

# Public Document Pack



Neuadd y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Llun, 27 Mehefin 2016

## Hysbysiad o gyfarfod

## Pwyllgor Cynllunio

**Dydd Mawrth, 5ed Gorffennaf, 2016 at 2.00 yf  
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA**

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**Paul Matthews**

**Prif Weithredwr**

## CYNGOR SIR FYNWY

### MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

R. Edwards  
P. Clarke  
D. Blakebrough  
R. Chapman  
D. Dovey  
D. Edwards  
D. Evans  
R. Harris  
B. Hayward  
J. Higginson  
P. Murphy  
M. Powell  
B. Strong  
P. Watts  
A. Webb  
A. Wintle

## Gwybodaeth Gyhoeddus

### **Mynediad i gopiâu papur o agendâu ac adroddiadau**

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

### **Edrych ar y cyfarfod ar-lein**

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

### **Y Gymraeg**

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

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

# Public Document Pack Agenda Item 3

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held  
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 7th June, 2016 at 2.00 pm**

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

County Councillors: D. Dovey, D. Edwards, D. Evans, R. Harris,  
B. Hayward, P. Murphy, M. Powell, A. Webb and A. Wintle

### **OFFICERS IN ATTENDANCE:**

Mark Hand	Head of Planning, Housing and Place-Shaping
Philip Thomas	Development Services Manager
Paula Clarke	Planning Applications and Enforcement Manager
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

Councillors D. Blakebrough and J. Higginson

#### **1. Election of Chairman.**

We elected County Councillor R. Edwards as Chair.

#### **2. Appointment of Vice-Chairman.**

We appointed County Councillor P.R. Clarke as Vice-Chair.

#### **3. Declarations of Interest.**

There were no declarations of Interest made by Members.

#### **4. Confirmation of minutes.**

The minutes of the Planning Committee meeting dated 3<sup>rd</sup> May 2016 were confirmed and signed by the Chairman subject to the following amendments:

#### **Minute 1 – Declarations of Interest:**

Remove County Councillor V. Smith's declaration of interest and replace with the following:

County Councillor A. Webb declared a personal interest pursuant to the Members' Code of Conduct in respect of Planning Application DC/2015/01291, as she is a Board Member of Monmouthshire Housing Association.

#### **Minute 4 – Planning Application DC/2015/01431:**

The following additional wording be added:

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The Planning Committee was mindful of the flood risk objections raised by officers and Natural Resources Wales, but considered that, provided the modelling confirms that off-site flood risk is not made worse by the proposed development, this objection was outweighed by the considerable economic and tourism benefits of the proposed hotel, and the proposals relating to the flood management plan. In weighing the planning balance, Committee Members were mindful of the concern regarding the depth of flood water on the access road, but considered that this was not materially different to the current fallback position from the use of the site for industrial or employment purposes.

#### **5. PLANNING APPLICATION DC/2015/00133 - FOUR NEW RETIREMENT BUNGALOWS. LAND TO REAR OF KYALAMI, MERTHYR ROAD, LLANFOIST.**

We considered the report of the application which was recommended for approval subject to the six conditions, as outlined in the report.

Having received the report the following points were noted:

- In response to a Member's question regarding access, it was noted that the retaining wall has planning permission as an engineering works. It is aimed to safely retain the land between the two sites and that it be fit for purpose. The levels between the two sites should knit together safely.
- A Member expressed concern that the site might be too steep for elderly residents.
- The site had ample space to accommodate three parking spaces per household but this had been relaxed.
- In response to a Member's question regarding the condition that the properties were to be occupied by residents aged 50 and over, it was noted that this condition could be deleted if Members did not consider it to be necessary in planning terms.
- The road will be wide enough to accommodate emergency vehicles. There were no concerns regarding drainage at the site.

In noting the detail of the application and the views expressed, it was proposed by County Councillor D. Edwards and seconded by County Councillor M. Powell that application DC/2015/00133 be approved subject to the conditions, as outlined in the report but with the removal of condition three – that the dwellings be occupied by persons aged 50 and over. An additional condition to be added to ensure levels and sections through the access are submitted to and approved by the Local Planning Authority to ensure the edge of the site knits together with the adjoining land where retaining works have taken place.

