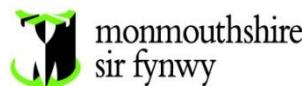


# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Monday, 26 January 2026

## Notice of meeting:

## Planning Committee

**Tuesday, 3rd February, 2026 at 2.00 pm,  
The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA**

## AGENDA

Item No	Item	Pages
1.	<b>Apologies for Absence.</b>	
2.	<b>Declarations of Interest.</b>	
3.	<b>To confirm for accuracy the minutes of the previous meeting.</b>	1 - 4
4.	<b>To consider the following Planning Application reports from the Chief Officer, Place (copies attached):</b>	
4.1.	<b>Application DM/2025/00707 - Outline planning for one dwelling. 1 Woodland View, Rogiet, Monmouthshire, NP26 3SY.</b>	5 - 12
4.2.	<b>Application DM/2025/00783 - Change of use of specific internal areas of the existing hotel (Use Class C1) to a House in Multiple Occupation (HMO) (Sui Generis) comprising 9 bedrooms for occupation by up to 15 persons, including minor internal alterations. No alterations or works are proposed to the exterior of the building. Greenman Backpackers, 13 Beaufort Square, Chepstow, NP16 5EP.</b>	13 - 22
5.	<b>FOR INFORMATION - The Planning Inspectorate - Appeals Decisions Received:</b>	
5.1.	<b>1 Bersondy, Llanarth NP15 2AY.</b>	23 - 26
5.2.	<b>Forge Cottage, The Hendre, Monmouthshire, NP25 5HG.</b>	27 - 30
5.3.	<b>Little Bank, 8 Porthycarne Street, Usk, NP15 1RY.</b>	31 - 36
5.4.	<b>Little Bank, 8 Porthycarne Street, Usk, NP15 1RY (costs decisions).</b>	37 - 40

**Paul Matthews  
Chief Executive**

## MONMOUTHSHIRE COUNTY COUNCIL

### THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillor Jill Bond	West End;	Welsh Labour/Llafur Cymru
County Councillor Fay Bromfield	Llangybi Fawr;	Welsh Conservative Party
County Councillor Rachel Buckler	Devauden;	Welsh Conservative Party
County Councillor Emma Bryn	Wyesham;	Independent Group
County Councillor Jan Butler	Goetre Fawr;	Welsh Conservative Party
County Councillor John Crook	Magor East with Undy;	Welsh Labour/Llafur Cymru
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Steven Garratt	Overmonnow;	Welsh Labour/Llafur Cymru
County Councillor Meirion Howells	Llanbadoc & Usk;	Independent
County Councillor Su McConnel	Croesonen;	Welsh Labour/Llafur Cymru
County Councillor Jayne McKenna	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor Phil Murphy	Caerwent;	Welsh Conservative Party
County Councillor Maureen Powell	Pen Y Fal;	Welsh Conservative Party
County Councillor Sue Riley	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru
County Councillor Dale Rooke	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Ann Webb	St Arvans;	Welsh Conservative Party

:

### Public Information

Please note that Monmouthshire County Council will film this meeting and it will be made available to view in live and archive form online. It is possible that the public seating areas could be filmed and by entering the Chamber you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting purposes. If you make a representation to the meeting you will be deemed to have consented to being filmed.

Recordings of the meeting will be stored in accordance with the Council's data retention policy. Archived webcasts or parts of webcasts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.

**Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda**

#### Access to paper copies of agendas and reports

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

#### Watch this meeting online

This meeting may be viewed online by visiting the link below.

<https://democracy.monmouthshire.gov.uk/ieListMeetings.aspx?CommitteeId=141>

This will take you to the page relating to all Planning Committee meetings. Please click on the relevant Planning Committee meeting. You will then find the link to view the meeting on this page. Please click the link to view the meeting.

**Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

## **Objectives we are working towards**

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness:** We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

## **Purpose**

The purpose of the attached reports and associated officer presentation to the Committee is to allow the Planning Committee to make a decision on each application in the attached schedule, having weighed up the various material planning considerations.

The Planning Committee has delegated powers to make decisions on planning applications. The reports contained in this schedule assess the proposed development against relevant planning policy and other material planning considerations, and take into consideration all consultation responses received. Each report concludes with an officer recommendation to the Planning Committee on whether or not officers consider planning permission should be granted (with suggested planning conditions where appropriate), or refused (with suggested reasons for refusal).

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the Monmouthshire Local Development Plan 2011-2021 (adopted February 2014), unless material planning considerations indicate otherwise.

Section 2(2) of the Planning (Wales) Act 2015 states that the planning function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015, for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

The decisions made are expected to benefit the County and our communities by allowing good quality development in the right locations, and resisting development that is inappropriate, poor quality or in the wrong location. There is a direct link to the Council's objective of building sustainable, resilient communities.

## **Decision-making**

Applications can be granted subject to planning conditions. Conditions must meet all of the following criteria:

- Necessary to make the proposed development acceptable;
- Relevant to planning legislation (i.e. a planning consideration);
- Relevant to the proposed development in question;
- Precise;
- Enforceable; and
- Reasonable in all other respects.

Applications can be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). This secures planning obligations to offset the impacts of the proposed development. However, in order for these planning obligations to be lawful, they must meet all of the following criteria:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The applicant has a statutory right of appeal against the refusal of permission in most cases, or against the imposition of planning conditions, or against the failure of the Council to determine an application within the statutory time period. There is no third party right of appeal against a decision.

The Planning Committee may make decisions that are contrary to the officer recommendation. However, reasons must be provided for such decisions, and the decision must be based on the Local Development Plan (LDP) and/or material planning considerations. Should such a decision be challenged at appeal, Committee Members will be required to defend their decision throughout the appeal process.

## Planning policy context

**Future Wales – the national plan 2040** 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.

**Monmouthshire's Local Development Plan (LDP)** sets out the Council's vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over a 10 year period to 2021. The plan area excludes that part of the County contained within the Brecon Beacons National Park. It has a fundamental role in delivering sustainable development. In seeking to achieve this it sets out a framework for the development and use of land and for the protection of the environment. It also guides and facilitates investment decisions as well as the delivery of services and infrastructure. It determines the level of provision and location of new housing, employment and other uses and sets the framework for considering all land use proposals during the plan period.

The LDP contains over-arching policies on development and design. Rather than repeat these for each application, the full text is set out below for Members' assistance.

### Policy EP1 - Amenity and Environmental Protection

Development, including proposals for new buildings, extensions to existing buildings and advertisements, should have regard to the privacy, amenity and health of occupiers of neighbouring properties. Development proposals that would cause or result in an unacceptable risk /harm to local amenity, health, the character /quality of the countryside or interests of nature conservation, landscape or built heritage importance due to the following will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk:

- Air pollution;
- Light or noise pollution;
- Water pollution;
- Contamination;
- Land instability;
- Or any identified risk to public health or safety.

### Policy DES1 – General Design Considerations

All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

- a) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape;

- f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;
- g) Incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) Foster inclusive design;
- l) Ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

Other key relevant LDP policies will be referred to in the officer report.

#### Supplementary Planning Guidance (SPG):

The following Supplementary Planning Guidance may also be of relevance to decision-making as a material planning consideration:

- Green Infrastructure (adopted April 2015)
- Conversion of Agricultural Buildings Design Guide (adopted April 2015)
- LDP Policy H4(g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use- Assessment of Re-use for Business Purposes (adopted April 2015)
- LDP Policies H5 & H6 Replacement Dwellings and Extension of Rural Dwellings in the Open Countryside (adopted April 2015)
- Abergavenny Conservation Area Appraisal (adopted March 2016)
- Caerwent Conservation Area Appraisal (adopted March 2016)
- Chepstow Conservation Area Appraisal (adopted March 2016)
- Grosmont Conservation Area Appraisal (adopted March 2016)
- Llanarth Conservation Area Appraisal (adopted March 2016)
- Llandenny Conservation Area Appraisal (adopted March 2016)
- Llandogo Conservation Area Appraisal (adopted March 2016)
- Llanover Conservation Area Appraisal (adopted March 2016)
- Llantilio Crossenny Conservation Area Appraisal (adopted March 2016)
- Magor Conservation Area Appraisal (adopted March 2016)
- Mathern Conservation Area Appraisal (adopted March 2016)
- Monmouth Conservation Area Appraisal (adopted March 2016)
- Raglan Conservation Area Appraisal (adopted March 2016)
- Shirenewton Conservation Area Appraisal (adopted March 2016)
- St Arvans Conservation Area Appraisal (adopted March 2016)
- Tintern Conservation Area Appraisal (adopted March 2016)
- Trellech Conservation Area Appraisal (adopted April 2012)
- Usk Conservation Area Appraisal (adopted March 2016)
- Whitebrook Conservation Area Appraisal (adopted March 2016)
- Domestic Garages (adopted January 2013)
- Monmouthshire Parking Standards (adopted January 2013)
- Approach to Planning Obligations (March 2013)
- Affordable Housing (revised version) (adopted July 2019)

- Renewable Energy and Energy Efficiency (adopted March 2016)
- Planning Advice Note on Wind Turbine Development Landscape and Visual Impact Assessment Requirements (adopted March 2016)
- Primary Shopping Frontages (adopted April 2016)
- Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance November 2017
- Sustainable Tourism Accommodation Supplementary Guidance November 2017
- Affordable Housing Supplementary Guidance July 2019
- Infill Development Supplementary Guidance November 2019

### National Planning Policy

The following national planning policy may also be of relevance to decision-making as a material planning consideration:

- Future Wales: the national plan 2040
- Planning Policy Wales (PPW) edition12
- PPW Technical Advice Notes (TAN):
  - TAN 1: Joint Housing Land Availability Studies (2015)
  - TAN 2: Planning and Affordable Housing (2006)
  - TAN 3: Simplified Planning Zones (1996)
  - TAN 4: Retail and commercial development (November 2016)
  - TAN 5: Nature Conservation and Planning (2009)
  - TAN 6: Planning for Sustainable Rural Communities (2010)
  - TAN 7: Outdoor Advertisement Control (1996)
  - TAN 8: Renewable Energy (2005)
  - TAN 9: Enforcement of Planning Control (1997)
  - TAN 10: Tree Preservation Orders (1997)
  - TAN 11: Noise (1997)
  - TAN 12: Design (2016)
  - TAN 13: Tourism (1997)
  - TAN14: coastal planning (2021)
  - TAN 15: Development, flooding and coastal erosion (March 2025)
  - TAN 16: Sport, Recreation and Open Space (2009)
  - TAN 18: Transport (2007)
  - TAN 20: The Welsh Language (2017)
  - TAN 21: Waste (2014)
  - TAN 23: Economic Development (2014)
  - TAN 24: The Historic Environment (2017)
  - Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
  - Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
  - Welsh Government Circular 016/2014 on planning conditions

### **Other matters**

The following other legislation may be of relevance to decision-making.

