the

arguments in favour of an award of costs overlap the two cases, I shall deal with both applications together in this single document.

Reasons

4. The Section 12 Annex '*Award of Costs*' of the Development Management Manual advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process
5. I am not persuaded that the delays, allegedly caused by Monmouthshire County Council failing to reply to correspondence, constitute unreasonable behaviour for the purposes of the Development Management Manual. Indeed, the works were undertaken at the appellant's discretion and, notwithstanding this, there is evidence that the Council did engage with the appellant during both the planning application and enforcement proceedings. The planning application also appears to have been determined promptly.
6. An incorrect date was used on the initial Enforcement Notice. However, this did not cause any significant injustice to the appellant and was subsequently corrected. I also have no specific concerns about the chronology of the enforcement proceedings, not least because they followed the refusal of planning permission for the matters that constitute the alleged breach of planning control.
7. On this basis, and in the absence of any evidence to the contrary, I find that the appellant has failed to demonstrate that unreasonable behaviour, that led to unnecessary or wasted expense through the appeals, has occurred. The applications for an award of costs must therefore be refused.

Richard E. Jenkins

INSPECTOR