### Planning (Wales) Act 2015

As of January 2016, Sections 11 and 31 of the Planning Act come into effect meaning the Welsh language is a material planning consideration.

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material

considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

The adopted Monmouthshire Local Development Plan (LDP) 2014 was subject to a sustainability appraisal, taking account of the full range of social, environmental and economic considerations, including the Welsh language. Monmouthshire has a relatively low proportion of population that speak, read or write Welsh compared with other local authorities in Wales and it was not considered necessary for the LDP to contain a specific policy to address the Welsh language. The conclusion of the assessment of the likely effects of the plan on the use of the Welsh language in the community was minimal.

#### Environmental Impact Assessment Regulations 2016

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 are relevant to the recommendations made. The officer report will highlight when an Environmental Statement has been submitted with an application.

#### Conservation of Habitat & Species Regulations 2017

Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Examples of EPS are all bat species, dormice and great crested newts. When considering planning applications Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests are set out below.

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned by a favourable conservation status in their natural range.

#### Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act sets out a number of well-being goals:

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;

- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

- **Long term:** balancing short term need with long term and planning for the future;
- **Collaboration:** working together with other partners to deliver objectives;
- **Involvement:** involving those with an interest and seeking their views;
- **Prevention:** putting resources into preventing problems occurring or getting worse;
- **Integration:** positively impacting on people, economy and environment and trying to benefit all three.

The work undertaken by Local Planning Authority directly relates to promoting and ensuring sustainable development and seeks to strike a balance between the three areas: environment, economy and society.

#### Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and fear of crime can be a material planning consideration. This topic will be highlighted in the officer report where it forms a significant consideration for a proposal.

#### Equality Act 2010

The Equality Act 2010 contains a public sector equality duty to integrate consideration of equality and good relations into the regular business of public authorities. The Act identifies a number of 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Compliance is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. Due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

#### Children and Families (Wales) Measure

Consultation on planning applications is open to all of our citizens regardless of their age: no targeted consultation takes place specifically aimed at children and young people. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

#### Climate Emergency

In May 2019 Monmouthshire County Council declared a Climate Emergency with unanimous support from Councillors. The Cabinet Member for Infrastructure and Neighbourhood Services has been appointed as the member responsible for climate change and decarbonisation.

Tackling climate change is very important, because if the planet's temperature rises by 2°C there are risks of drought, flood and poverty, impacting on hundreds of millions of people. In Monmouthshire impacts that could happen include more extreme weather events (such as storms), water shortages, droughts, species loss and risk of flooding. Planning has a key role in addressing climate change through the promotion of sustainable development.

The Council has formulated a draft action plan which will be subject to Member approval and will form the Council's response to tackling this issue. Council decisions will need to take into account the agreed action plan.

## Protocol on Public Speaking at Planning Committee

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below. **The conventional protocol has been modified to allow public speaking via pre-recorded videos or to attend the meeting in person and address the Planning Committee.**

### Who Can Speak

#### Community and Town Councils

Community and town councils can address Planning Committee via a pre-recorded video or in person at the meeting.. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

(i) To observe the National Code of Local Government Conduct. (ii)

Not to introduce information that is not:

- consistent with the written representations of their council, or
- part of an application, or
- contained in the planning report or file.

When a town or community councillor has registered to speak in opposition to an application, the applicant or agent will be allowed the right of reply.

#### Members of the Public

Speaking will be limited to one member of the public opposing a development and one member of the public supporting a development. Where there is more than one person in opposition or support, the individuals or groups should work together to establish a spokesperson. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers). Members of the public may appoint representatives to speak on their behalf.

Where no agreement is reached, the right to speak shall fall to the first person/organisation to register their request. When an objector has registered to speak the applicant or agent will be allowed the right of reply.

Speaking will be limited to applications where, by the deadline, letters of objection/support or signatures on a petition have been submitted to the Council from 5 or more separate households/organisations (in this context organisations would not include community or town councils or statutory consultees which have their own method of ensuring an appropriate application is considered at Committee) The deadline referred to above is 5pm on the day six clear working days prior to the Committee meeting. This will normally be 5pm on the Friday six clear working days before the Tuesday Planning Committee meeting. However, the deadline may be earlier, for example if there is a Bank Holiday Monday.

The number of objectors and/or supporters will be clearly stated in the officer's report for the application contained in the published agenda.

The Chair may exercise discretion to allow speaking by members of the public where an application may significantly affect a sparse rural area but less than 5 letters of objection/support have been received.

## Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community/town council, have registered to address committee in opposition to an application. This will also be via a pre-recorded video or in person at the Planning Committee meeting.

### When is speaking permitted?

Public speaking will normally only be permitted on one occasion where applications are considered by Planning Committee. When applications are deferred and particularly when represented following a committee resolution to determine an application contrary to officer advice, public speaking will not normally be permitted. Regard will however be had to special circumstances on applications that may justify an exception. The final decision lies with the Chair.

### Registering Requests to Speak

Speakers must register their request to speak as soon as possible, between 12 noon on the Tuesday and 12 noon on the Friday before the Committee. To register a request to speak, objectors/supporters must first have made written representations on the application.

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request by calling 01633 644219 or by email to [registertospeak@monmouthshire.gov.uk](mailto:registertospeak@monmouthshire.gov.uk). Please leave a daytime telephone number. Any requests to speak that are emailed through will be acknowledged prior to the deadline for registering to speak. If you do not receive an acknowledgement before the deadline please contact Democratic Services on 01633 644219 to check that your registration has been received.

Parties are welcome to address the Planning Committee in English or Welsh, however if speakers wish to use the Welsh language they are requested to make this clear when registering to speak, and are asked to give at least 5 working days' notice to allow the Council the time to procure a simultaneous translator.

Applicants/agents and objectors/supporters are advised to stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check when the application is to be considered by Planning Committee by contacting the Planning Office, which will be able to provide details of the likely date on which the application will be heard. The procedure for registering the request to speak is set out above.

The Council will maintain a list of persons wishing to speak at Planning Committee.

Once the request to speak has been registered by the Council the speaker must submit their pre-recorded video by midday on Monday before the Committee meeting. The video content must comply with the terms below and be no more than 4 minutes in duration. If the third party does not wish to record a video they will need to submit a script to the Council by the deadline above, that will be read out by an officer to the Committee Members at the meeting. The script shall contain no more than 500 words and shall also comply with the terms below. Speakers will also have the option to attend the meeting in person and address Planning Committee.

### Content of the Speeches

Comments by the representative of the town/community council or objector, supporter or applicant/agent should be limited to matters raised in their original representations and be relevant planning issues. These include:

- Relevant national and local planning policies
- Appearance and character of the development, layout and density
- Traffic generation, highway safety and parking/servicing;
- overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as;

- Boundary disputes, covenants and other property rights
- Personal remarks (e.g. Applicant's motives or actions to date or about members or officers)
- Rights to views or devaluation of property.

## Procedure at the Planning Committee Meeting

The procedure for dealing with public speaking is set out below:

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- If applicable, the video recording of the representative of the community or town council will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the community or town council has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the community or town council representatives may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the objector's video recording will then be played to the Members (this shall be no more than 4 minutes in duration) Alternatively, if a third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the objector may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the supporter's video recording will then be played to Members (this shall be no more than 4 minutes in duration) Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the supporter may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the applicant's (or appointed agent's) video recording will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- Where more than one person or organisation speaks against an application, the applicant or appointed agent, shall, at the discretion of the Chair, be entitled to submit a video of their response of up to 5 minutes in duration. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting up to 5 minutes in duration.
  - Time limits will normally be strictly adhered to, however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
  - Speakers may speak only once.
  - Committee Members may then raise technical questions with officers.
  -
- Planning Committee members will then debate the application, commencing with the

local member if a Member of Planning Committee. Officers will not take any further questions unless it is to advise Members about a procedural or legal issue, or where they consider Members are deviating from material planning considerations.

- Where an objector or supporter or applicant/agent community or town council has spoken on an application no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the Committee unless there has been a material change in the application.
- The Chair's decision regarding a procedural matter is final.
- When proposing a motion either to accept the officer recommendation or to make an amendment the Member proposing the motion shall state the motion clearly.
- When the motion has been seconded the Chair shall identify the Members who proposed and seconded the motion and repeat the motion proposed (including any additional conditions or other matters raised). The names of the proposer and seconder shall be recorded.
- Members shall decline to vote in relation to any planning application unless they have been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Any Member who abstains from voting shall consider whether to give a reason for their abstention.
- The Legal Officer shall count the votes and announce the decision.
- 
- When the motion has been seconded, the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.



# 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 on Tuesday, 2nd  
December, 2025 at 2.00 pm**

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

County Councillors: Rachel Buckler, Emma Bryn, Jan Butler, John Crook, Tony Easson, Steven Garratt, Meirion Howells, Su McConnel, Jayne McKenna, Maureen Powell

County Councillor Tony Kear attended the meeting by invitation of the Chair

### **OFFICERS IN ATTENDANCE:**

Philip Thomas	Development Services Manager
Andrew Jones	Head of Planning
Paige Moseley	Solicitor
Richard Ray	Paralegal
Wendy Barnard	Democratic Services Officer

County Councillor Steven Garratt joined the meeting late during consideration of application DM/2021/01781. He therefore took no part in the discussion or voting thereon in respect of this application.

### **APOLOGIES:**

County Councillors: Jill Bond, Fay Bromfield, Sue Riley and Ann Webb

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

County Councillor Meirion Howells declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2021/01781 as he is friends with the applicants. He therefore left the meeting taking no part in the discussion or voting thereon.

#### **2. Confirmation of Minutes**

The minutes of the Planning Committee meeting dated 4<sup>th</sup> November 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 on Tuesday, 2nd  
December, 2025 at 2.00 pm

3. Application DM/2021/01781 - Proposed new build 3-bedroom detached dwelling with off street parking. Robyrna, Berthon Road, Little Mill, Monmouthshire

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report (including the revised condition 12) and subject to a Section 106 Agreement.

<https://www.youtube.com/live/5rjh766FNig?si=YgtWqGGW7Sa1OHI2&t=159>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Dale Rooke and seconded by County Councillor John Crook that application DM/2021/01781 be approved subject to the conditions outlined in the report (including the revised condition 12) and subject to a Section 106 Agreement.

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

For approval	-	10
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2021/01781 be approved subject to the conditions outlined in the report (including the revised condition 12) and subject to a Section 106 Agreement.

4. Application DM/2025/01047 - Seeking permission for a change of use from use class C3 residential use to use class C4 to use as a house in multiple occupation. No development is proposed, only refurbishment within the existing property. 9 Park Crescent, Abergavenny, Monmouthshire NP7 5TH

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/5rjh766FNig?si=zl0UtZp0r2gce7V6&t=1913>

In noting the detail of the application and the views expressed, it was proposed by County Councillor John Crook and seconded by County Councillor Maureen Powell that application DM/2025/01047 be approved subject to the conditions outlined in the report.

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

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

## **MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of Planning Committee held  
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 2nd  
December, 2025 at 2.00 pm**

We resolved that application DM/2025/01047 be approved subject to the conditions outlined in the report.

### **5. FOR INFORMATION: Appeals received April to September 2025**

We noted the planning appeals received by the Planning Department for the period April to September 2025.

**The meeting ended at 3.00 pm.**

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# Agenda Item 4a

**Application Number:** DM/2025/00707

**Proposal:** Outline planning for one dwelling

**Address:** 1 Woodland View, Rogiet, Monmouthshire, NP26 3SY

**Applicant:** Mary Ann Willshire

**Plans:** Site Plan MH-10488 - , All Existing Plans MH-10487 - , All Proposed Plans MH-10489 - Rev B, Green Infrastructure Appraisal/Statement

## **RECOMMENDATION: Approved subject to S106 agreement**

Case Officer: Kate Young

Date Valid: 03.06.2025

**This application is presented to Planning Committee due to the number of unresolved objections received from local residents and the Community Council**

## **1.0 APPLICATION DETAILS**

### **1.1 Site Description**

The plot which measures approximately 17 metres by 7.4 metres is located within the Rogiet Development Boundary. It was previously the residential curtilage attached to a semi-detached property, no 1 Woodland View. The wider area is designated as an Archaeologically Sensitive Area. The plot is relatively flat and currently surrounded by close boarded timber fencing. It fronts onto Grenville Terrace and is surrounded by residential properties.

### **1.2 Proposal Description**

This is an outline application, with all matters reserved, for a single detached dwelling. The maximum scale parameters for the dwelling are 8.4 metres in length, 5.6 metres in width and 7.3 metres in height. Vehicular access would be from Grenville Terrace. Two off-road parking spaces would be provided for the new dwelling. As part of the application two new off-road parking spaces would also be provided for the host dwelling. New timber fencing would be provided for the site boundaries.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2025/00707	Outline planning for one dwelling.	Pending Determination	
DC/1979/00999	Lounge Extension APP_TYP 01 = Full DEV_TYP 05 = Alteration MAP_REF = 328741213142	Approved	14.11.1979

## **Strategic Policies**

- S1 LDP The Spatial Distribution of New Housing Provision
- S4 LDP Affordable Housing Provision
- S12 LDP Efficient Resource Use and Flood Risk
- S13 LDP Landscape, Green Infrastructure and the Natural Environment
- S16 LDP Transport
- S17 LDP Place Making and Design

## **Development Management Policies**

- H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
- SD4 LDP Sustainable Drainage
- GI1 LDP Green Infrastructure
- NE1 LDP Nature Conservation and Development
- EP1 LDP Amenity and Environmental Protection
- EP5 LDP Foul Sewage Disposal
- MV1 LDP Proposed Developments and Highway Considerations
- DES1 LDP General Design Considerations

## **Supplementary Planning Guidance**

Affordable Housing SPG July 2019:

<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:

<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

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

#### **Rogiet Community Council** – Object.

The proposed dwelling appears to be too large for the size of the existing plot.

The street in question is narrow, with limited access and a blind corner, which could pose a significant risk during and after construction.

The proposed plans would result in the permanent loss of some of the current on-street parking, which is currently used by the general public.

The pavement is only present on one side of the street, increasing the risk to pedestrians, particularly during the construction phase.

#### **Highway Authority** - No objection.

#### **Lead Local Flood Authority and SuDS Approval Body** - no objection; SAB approval will not be required.

#### **Heneb (GGAT)** - No objection.

The information in the Historic Environment Record (HER) curated by this Trust shows that the application is located in the Monmouthshire Archaeologically Sensitive Area (ASA), with significant archaeological features, including human remains, located around Ifton Manor, to the east of the development area at Chestnut Drive and Yew Tree Rise.

However, there is no suggestion that such material extends into the current development area.

Furthermore, a review of historic Ordnance Survey mapping indicates no archaeologically significant structures.

Overall, it is unlikely that significant archaeological deposits will be encountered during the course of the proposal.

#### **Welsh Water** - No objection.

There is currently suitable hydraulic capacity in the public sewerage system and downstream Wastewater Treatment Works (Nash) to accommodate foul water flows and foul flows only from the development subject of this application.

### 5.2 Neighbour Notification

Letters of objection received from seven addresses.

Increase in traffic and off-road parking

Difficult to access the site due to the narrow roads

Narrow pavement on one side of the road only

Footpath obstructed during construction

Insufficient parking in the area

Emergency vehicles, refuse collectors and postal staff all unable to pass

The plot is too small

Loss of privacy

The fence causes an obstruction, unable to see round the corner

Impact on the street scene

Noise and disturbance during the construction phase.

### 5.3 Other Representations

None Received

### 5.4 Local Member Representations

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

## 6.0 EVALUATION

### 6.1 Principle of Development

PPW 12 states that proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes. The site is located within the Rogiet Development Boundary within which there is a presumption in favour of new residential development subject to detailed planning considerations. Policies S1 and H1 allow for new residential development to be built inside the development boundaries of Severnside Settlements of which Rogiet is one. Therefore, the principle of new residential development in this location is acceptable subject to detailed planning considerations.

This application needs to be considered against the Infill Development Supplementary Planning Guidance which was adopted in November 2019.

### 6.2 Infill Development

#### Character

The Infill Development Supplementary Planning Guidance (SPG) states that the proposed dwelling must respect the scale, form and massing of existing development in the area. The residential dwellings in this area of Rogiet are predominantly 1950s two-storey houses. To the south of the site is a row of terraced properties and to the east the dwellings are detached but the majority of properties in this area are semi-detached. Whilst a lot of the streets in Rogiet are very uniform, in terms of house style this area of Grenville Terrace is more mixed, with a terrace of houses and some detached bungalows. It is considered that a two-storey detached dwelling in this location is acceptable and it would not have an adverse impact on the street scene. The footprint of the new dwelling would be slightly smaller than that of the surrounding properties but the ridge height would be similar to those of the neighbouring properties. The proposed dwelling will reflect the character of the area and continue the established building line.

#### Distance between buildings

The SPG says that all proposals need to provide sufficient gaps between buildings to minimise any overbearing and overshadowing impact on the residential amenity of neighbouring properties. Part 7.1 looks at Privacy and Amenity. The key considerations relating to privacy and amenity for small-scale infill residential development are:

- a. whether the plot would have adequate privacy to habitable rooms and private garden space
- b. whether a new house(s) on the plot would affect the privacy of neighbours
- c. whether a new house(s) on the plot would affect the host dwelling

In this case the plot is of sufficient size to accommodate a new dwelling with sufficient parking provision and private amenity space. The rear garden of the new property would have a private amenity area measuring approximately 4 metres by 7 metres, there would also be sufficient private amenity space for the host dwelling. The new dwelling would have adequate privacy to its habitable rooms which would predominantly face south towards the road and north to the private rear garden. The dwelling immediately to the west of the plot, has a blank gable wall facing towards the plot. There would be approximately 15 metres between the front elevation of the new dwelling and the front elevations of the terraced properties on the opposite side of the road. The rear elevation of the new dwelling would be over 4 metres from the rear boundary which overlooks the rear gardens of no 2 Woodland View. There is an existing outbuilding on this common

boundary. The host dwelling does face the plot but is at such an angle that the new dwelling will not cause a significant loss of light or privacy. There will be a 1.8m high timber fence between the two dwellings. A condition can be imposed that there would be no habitable room windows on the side elevations of the new dwelling. The proposal would accord with the privacy distances outlined in the SPG on Infill Development.

### **6.3 Sustainability**

The Local Development Plan and PPW encourage sustainable development and promote making the most efficient use of brownfield land, this proposal is on a brownfield site. This is a sustainable location for a new residential unit as it is located within an existing residential area. There are some facilities in Rogiet such as a primary school and a convenience store. There is also a regular bus service through Rogiet that runs between Newport and Chepstow. The proposal accords with a key objective of PPW12 providing new residential accommodation in a sustainable location.

### **6.4 Good Design and Place Making**

Policy DES1 of the LDP requires development to respect the character and appearance of an area. The adopted SPG on Infill Development says that the design of the infill proposal should reflect the prevailing character of the adjacent properties in terms of scale, mass and rhythm of the street scene. This is an outline application with the layout and appearance of the property being reserved, however the indicative site plan does indicate that the proposed dwelling would follow the established building line and the size of the dwelling would respect the character of the area and the rhythm of the street scene.

### **6.5 Impact on Amenity**

As explained above the proposed new dwelling would comply with the privacy distance outlined in the adopted SPG. Existing residential properties will not be adversely affected by the proposal in terms of loss of privacy or any overbearing impact.

### **6.6 Ecology**

#### **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" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The proposal includes one bird nest box situated 2.5m - 4m high on the gable wall of the house and pollinator plants such as oregano, aster, Bee balm and Lantana in the rear garden. A Green Infrastructure Statement has been submitted with the application. The Statement is proportionate to the scale of the development. The proposal therefore accords with Policy NE1 of the LDP and the requirements of PPW12 in this regard.

### **6.7 Highways**

#### **6.7.1 Sustainable Transport Hierarchy**

PPW12 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the site is in an existing residential area within walking and cycling distance to all the facilities in Caldicot as well as some local facilities including a primary school and shop within the village of Rogiet itself.

#### **6.7.2 Access / Highway Safety and Parking**

The application has been amended in response to the Highway Authority's concerns. Namely, the proposed property has been reduced to a two-bedroom dwelling, and the existing property has been provided with an off-street parking facility. This change reduces the number of vehicles parking on-street, with benefits to highway manoeuvring and parking stress. The Highway Authority raises no objection to the outline application, but would expect to see greater detail regarding the construction of the parking facility within the reserved matters. The applicant is advised to begin a Section 184 agreement (a dropped kerb application) for the existing property as soon as possible. The new dwelling will also require such an agreement prior to the start of works.

The proposal meets the objectives of Policy MV1 of the LDP and the adopted parking standards. The Highway Authority offers no objection.

## **6.8 Affordable Housing**

LDP Policy S4 requires affordable housing contributions to be made in relation to developments which result in the net gain in residential dwellings. Where the net gain in dwellings is below the threshold for affordable units to be provided on site, which is 5 or more units in Severnside, then a financial contribution is appropriate. The financial contribution is based on floor area and the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July 2019).

In this case as an outline application the internal floor area is not yet known so the formula in the SPG will be used in the Section 106 Legal Agreement.

Formula: Financial Contribution = Internal Floor Area (m<sup>2</sup>) x CS Rate x 58%.

In Rogiet the CS rate is £80.

## **6.9 Flooding**

Flood risk maps provided by Natural Resources Wales do not indicate the site to be at particular risk of flooding, however the outline for Flood Zone 2 (Sea) covers the dwelling known as 1 Woodland View which

is the neighbouring plot and may be within the ownership boundary of the developer. The Lead Local Flood Authority has no objection to the proposal on flood grounds.

## **6.10 Drainage**

### 6.10.1 Foul Drainage

The foul water will connect to a mains sewer. This complies with the advice from NRW that in a sewered area the preference is to connect into a mains sewer. Welsh Water have offered no objection.

### 6.10.2 Surface Water Drainage

This application is for outline planning for a single dwelling. From the submitted information, the total construction area appears to be below 100m<sup>2</sup> and therefore the currently proposed development will not require approval under the SAB regime.

## **6.11 Planning Obligations**

If the application is to be approved, then a financial contribution for affordable housing in the local area will be required.

## **6.12 Response to the Representations of Third Parties**

Rogiet Community Council have expressed concerns regarding the increase in traffic and on-street parking. The increase in traffic resulting in one additional dwelling would be minimal; Grenville Terrace and Woodland View is a no-through road that serves less than 40 residential

properties. It is narrow and this serves to reduce traffic speeds. The Highway Authority has not objected to the proposal and the local road network has capacity to accommodate the very modest increase in vehicle movements resulting from one additional dwelling. The proposal involves providing two new car parking spaces for the host dwelling as well as two spaces for the new dwelling, and therefore the proposal will improve the parking situation in the area. The Community Council also have concerns over highway safety during the construction phase especially with regards to construction traffic blocking the pavement. The construction phase will only be for a temporary period, and a construction management plan will be required by condition that will outline parking arrangements for construction traffic and the delivery of materials. Finally, the Community Council is concerned that the proposal is too large for the plot. This is an outline application, so the dimensions are not known at this stage. The indicative site plan shows the maximum scale parameters, that show the new dwelling can be the same height as adjoining properties and that there is adequate space on the plot for the dwelling, amenity space and the required parking provision. Although on the small size the plot is of sufficient size to accommodate the dwelling. The size of the proposed new dwelling will be similar to the other residential properties in this part of Rogiet.

Local residents are also concerned about the increase in traffic and on-street parking. There is only a narrow pavement on one side of Grenville Terrace, in this area so it is most important that the pavement not be blocked during the construction phase. Local residents are concerned that emergency vehicles and service traffic cannot use the road at the moment. This is the current situation because the houses were built before the growth in car ownership. One additional dwelling is not going to exacerbate the situation and may even improve it as the host dwelling will be provided with off-street parking. There will be noise and disturbance during the construction phase, but this will only be for a temporary period and hours of construction will be controlled through the construction management plan. The privacy distances have been discussed in the main body of the report and it is concluded that there will be no significant loss of privacy or residential amenity as a result of this proposal.

There is an unauthorised fence that has been erected along the front boundary of the host dwelling. The applicant has indicated that they will reduce the height of this fence imminently.

## **6.16 Well-Being of Future Generations (Wales) Act 2015**

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.

## **6.17 Conclusion**

The site is located within the Rogiet Development Boundary. Policies S1 and H1 of the Local Development Plan presume in favour of new residential development within development boundaries. The proposal accords with a key objective of PPW12 providing residential accommodation in a sustainable location. The proposed dwelling will respect the scale, form and massing of existing development in the area. The proposed dwelling does comply with the guidance set out in the adopted SPG on Infill Development and will not result in a significant loss of outlook or privacy to the occupiers of the existing neighbouring properties in accordance with the objectives of policies DES1 and EP1 of the LDP. The Highway Authority has no objection to the proposal which accords with the adopted parking standards and also provides two off-road parking spaces for the host dwelling. The increase in traffic resulting from one additional dwelling will not be significant and the proposal accords with Policy MV1 of the LDP. The proposal accords with Policy S4 of the LDP by providing a financial contribution for affordable housing in the area. The scheme will provide adequate biodiversity enhancements in accordance with Policy NE1 of the LDP. Welsh Water have agreed that the foul water from the development can connect into the main sewer and that there is sufficient capacity.

In conclusion, the application is considered to be policy compliant in all respects and is presented to Committee Members with a recommendation for approval.

## **7.0 RECOMMENDATION: Approve**

Subject to a 106 Legal Agreement requiring the following:

### **S106 Heads of Terms**

A financial contribution based on floor area and the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July2019). In this case as an outline application the internal floor area is not known so the formula in the SPG will be used in the Section 106 Legal Agreement.

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution, then delegated powers be granted to officers to refuse the application.

#### **Conditions:**

1 Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: The application is in outline only.

2 Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990.

3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990.

4 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the amenity of local residents during the construction phase in accordance with policy EP1 of the LDP.

5 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.

6 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.

7 There shall be no habitable room windows on the east or west elevations of the new dwelling.

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

# Agenda Item 4b

**Application Number:** DM/2025/00783

**Proposal:** Change of use of specific internal areas of the existing hotel (Use Class C1) to a House in Multiple Occupation (HMO) (Sui Generis) comprising 9 bedrooms for occupation by up to 15 persons, including minor internal alterations. No alterations or works are proposed to the exterior of the building.

**Address:** Greenman Backpackers, 13 Beaufort Square, Chepstow, NP16 5EP

**Applicant:** Diego Spahiu

**Plans:** Location Plan, 1863-01, 1863-02, 1863-03A, Cycle Shelter Assembly Instructions, GIS by AFGUK Architects

## RECOMMENDATION: Approve

Case Officer: David Wong

Date Valid: 17.06.2025

**This application is presented to Planning Committee due to an objection being received from Chepstow Town Council**

## 1.0 APPLICATION DETAILS

### 1.1 Site Description

This application relates to a premises in the Central Shopping Area (LDP Policy RET2) of Chepstow. Raglan Lodge (aka Greenman Backpackers) is a Grade II\* listed building and is within the Chepstow Conservation Area (LDP Policy HE1). In 2011, planning permission was granted for a change of use of a social club/retail into a 'Backpacker Hotel'.

The application site is located in the town centre of Chepstow, which is within the development boundary (LDP Policy H1 applies) and within the Central Shopping Area as identified by the Proposals Map of the LDP. The site is within a Cadw Historic Landscape, adjacent to a number of listed buildings and within an Area of Archeological Sensitivity (ASA).

### 1.2 Ecological Value Added

A Green Infrastructure Statement has been submitted. Two bird boxes are proposed on external boundary features, which is proportional to the scale of the proposals. A condition is recommended to secure the measures for net benefit.

### 1.3 Proposal Description

This application is seeking full planning permission for a change of use from a hotel / guest house use (Use Class C1) to a House in Multiple Occupation (HMO), comprising 9 bedrooms for occupation by up to 15 persons, including minor internal alterations. No alterations or works are proposed to the exterior of the building. At the rear of the property is a two-storey annexe. It is proposed that this annexe will be reinstated to its former use as a self-contained dwelling, which is subject to a separate planning application. An on-site provision of three parking spaces, along with dedicated refuse and cycle storage, will be provided at the rear of the site.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2025/00783	Change of use of specific internal areas of the existing hotel (Use Class C1) to a House in Multiple Occupation (HMO) (Sui Generis) comprising 9 bedrooms for occupation by up to 15 persons, including minor internal alterations. No alterations or works are proposed to the exterior of the building.	Pending Determination	
DM/2025/00784	Change of use of specific internal areas of the existing hotel (Use Class C1) to a House in Multiple Occupation (HMO) (Sui Generis) comprising 9 bedrooms for occupation by up to 15 persons, including minor internal alterations. No alterations or works are proposed to the exterior of the building (Listed Building Consent).	Pending Consideration	
DC/2016/00916	Change of use of the lower ground floor to A3. Retention of gates facing Beaufort Square.	Approved	26.10.2016
DC/1975/00626	INTERN.ILLUM.PROJECT.BOX Sign APP_TYP 01 = Full MAP_REF = 353000193000	Refused	12.11.1975
DC/1985/00841	Demolition Of Wall At Rear.	Approved	03.04.1986

### 3.0 LOCAL DEVELOPMENT PLAN POLICIES

#### Strategic Policies

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

#### Development Management Policies

DES1 LDP General Design Considerations  
 EP1 LDP Amenity and Environmental Protection  
 H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
 H9 LDP Flat Conversions  
 HE1 LDP Development in Conservation Areas  
 MV1 LDP Proposed Developments and Highway Considerations  
 NE1 LDP Nature Conservation and Development  
 RET2 LDP Central Shopping Areas

## 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

**Chepstow Town Council** - Recommends refusal for the following reason(s):

1. That the proposal is not in keeping with the historical nature of the town.
2. That the proposal is an overdevelopment of the site for this type of accommodation and would prefer to see tourist accommodation.

**MCC Highways** - No response to date.

**Natural Resources Wales** - No objection to the proposed development as submitted. Please consult your in-house ecologist regarding the need for any further ecological information in support of this application.

**MCC Heritage Management** - No objection to the proposed change of use of the building and the concurrent Listed Building Consent is acceptable.

**MCC Biodiversity & Ecology** - No objection subject to condition(s). The exterior of the building will remain as existing and interior works will not impact on any loft spaces or dark, undisturbed voids. An ecological survey is therefore not required as there is negligible risk to protected species. In terms of biodiversity net gain measures, two bird boxes are proposed on external boundary features, which is proportional to the scale of the proposals.

**MCC Environmental Health** - No response to date.

### 5.2 Neighbour Notification

One comment neither objecting nor supporting the application: We do not want Chepstow to be overrun with HMO accommodation in the centre. I would be interested to know what percentage of accommodation units are for HMOs and what percentage is desirable for a thriving tourist town. I

would urge a delay in determining this and any other planning applications until this strategy has been properly assessed.

### 5.3 Other Representations

None.

### 5.4 Local Member Representations

None.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 There is no specific policy within the adopted Monmouthshire Local Development Plan (LDP) that focuses on Houses in Multiple Occupation (HMOs). However, an HMO is a type of housing and is classified under the Use Class Order as Use Class C4.

6.1.2 LDP Policy S1 set out the strategic aim for the authority in relation to housing delivery and states; "The main focus for new housing development is within or adjoining the Main Towns of Abergavenny, Chepstow and Monmouth". Additionally, LDP Policy H1 relates to residential development within the Main Towns and states; "Development boundaries have been drawn for the Main Towns, Severnside Settlements and Rural Secondary Settlements identified in Policy S1, within which new build residential development / redevelopment or conversion to residential, or subdivision of large dwellings or reuse of accommodation such as upper vacant floors in town centres will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses".

6.1.3 LDP Policy H9 relates specifically to flat conversions and lists a number of criteria for proposals to be considered against which are assessed below. In conclusion, there is no objection in principle to the proposed HMO units within the settlement boundary for Chepstow.

### **6.2 Protection of the Central Shopping Area**

6.2.1 The site is within the Central Shopping Area (LDP Policy RET2 refers). The purpose of the retail policies are to protect and enhance the vitality, attractiveness and viability of the County's main town centres by allowing use classes A1, A2 and A3 and other uses appropriate to town centres - these policies are primarily aimed at the ground floor of the premises.

6.2.2 Proposals will be supported provided that they will:

- a) will safeguard the vitality, attractiveness and viability of the defined CSAs will be permitted;
- b) a change of use from Classes A1, A2 or A3 on the ground floor with street frontage to uses other than Classes A1, A2 or A3 will not be permitted, unless it can be demonstrated that criterion (a) can be met by attracting footfall;
- c) change of use to residential of ground floor premises will not be permitted unless evidence is provided to demonstrate that the premises is not viable for retail or commercial use, including that the premises has been vacant for at least one year and that genuine attempts at marketing the existing use have been unsuccessful.

6.2.3 Given that the premises already fall outside the recommended use classes (A1, A2, and A3), a relaxation of the policy is considered justified and appropriate in this case.

6.2.4 The proposed HMO (House in Multiple Occupation) will provide shared accommodation that meets the growing local demand for flexible and affordable housing. It could accommodate a diverse range of occupants, including young professionals, key workers, and others who may not have access to traditional housing options.

6.2.5 The application explains that the hotel has experienced a significant and sustained decline in demand for its backpacker-style accommodation since the onset of the COVID-19 pandemic. This downturn ultimately led to its permanent closure two years ago due to lack of demand and

financial unsustainability. Reconfiguring this part of the building into an HMO would make effective use of underutilised space while contributing to the sustainability and vitality of the local housing market.

6.2.6 The result of this application would bring a vacant and deteriorating part of the building back into active and beneficial use, supporting the long-term conservation and sustainable use of this heritage asset, in accordance with both national and local planning and heritage policies.

### **6.3 Historic Environment/Design**

6.3.1 The premises in question is a Grade II\* listed building, located within the Chepstow Conservation Area and in close proximity to numerous other listed buildings. This application relates solely to the proposed change of use to create nine HMO units; no external design changes are included. As the premises is a Grade II\* listed building, the planning application is accompanied by an application for Listed Building Consent. No alterations to the external fabric are proposed, ensuring that the character and appearance of this part of the Chepstow Conservation Area will remain unaffected. The Council's Heritage Management team has confirmed that there is no objection to the proposed change of use or the internal alterations. Accordingly, the proposal complies with LDP Policy HE1.

6.3.2 Heneb (formerly the Glamorgan Gwent Archaeological Trust) noted that there are no alterations or works proposed to the exterior of the building. It is also noted that the proposed works are for minor internal alterations and to areas that have previously been modified using modern materials. Consequently, due to its limited scale and that there will be no extensive groundworks or disturbance, it is considered unlikely that significant archaeological remains and earlier features will be encountered. Therefore, no further information was required in relation to this element.

### **6.4 Impact on Amenity**

6.4.1 The proposed change of use from hotel accommodation to an HMO within the town centre is not expected to have any unacceptable impact on the living conditions of neighbouring residents. While the proposed HMO use (Use Class C4) falls under a different use class than the existing hotel / backpackers use (Use Class C1), both share a similar residential character. Importantly, no additional windows are proposed, ensuring that the privacy of adjacent residential properties is maintained. Therefore, no issues of overlooking or loss of privacy are anticipated. The proposal is considered to comply with LDP Policy EP1.

### **6.5 Parking / Highway**

6.5.1 There are currently two double beds accommodating four persons, with a combination of bunk beds and single beds in the remaining rooms accommodating a further 31 persons. The existing backpackers' hotel therefore comprises a mix of double, single, and bunk beds, providing accommodation for a total of 35 persons. The proposed change of use would create nine bedrooms accommodating up to 15 persons, which is significantly fewer than the current capacity. In addition, three on-site parking spaces are proposed to serve the new units.

6.5.2 The site is located within Chepstow town centre and does include three designated on-site parking spaces at the rear of the site. While Highways have not provided a response to this application, it is considered that given the site's central location, future occupiers will benefit from excellent access to local amenities and sustainable transport options. Public transport provision in the town centre is considered good, with frequent bus services and there is convenient access to Chepstow train station. Consequently, there are no significant concerns regarding the sustainability of the site. In terms of visitor or private vehicle parking, the property is situated adjacent to one of the largest public car parks in Chepstow, which can accommodate any anticipated parking requirements. The proposal is considered to be in accordance with LDP Policy MV1 and this approach is consistent with the placemaking principles set out in Planning Policy Wales (Edition 12).

6.5.3 To promote sustainable travel, secure and covered cycle parking for 15 bicycles will be provided within the rear garden area. The site also benefits from additional outdoor amenity space at the rear, which would accommodate discrete waste and recycling storage, ensuring these facilities are contained within the site and do not detract from the wider character of the area.

## **6.6 Biodiversity Net gain**

6.6.1 There is no objection from NRW. The Council's Biodiversity & Ecology team advised that because the exterior of the building will remain as existing and interior works will not impact on any loft spaces or dark, undisturbed voids, an ecological survey would not be required, there being negligible risk to protected species.

6.6.2 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Policies NE1 and GI1 seek to ensure that green infrastructure (GI) is protected, enhanced and the effects of climate change mitigated, such requirements accord with policy and guidance within Future Wales 2040 and Planning Policy Wales. A GI Statement has been submitted, identifying two bird boxes to be proposed on external boundary features, which is proportionate to the scale of the proposals. A condition is recommended to secure the measures for net benefit. Bird boxes will need to be sited at least 2m above ground level and out of the reach of predators such as cats (e.g. away from ledges). Therefore, the proposal is in accordance with LDP Policy NE1.

## **6.7 Foul Drainage**

6.7.1 Welsh Water noted that the application relies on existing sewer connections and no new connections are to be made with the public sewerage system. Nonetheless, for the avoidance of doubt, if the Local Planning Authority is minded to grant planning consent, no surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage will be allowed to drain directly or indirectly to the public sewerage system. In this case, no new extension or hardstanding is proposed. Therefore, no issue of this kind is anticipated. In order 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 condition requested in relation to surface water will be imposed.

## **6.8 Affordable Housing Financial Contribution**

In accordance with Policy S4 of the Monmouthshire Local Development Plan and the Council's Affordable Housing Supplementary Planning Guidance (SPG), proposals for residential development are required to make an appropriate contribution towards affordable housing provision. While an HMO is classified as a form of residential use, it does not fall within the definition of self-contained dwellings. HMOs provide shared accommodation that meets the growing local demand for flexible and affordable housing. The adopted SPG does not require HMOs to make an Affordable Housing Financial Contribution, and therefore no contribution is applicable in this instance.

## **6.9 Response to other matters raised by the Town Council and/or Third Parties**

**6.9.1** One comment was received wherein the respondent expressed concern about the potential for Chepstow town centre to become dominated by HMO accommodation. They requested information on the current percentage of accommodation units that are HMOs and what proportion would be considered appropriate for a thriving tourist town. They also suggested delaying the determination of this and similar applications until a clear strategy has been developed and assessed.

**6.9.2** There is currently no planning policy within the adopted Local Development Plan (LDP) that sets a threshold for the proportion of HMOs in Monmouthshire. As such, each application is assessed on its own merits. The site in question is located within Chepstow town centre, which is defined as a sustainable location where forms of residential use are generally supported. The proposal has been fully assessed, and no material harm has been identified in relation to amenity, heritage, or other planning considerations. Therefore, there is no substantive reason to withhold planning permission in this instance.

**6.9.3** Chepstow Town Council has recommended refusal on the grounds that the proposal is not considered to be in keeping with the historic character of the town. The Council also expressed concern that the development represents an overprovision of this type of accommodation and indicated a preference for the site to be retained for tourist accommodation instead.

**6.9.4** The concerns raised by Chepstow Town Council have been noted. However, as set out earlier, there is currently no policy within the adopted LDP that restricts or sets a threshold for the level of HMO accommodation within Monmouthshire. Each application must therefore be assessed on its own merits.

**6.9.5** The application site is located within Chepstow town centre, which is defined as a sustainable location where residential uses are generally supported. The proposed change of use will bring a vacant listed building back into beneficial use, contributing positively to the vitality of the town centre. The proposal has been assessed against all relevant planning considerations, including heritage, amenity, and transport, and no material harm has been identified.

**6.9.6** While the Town Council has expressed a preference for tourist accommodation, planning decisions must be based on adopted policy and material considerations. There is no policy requirement to prioritise tourist accommodation over the HMO use proposed in this location. Furthermore, the proposed HMO use is compatible with the surrounding mixed-use character of the town centre. Accordingly, there is no substantive planning reason to withhold permission in this instance.

## **7.0 Well-Being of Future Generations (Wales) Act 2015**

7.1 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.

## **8.0 Conclusion**

**8.1** An HMO is a form of residential use. The site is located within the Chepstow Town Development Boundary within which both Policy S1 and H1 presume in favour of the principle of new residential development. The principle of development in this location is acceptable in policy terms and accords with the key objective of PPW12 by providing residential accommodation in sustainable locations. PPW states that proposals for housing within settlements should be supported where they accord with the national sustainable placemaking outcomes.

**8.2** The proposal is considered to have an acceptable impact on residential amenity, in accordance with policies DES1 and EP1 of the LDP. No significant external alterations are proposed, ensuring that the character and appearance of this part of the Chepstow Conservation Area will be preserved. The site occupies a sustainable location within the town centre, with excellent access to local amenities and public transport, all within walking distance. Accordingly, the proposal complies with Policy MV1 of the LDP.

**8.3** There is no ecological objection from the Council's Ecologist, and biodiversity enhancements are included as part of the scheme, ensuring compliance with Policy NE1 of the LDP. Overall, the proposal is fully policy-compliant and aligns with the objectives of Planning PPW and the adopted LDP.

## **9.0 RECOMMENDATION: Approve**

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 from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage

system.

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 All works shall proceed in accordance with the Green Infrastructure Statement by AFGUK Architects including installation of two bird boxes in suitable locations. Evidence of implementation of all measures to achieve net benefit for biodiversity must be provided to the Local Planning Authority 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.

## **INFORMATIVES**

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 NRW Informative:

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.

3 DCWW Advisory Note:

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that

each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

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 to establish the location and status of the apparatus. 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.

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](mailto:developer.services@dwrcymru.com)

Please quote our reference number in all communications and correspondence.

4 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

5 All birds are protected by the Wildlife and Countryside Act 1981. 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 birds is between March and September.

6 Glamorgan Gwent Archaeological Trust's record is not definitive in the area of the proposal and features may be disturbed during the course of the work. In this event, please contact the Trust on 01792 655208.

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## Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16.01.2026

Appeal reference: CAS-04605-N7J9S0

Site address: 1 Bersondy, Llanarth NP15 2AY

- 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. and Mrs. K Bendon against the decision of Monmouthshire County Council.
- The application DM/2025/00330, dated 12 March 2025, was refused by notice dated 24 July 2025.  
The development is the proposed single storey rear and two storey side extension.
- A site visit was made on 11 December 2025.

### Decision

1. The appeal is dismissed insofar as it relates to the proposed two storey side extension. The appeal is allowed insofar as it relates to the proposed single storey rear extension and planning permission is granted for the proposed single storey rear extension at 1 Bersondy, Llanarth NP15 2AY in accordance with the terms of the application, Ref DM/2025/00330, dated 12 March 2025, and subject to the conditions set out in the attached schedule.

### Procedural Matters

2. The Council have issued a split decision. In such cases, section 79(1)(b) of the Town and Country Planning Act 1990 (the Act) states that under a section 78 (of the Act) appeal the decision maker may reverse or vary any part of the decision of the local planning authority and may deal with the application as if it had been made to them in the first instance. For the avoidance of doubt, I have considered the scheme as a whole as originally submitted to the Local Planning Authority.
3. I have taken the description of development as stated on the appeal form and Council's decision notice since it more accurately describes the proposed development.

### Main Issue

4. This is whether the proposed development would preserve or enhance the character or appearance of the Llanarth Conservation Area.

## Reasons

5. The appeal property is located on a prominent corner plot at the entrance of the Bersondy cul-de-sac, within the Llanarth Conservation Area (CA). Although some more recent development exists within the cul-de-sac, these properties are set back from the road. The appeal property is, therefore, experienced primarily in the context of the four original semi-detached houses that face the road. These properties are simple in form and modest in size, with gabled roofs and typically small single storey side extensions. Whilst limited alterations have occurred, including varied porch designs, roof mounted solar panels and a slightly larger side extension to the appeal property, the group retains a strong sense of coherence and consistency. Although identified in the Llanarth Conservation Area Appraisal as 20<sup>th</sup> century infill development, the cul-de-sac's simplicity and uniformity create an attractive and orderly street scene that makes a positive contribution to the CA.
6. The proposed rear extension, despite spanning the full width of the appeal property, is limited to single storey with a lean to roof and would be finished in materials to match the host dwelling. Whilst views of the proposed rear extension would be possible from the lane on the approach to the cul-de-sac, its modest height together with its discreet position would have an unobtrusive impact on the streetscene and would, therefore, preserve the character and appearance of the CA. I note the Council do not object to this element of the scheme, which reinforces my views in this regard.
7. The proposed upper floor side extension would broadly follow the footprint of the existing side projection, be set back from the principal elevation, sit below the main roof ridge and finished in materials to match the host dwelling. Notwithstanding these design measures, the proposal would represent a substantial addition relative to the host dwelling. Whilst I acknowledge that the existing side extension introduced a limited degree of imbalance within the semi-detached pair, its modest scale and clearly subordinate form do not significantly detract from the streetscene. In contrast, the increased height and bulk of the proposed two storey extension would result in a dominant form of development that would overwhelm the host dwelling and erode the simple, balanced appearance of the semi-detached pair.
8. The proposed window and door arrangement, combined with the side extension's significant scale and massing, would result in its new side elevation having a similar appearance to a principal elevation rather than a subordinate addition. Given the appeal property's prominent corner position, this would introduce an uncharacteristic and imposing façade that would appear as a discordant feature when entering the cul-de-sac. Overall, the proposed development would result in an overly dominant and unsympathetic addition that would disrupt the consistent character of the cul-de-sac and undermine its positive contribution to the CA.
9. I am not persuaded that the views of the appeal property are significantly limited by, amongst other things, the narrowness of the lane and the garage associated with the adjacent listed building, Hen Bersondy. Indeed, I observed during my site visit that the appeal property, particularly the side elevation, is widely visible from public vantage points and seen primarily in the context of the other properties within the group, including no. 2 Bersondy.
10. I note the appellants suggests a condition could be imposed to secure landscaping to soften and screen the proposals. However, landscaping should not be used to screen otherwise unacceptable development and, therefore, a condition to this effect would not be appropriate. I have seen the photographic figures in the LCAA referred to by the appellants, but these primarily depict historic buildings, with some showing principal

elevations rather than side, and, therefore, are not comparable to the proposals at the more modern appeal property and does not sway me from my findings above.

11. I conclude that the proposed side extension would neither preserve or enhance the character or appearance of the CA. It would, therefore, be in conflict with Monmouthshire Local Development Plan Policy HE1 which permits development if they, amongst other things, preserve or enhance character or appearance of the area and LDP Policy HE2 which requires that proposals for the alteration and extension of existing buildings in Conservation Areas must take into account whether the details of the proposed works properly respect the proportions of the existing building, as well as other requirements. It also fails to accord with Policy DES1 which states that all development should be of a high-quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment including, but not limited to, respecting the existing form, scale, siting and massing.

### **Other Matters**

12. I acknowledge the proposed side extension would provide some benefit to the appellants in terms of additional accommodation for their family. However, this benefit is limited in scope and would not outweigh the significant harm I have identified in relation to the main issue.

### **Conditions**

13. I have reworded the planning conditions imposed by the Council on their split decision in relation to the single storey rear extension to make them more precise.

### **Conclusion**

14. For the reasons given above, I find that the proposed side extension would result in unacceptable harm to the character and appearance of the CA.

15. I also find that, subject to appropriate conditions, the proposed single storey rear extension would be acceptable and compliant with the relevant planning policies and statutory duties. As this element of the scheme could clearly be implemented without the other parts of development proposed, I have issued a split decision.

16. I, therefore, conclude that the appeal should be allowed in part and dismissed in part as set out in my formal decision.

17. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*L. Hughson-Smith*

INSPECTOR

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### **SCHEDULE OF CONDITIONS**

1. The development shall begin not later than five years from the date of this decision.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plan and document, except insofar as it relates to the proposed side extension.
  - Proposed Floor and Elevation Plans (drawing number: [PP] 02F)
  - Green Infrastructure Statement

Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.

3. The ecological enhancement measures as shown on the Proposed Floor Plans and Elevations (drawing number: [PP] 02F) shall be carried out in full within one month of completion of the single storey rear extension hereby approved. The approved ecological enhancement measures shall be retained for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.



## Appeal Decisions

by H W Jones BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 22/12/2025

Site address: Forge Cottage, The Hendre, Monmouthshire, NP25 5HG

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Appeal reference: CAS-04255-H6P5W7

- The appeal is made under section 100 of the Historic Environment (Wales) Act 2023 against a refusal to grant of listed building consent.
- The appeal is made by Mrs Caitlin Williams against the decision of Monmouthshire County Council.
- Listed building consent (ref: DM/2024/01468), dated 27 November 2024, was refused by notice dated 7 February 2025.
- The works proposed are alterations & extension to rear of existing dwelling.
- A site visit was made on 14 October 2025.

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Appeal reference: CAS-04254-Z8S8Y8

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against the refusal of an application for planning permission.
- The appeal is made by Mrs Caitlin Williams against the decision of Monmouthshire County Council.
- The application (ref: DM/2024/01467), dated 27 November 2024, was refused by notice dated 7 February 2025.
- The proposed development is alterations & extension to rear of existing dwelling.
- A site visit was made on 14 October 2025.

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## Decisions

1. The appeals are dismissed.

## Procedural Matters

2. As the appeals relate to the same proposal and give rise to similar reasons for refusal, I have dealt with them together.

## Main Issue

3. In both appeals there is one main issue, that is whether the development preserves the special character and interest of this Grade II listed building and the setting of the nearby listed buildings and the character and appearance of the Hendre Conservation Area (CA).

## Reasons

4. The appeal property lies with the village of The Hendre, which is a loose collection of properties, generally well-spaced and separated by mature trees and other vegetation which emphasises its rural character. It is prominently sited, elevated above the road and lying opposite the entrance to the Hendre, a Grade II\* listed building, now a golf club and the Grade II\* Registered Historic Park and Garden.
5. Forge Cottage is a sandstone-faced, two-storey, semi-detached dwelling with steep, clay tile covered roofs. It has 2 prominent front gable features, which contain windows serving first floor accommodation partly contained within the roof space, and a centrally positioned, ornate front porch. This composition is replicated in the main façade of the neighbouring dwelling in which original features and detailing appear to have been extensively retained. The dwellings are listed as 'a well-detailed pair of estate cottages, part of an important series of buildings built by the Hendre Estate in the 1890s; and for group value with the nearby horse trough and with Box Bush Lodge opposite'.
6. At the rear of the dwelling there is a two-storey, ridged-roof rear projection and, straddling the boundary with the neighbour, there lies a single-storey projection which extends further than the two-storey element. Both are of the same style and materials as the front part of the dwelling. The two-storey projection is set in from the main side elevation. A small lean-to sits within this set back and between the rear projections there is a porch. Both these subservient elements are makeshift additions that are to be demolished. There is no dispute that their loss would not harm the character of the building or surroundings. A particularly tall timber fence extending at a perpendicular line from the side elevation of the front part of the house presently screens much of the rear of the house from the highway.
7. The scheme proposes to extend the two-storey rear projection. Its roof would follow the form and cladding of the existing projection whilst stepping down modestly in height. Its walls would be clad in Cedral cement fibre horizontal board cladding. At ground floor a near flat roofed extension would wrap around the first-floor element extending further to the rear and to the side. On the side elevation the roof would continue such that it would cover the recess presently occupied by the lean-to. A ground-floor, side window would be enlarged and several 'conservation' rooflights inserted.
8. I acknowledge that an overtly modern approach to enlarging a historical building is not necessarily harmful; it can ensure that the original form of the building can continue to be appreciated because of the contrasting appearance of the additions. In this case the approach taken includes a mix of modern contrasting style, such as the ground-floor, flat-roofed extensions in modern materials, and the more traditional, in particular the form and roof covering of the first-floor extension that replicates the appearance of the host building.
9. Viewed against the elegance of the present form of the building, particularly the narrow, steep gable features, the box-like shape of the ground floor extension would appear discordant. Given its extent it would be a prominent feature when viewing the building from several directions. There would be oblique views of the side elevation available along the driveway from the road.
10. I agree with concerns expressed regarding the interface between the host dwelling and the extensions. For instance, there would be a discordant change in materials on the side elevation where the stonework would abut the cladding. The continuation of the glazed roof over part of the original dwelling reinforces a complex appearance where the modern would visually intrude on to the host building.

11. There is a single-storey side projection which is set back from the front elevation of the attached dwelling which is clearly visible from the highway. It appears an original feature that replicates the style, form and materials of the main part. In contrast, the detailing of the proposed ground-floor extension and the cladding of the first-floor projection would not only appear as incongruous but would also disrupt the symmetry of the composition of the pair of dwellings when viewed along the adjacent section of highway.
12. Although, as the appellant points out, the Council has not cited concern over the effect on the CA, Cadw considers that there would be harm. The pair of dwellings are prominent features within the CA, that demonstrate the traditional appearance of buildings that characterise the area. For reasons already explained the additions would appear discordant in relation to the host building. That impact would, albeit to a modest extent, be visible from outside the site sufficient to be harmful to the CA character. Having regard to the principles established in *South Lakeland District Council v Secretary of State for the Environment and Another [1992] UKHL J0130-1*, I consider that the scheme fails to preserve or enhance the character or appearance of the CA.
13. I am satisfied that the setting of the Registered Historic Park and Garden and the other nearby listed buildings, including those identified for their group value with the subject building, would not be materially harmed.
14. For the foregoing reasons I conclude that the proposed development would harm the special character of the listed building and the character and appearance of the CA. In reaching my findings on this main issue I have noted the professional credentials in heritage and conservation matters of those representing the appellant, and the evidence provided in support of the proposal, including the Heritage Impact Assessment and the information therein on the historical and architectural context.
15. As the proposed development fails to respect the existing form and materials of the host dwelling it conflicts with policy DES1 of the Monmouthshire Local Development Plan (LDP). Its failure to preserve or enhance the character or appearance of the CA means it conflicts with LDP policy HE1. As it does not preserve the special character of the listed building it is at odds with Section 6.1 of Planning Policy Wales and the associated Technical Advice Note 24.
16. I agree with the Council that the scheme conflicts with requirement b) of policy H6 which sets out an expectation that “where the building is of a traditional nature, to respect its existing form, including the pattern and shape of openings, and materials”. However, as the appellant notes, the stated aim of the policy is to protect the character and appearance of the countryside from overly large extensions to dwellings which is not a concern in this case. As such I afford the technical breach of the policy limited weight. That the increase in the volume of the dwelling exceeds the 30% guideline set out in Supplementary Planning Guidance also carries little weight given that the guideline is only marginally exceeded.
17. In reaching the above conclusion on the main issue I have noted the decisions to allow appeals at Llanmihangel which have been drawn to my attention by the appellant, but have based my decisions on the case particular details before me.

#### **Other Matters**

18. The appellant suggests that the proposal seeks to retain the existing use of the building as a dwelling. I note the limitations in the present level of accommodation when measured against the household’s expectations. However, whilst noting the feedback the appellant received during an unsuccessful effort to sell the property, I am not persuaded that these limitations bring into question the future use of the property as a dwelling.

Moreover, there may be means of adapting or extending the building that can address some of the limitations in an acceptable manner. Accordingly, I afford limited weight to the personal circumstances of the resident family.

19. I acknowledge the efforts that the appellant and her professional advisors have made in seeking to refine the proposal in advance of submitting the applications, and their frustration over the pre-application process, but my assessment must be confined to the merits of the scheme presented.
20. The appellant draws my attention to the fact that it appears that the representatives of the Council and Cadw did not enter the site. Whilst I did so, it only served to confirm the accuracy of the documents before me, which included photographs of the rear part of the site, and does not lead me to afford lesser weight to the considered opinions expressed by those parties.
21. The appellant identifies LDP policies with which the scheme are considered to be in accord or not in conflict. However, any such compliance with the policies identified would represent an absence of harm rather than a positive consideration that should influence the planning balance.

### **Conclusion**

22. For the reasons set out above, and having considered the factors raised in support of the scheme, including representations received at the application stage, I conclude that both appeals should be dismissed.
23. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*H W Jones*

INSPECTOR



## Appeal Decisions

by H W Jones BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 18/12/2025

Site address: Little Bank, 8 Porthycarne Street, Usk, NP15 1RY

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Appeal A reference: CAS-03795-L9Y4M5

- The appeal is made under section 100 of the Historic Environment (Wales) Act 2023 against a refusal to grant of listed building consent.
- The appeal is made by Ms R Lloyd and Mr D Perry against the decision of Monmouthshire County Council.
- Listed building consent (ref: DM/2022/00419), dated 15 March 2022, was refused by notice dated 18 June 2024.
- The works proposed are described as “Proposed extension, external and internal alterations to existing dwelling. Including infill roof over external staircase forming link structure. Construction of amenity space balcony. Replacement timber joinery internally and externally. Positioning of Air Source Heat Pump”.
- A site visit was made on 14 October 2025.

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Appeal B reference: CAS-03825-P0F7S1

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Ms R Lloyd and Mr D Perry against Monmouthshire County Council.
- The application (ref: DM/2022/00736) is dated 17 May 2022.
- The works proposed are described as “Design variations to Planning Permission Ref:- DC/2013/00985. including modified link structure and Construction of amenity balcony”.
- A site visit was made on 14 October 2025.

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## Decisions

### Appeal A

1. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part. The appeal is dismissed insofar as it relates to the air source heat pumps. The appeal is allowed insofar as it relates to the replacement truss, window boxes, stair removal and re-location, movement of all upper floors, partitions and wall

coverings, roof infill link structure, and listed building consent is granted for replacement truss, window boxes, stair removal and re-location, movement of all upper floors, partitions and wall coverings, roof infill link structure at Little Bank, 8 Porthycarne Street, Usk, NP15 1RY in accordance with the terms of the application, (ref: DM/2022/00419), dated 15 March 2022 and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the conditions set out in the attached schedule.

### **Appeal B**

2. The appeal is allowed and planning permission is granted for an air source heat pump, installation of window to the north west and a sky light at Little Bank, 8 Porthycarne Street, Usk, NP15 1RY, in accordance with the terms of the application, (ref: DM/2022/00736), dated 17 May 2022, subject to the conditions set out in the attached schedule.

### **Procedural Matters**

3. On receipt of appeal B in October 2024 a PEDW case officer initially advised that the appeal against the Council's failure to determine the planning application was invalid because it was not made within the requisite 6 month period. That position was subsequently reviewed and the appeal was duly registered.
4. The Council explains that it was unaware that the appeal had been registered and proceeded to determine the application, granting planning permission on 20 December 2024. It is not for me to comment on the legal status of the permission granted by the Council other than to note that it was made outside the period of 'dual jurisdiction' which allows local planning authorities to determine applications subject to non-determination appeals within a 4-week window from the time the appeal is lodged. I shall proceed to determine the appeal.
5. The descriptions of development set out in the above banner headings are taken from the application forms. In relation to appeal A the Council's decision notice uses an amended description which is "Replacement Truss, window boxes, stair removal and re-location. Movement of all upper floors, partitions and wall coverings. roof infill link structure, amenity space balcony. Air Source Heat Pump". The Council has described the proposed development in the planning application (appeal B) as "an air source heat pump, installation of window to the north west and a sky light".
6. As I consider that the Council's wording to be more precise in both cases they shall form the basis of the descriptions I have used in my decisions, noting that these descriptions do not alter the substance of the development as described in the relevant plans except in one respect. The appellants' descriptions refer to an "amenity space balcony" and "amenity balcony" and there is a similar reference in the Council's appeal A wording. However, whilst the early plans submitted with the listed building consent (LBC) application show a balcony and steps connecting to a garden, the later plans show a wall separating the garden with no reference to a balcony or to steps. As the submission of the amended plans effectively withdrew the balcony from the application, I have omitted reference to it in my description of the development as set out in the appeal A decision.
7. During the course of both applications the elevational drawings and the plans ('the plans') were amended several times. I shall determine the appeals on the basis of the latest plans presented to the Council prior to the respective appeals being lodged.
8. After appeal A was determined further revised plans were submitted to the Council in relation to the application the subject of appeal B. I will base my assessment of appeal B on those latest plans, submitted in July 2024. However, Regulation 17 of The Listed

Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 explains that after notice of appeal an application may not be varied if it changes the substance of the application. Accordingly, I am unable to consider those plans in my assessment of appeal A.

9. Much of the work has already been undertaken. A neighbour points out that some of the work is not in full accordance with the details shown on the plans, and there may be elements of the work that has not been completed. I have assessed the scheme on the basis of the relevant plans, which is the basis of the applications and the associated consultations.
10. The appellants suggest that the provision of the air source heat pump (ASHP) may benefit from permitted development rights. This is a matter outside the remit of a section 78 appeal - sections 191 and 192 of the 1990 Act enable matters of lawfulness of development to be formally determined under a separate procedure that would be unaffected by my decision. As the ASHP forms part of the planning application I shall determine its acceptability on the basis of its planning merits.
11. Given the degree of commonality between the 2 appeals I have dealt with them together distinguishing between them in my reasoning and in my decisions as required.

### **Applications for costs**

12. Applications for costs have been made by Ms R Lloyd and Mr D Perry against Monmouthshire County Council. These applications are the subject of separate Decisions.

### **Main Issues**

13. There is one main issue that applies to both appeals, that is whether the development preserves the special character and interest of this Grade II listed building and the setting of the nearby listed buildings and the character and appearance of the Usk Conservation Area (CA). For appeal B there is an additional main issue, that is the effect of the development on the living conditions of neighbouring residents, particularly in terms of any overlooking or noise disturbance.

### **Reasons**

#### *Listed Building and Conservation Area*

14. Little Bank is a long two-storey house that fronts Porthycarne Street. It is listed for its status as an ancillary building to Bank House, which it historically served as a stable, and its group value with other listed buildings in the street. It also lies within the Usk CA. A former Coach House at the rear is now linked to the main building in works previously approved by the Council.
15. A narrow, arrow slit window has been created in the linking structure at first floor which faces the rear amenity space of a neighbouring dwelling. It serves a stairwell and landing with a rooflight above. Cadw raises no objection to this addition and the associated works to house it. In the context of the building, which contains various styles of windows, I agree that this alteration, as proposed, would not harm the character of the building or its surroundings. The work is presently unfinished – the plans show lime render to face the cheeks that frame the opening which had not been applied at the time of my visit.
16. Whilst the appellants point to practical difficulties in gaining access to the external face of the side wall, ensuring access to a party wall is a private interest matter. I agree with the Council that the render is required given that the present exposed stonework is at odds

with the rendered finish that characterises the building. The suggested condition requiring timely implementation of this work is therefore necessary.

17. The other notable alteration to the building is the provision of an air source heat pump (ASHP). During my visit I noted its position at ground level on the northeast elevation of the building where there was also what appeared to be an air conditioning unit which is not part of the scheme before me. For the purposes of appeal A, the relevant plan (No: [PP] 01 B) on which I base my assessment, shows 2 ASHP units side by side on this wall in a position a little below the eaves line.
18. The elevated position of the ASHPs as shown means that they would be unduly prominent. Their bulky design means that they would be incongruous features both in relation to the traditional character of the host building and its surroundings. I agree with the findings of Cadw both in relation to the unacceptability of the ASHP and the acceptability, subject to conditions, of the other alterations. As the ASHP is a severable component of the scheme I shall issue a split decision which will dismiss the appeal in this respect but grant consent for the remainder of the work.
19. In contrast to the LBC application, the application subject of appeal B, was amended to show a single ASHP at ground level in a location screened from any public vantage point. I agree with the Council that it causes no harm to the special character of the building or its surroundings. In all other respects this scheme is the same as appeal A.
20. I conclude on the main issue in relation to appeal A that the ASHP would harm the character and appearance of the host listed building and the Conservation Area in conflict with Planning Policy Wales 12 (PPW) and Technical Advice Note 24. The remainder of the works the subject of the LBC appeal and the entirety of the works the subject of appeal B do not harm the special character or interest of the host listed building or the setting of any nearby listed buildings, nor is there any harm to the character or appearance of the CA. In these respects, the schemes align with national policy.

#### *Living Conditions*

21. My visit confirmed the potential for overlooking from the first-floor side window on to the adjoining rear amenity space of the neighbouring property, which enjoys a high level of privacy at present. As the Council suggests, ensuring that the window is non-opening and is fitted with obscure glazing at all times, will avoid what would otherwise be potentially intrusive overlooking. Concerns over overlooking from the balcony do not arise as it does not form part of the scheme.
22. The Council's Specialist Environmental Health Officer expressed concerns over the potential of noise from the wall mounted AHSP. The position now proposed in appeal B overcomes those concerns, subject to the imposition of a noise limiting condition.
23. I note photographs that have been presented showing light being emitted through the subject narrow window. Such effects are commonplace between neighbouring properties in urban locations and do not cause unacceptable disturbance to nearby residents.
24. Thus, on the second main issue I find the effects of the development on the living conditions of neighbouring residents, subject to the mitigating conditions, to be acceptable. The scheme therefore accords with policies DES1 and EP1 of the Monmouthshire Local Development Plan.

#### **Other Matters**

25. I note that the appellants describe personal circumstances that have been affected by the delay in processing the applications, but this does not affect my assessment of the planning merits of the schemes.

26. In accordance with the expectations of PPW the scheme proposes biodiversity enhancement measures, which can be secured by planning condition.
27. An objector questions the need for the side window given the rooflight that serves the same space. As I have found that it causes no harm, any question of necessity does not arise.

## Conclusion

28. For the foregoing reasons I find that the AHSPs proposed in appeal A would cause unacceptable harm to the host buildings and its surroundings and as such I shall dismiss that element of the appeal. I shall allow the appeal in respect to the remaining elements of that appeal and in relation to appeal B as they would cause no unacceptable effects.
29. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*H W Jones*

INSPECTOR

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## SCHEDULE OF CONDITIONS

### Appeal A, Ref: CAS-03795-L9Y4M5

1. The development shall be carried out in accordance with the following approved plans: [PP] 01 B and [PP] 02, except insofar as it relates to the air source heat pumps.  
REASON: To ensure the development is carried out in accordance with the approved plans submitted with the application.
2. Within 3 months of the date of this decision the following works shall be completed in full in respect of the first-floor landing window (to the North West elevation):
  - (i) The window shall be non-opening and fitted with obscure glazing to a level equivalent to Pilkington scale of obscurity level 3;
  - (ii) Both cheeks to the window shall be lime rendered, as noted on approved plan [PP] 01 B.The window shall remain non-opening and obscure glazed thereafter.

REASON: To protect local residential amenity and to ensure compliance with Policies DES1 and EP1 of the Monmouthshire Local Development Plan.

3. Within 3 months of the date of this decision the biodiversity enhancement measures shown on the approved plans shall be completed in full and thereafter retained.  
REASON: To secure biodiversity enhancement in compliance with Planning Policy Wales.

### Appeal B, Ref: CAS-03825-P0F7S1

1. The development shall be carried out in accordance with the following approved plans: [PP] 01 C and [PP] 02 A.

REASON: To ensure the development is carried out in accordance with the approved plans submitted with the application.

2. Within 3 months of the date of this decision the following works shall be completed in full in respect of the first-floor landing window (to the North West elevation):
  - (iii) The window shall be non-opening and fitted with obscure glazing to a level equivalent to Pilkington scale of obscurity level 3;
  - (iv) Both cheeks to the window shall be lime rendered, as noted on approved Drawing [PP] 01 C.

The window shall remain non-opening and obscure glazed thereafter.

REASON: To protect local residential amenity and to ensure compliance with Policies DES1 and EP1 of the Monmouthshire Local Development Plan.

3. The noise level emitted from the Air Source Heat Pump hereby approved, as shown on Drawing [PP] 01 C, shall not exceed 60dB Sound Power Level (SWL) at any time.

REASON: To protect local residential amenity and to ensure compliance with Policies DES1 and EP1 of the Monmouthshire Local Development Plan.

4. Within 3 months of the date of this decision the biodiversity enhancement measures shown on the approved plans shall be completed in full and thereafter retained.

REASON: To secure future biodiversity enhancement in compliance with Planning Policy Wales.



## Costs Decisions

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by H W Jones BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 18/12/2025

Costs applications in relation to Appeal Refs: CAS-03795-L9Y4M5 & CAS-03825-P0F7S1

Site address: Little Bank, 8 Porthycarne Street, Usk, NP15 1RY

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Application A: in relation to Appeal Ref: CAS-03795-L9Y4M5

- The application is made under Section 181 of the Historic Environment (Wales) Act 2023.
- The application is made by Ms R Lloyd and Mr D Perry for a full award of costs against Monmouthshire County Council.
- The appeal was against the refusal of listed building consent for works described as "Proposed extension, external and internal alterations to existing dwelling. Including infill roof over external staircase forming link structure. Construction of amenity space balcony. Replacement timber joinery internally and externally. Positioning of Air Source Heat Pump".
- A site visit was made by the Inspector on 14 October 2025.

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Application B: in relation to Appeal Ref: CAS-03825-P0F7S1

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
- The application is made by Ms R Lloyd and Mr D Perry for a full award of costs against Monmouthshire County Council.
- The appeal was against the failure of the Council to issue a notice of their decision within the prescribed period on an application for works described as "Design variations to Planning Permission Ref:- DC/2013/00985. including modified link structure and Construction of amenity balcony".
- A site visit was made by the Inspector on 14 October 2025.

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## Decisions

1. Application A for an award of costs is refused.
2. Application B for an award of costs is approved in the terms set out below.

## Reasons

3. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') 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.

4. The basis of both applications is that taking over 2 years to determine the listed building consent and planning applications was unjustified and that the Council's behaviour during that time was unreasonable in failing to respond to communications from the applicants and their agents.
5. There are issues raised by the applicants which are outside the scope of the costs regime for the 2 applications under consideration, these include complaints to the Ombudsman, allegations over the safety of the building and implications for building control, and the behaviour of others.
6. It is clear that both applications became protracted. However, the scope of these costs applications are limited to the appeal process and matters that directly influence such proceedings. Matters such as the effects of any delay on the household's personal circumstances are outside scope, as are the costs incurred in engaging architects in pursuing those applications with the Council.
7. It was open to the applicants to submit an appeal against non-determination in respect of both the applications, once the statutory 8-week periods had expired. It is evident that the applicants chose to engage with the Council in efforts to seek amendments to the scheme that would secure a positive outcome to those applications. Indeed, there were several iterations of the drawings that were presented during this time, which were deemed necessary because of issues identified with the original submission, including inaccuracies.
8. The need for revised drawings and clarification of the extent of the works and the status of previous consents meant that the case was somewhat complicated. It seems that the need to appoint new agents to represent the applicants contributed to that complexity.
9. With regard to the listed building consent (LBC) application and noting the photographic evidence of its position on the site, the applicants are firmly of the view that it was clearly their intention to seek consent to position the air source heat pump (ASHP) at ground level. However, that is simply not what the latest drawings depicted at the time of that decision. The Council has explained that it had sought to negotiate with the applicants' agent to resolve outstanding issues including the number and position of ASHPs. It is evident that the negotiations resulted in the submission of amended plans in relation to biodiversity enhancements and the detailing around the new window but not in relation to the 2 ASHPs. In the circumstances its decision to determine the application on the basis of the amended drawings presented on behalf of the applicants was not unreasonable. Accordingly, the applicants have not incurred wasted expense in pursuing the LBC appeal the subject of application A.
10. I turn to consider application B. The Council explains that in July 2024, after the refusal of the LBC application, it received amended plans that showed the omission of the 2 ASHP at first floor level of the northeast elevation and the inclusion of 1 unit at ground level. There is no dispute that the amendment addressed the concerns that led it to refuse LBC, and the Council accepts that there were no longer grounds to withhold planning permission. It does not explain why it did not issue the planning permission at that time.
11. Paragraph 3.10 of the Annex identifies the failure to determine an application within the statutory limits, "where it is clear that there was no substantive reason to justify delaying the determination" as an example of unreasonable behaviour. In this case the Council took no action following receipt of acceptable drawings until the appeal for non-determination was lodged some 3 to 4 months later. This failure to determine the

application was unreasonable and caused the appellant to pursue an appeal thereby incurring wasted expense. Thus a full award of costs is justified and the application for an award of costs is allowed in the terms below.

## **Conclusions**

### **Application A**

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

### **Application B - Costs Order**

13. In exercise of the powers under Section 322C and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Monmouthshire County Council shall pay to Ms R Lloyd and Mr D Perry, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.

14. The applicants are now invited to submit to Monmouthshire County Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*H W Jones*

INSPECTOR

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