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

For approval	-	10
Against approval	-	0

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Abstentions - 1

The proposition was carried.

We resolved that application DC/2015/00133 be approved subject to the conditions, as outlined in the report but with the removal of condition three – that the dwellings be occupied by persons aged 50 and over. Members did not consider that the restriction was necessary to make the development acceptable in planning terms and that occupation of the bungalows by younger persons would be acceptable. An additional condition to be added to ensure levels and sections through the access are submitted to and approved by the Local Planning Authority to ensure the edge of the site knits together with the adjoining land where retaining works have taken place.

### **6. PLANNING APPLICATION DC/2015/01112 - CHANGE OF USE OF EXISTING PUBLIC HOUSE TO TWO RESIDENTIAL DWELLINGS INCLUDING AN EXTENSION. MOON AND SIXPENCE, MAIN ROAD, TINTERN.**

We considered the report of the application which was recommended for approval subject to the seven conditions, as outlined in the report.

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

The Planning Committee considered that approval of this application would help towards improving highway safety at this location.

It was proposed by County Councillor Webb and seconded by County Councillor Evans that application DC/2015/01112 be approved subject to the seven conditions, as outlined in the report.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2015/01112 be approved subject to the seven conditions, as outlined in the report.

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Minutes of the meeting of Planning Committee held  
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 7th June, 2016 at 2.00 pm

**7. PLANNING APPLICATION DC/2015/01184 - RESIDENTIAL DEVELOPMENT TO PROVIDE 212 DWELLINGS INCLUDING 20 AFFORDABLE UNITS, RECONFIGURED ACCESS, A NEW EMERGENCY ROUTE, NEW INTERNAL ROADS, FOOTPATHS/CYCLE WAYS, CAR PARKING AND HIGHWAY IMPROVEMENTS, A NETWORK OF PUBLIC OPEN SPACE INCLUDING LANDSCAPE AND RECREATIONAL SPACE, PUBLIC REALM AND BIODIVERSITY ENHANCEMENTS, OTHER ANCILLARY WORKS, RE-PROFILING OF THE LAND AND THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE. SADBROOK PAPERMILL, SADBROOK.**

We considered the report of the application which was recommended for approval subject to the 25 conditions, as outlined in the report and subject to a Section 106 Agreement, as outlined in the report.

In considering the detail of the application, it was noted that there would be 20 affordable housing units (9.4%) and 192 market houses. Officers were expecting the number of affordable houses to be greater than the 20 proposed. The District Valuer was brought in to arbitrate in the dispute over appropriate affordable housing numbers for the site. The District Valuer's findings indicated that the scheme could only afford in viability terms the 20 affordable homes (9.4%). As this is an independent valuation, this makes the scheme policy compliant. The S106 agreement will include a viability review clause allowing viability to be reassessed should the site not come forward promptly. This was recommended by the District Valuer.

Having received the report, the following points were noted:

- The development will start in 2018 and is anticipated to finish in 2024, which falls outside of the Local Development Plan (LDP) period. A member expressed concern that the larger strategic sites might not be finished during the LDP period. The Head of Planning stated that most of the larger strategic sites would be verging towards the end of the LDP period because the LDP period is short. It was noted that sites have not come forward as quickly as anticipated. This scheme is the first of the larger strategic schemes and it has been acknowledged that it has taken time to get to this stage of the process.
- A member expressed concern that the developer was not providing enough affordable housing. It was reiterated that independent evidence had indicated that the developer could only provide 20 affordable homes for this site.
- The site is located on the edge of the coast with the likelihood that the properties would be subject to extreme weathering.
- In response to a Members question the Head of Planning stated that he could liaise with the Highways department to discuss the feasibility of providing bollards on the pavement to deter on street parking.

Having received the report and the views expressed, it was proposed by County Councillor D. Evans and seconded by County Councillor A. Webb that application



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DC/2015/01184 be approved subject to the 25 conditions, as outlined in the report and subject to a Section 106 Agreement, as outlined in the report.

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

For approval	-	10
Against approval	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2015/01184 be approved subject to the 25 conditions, as outlined in the report and subject to a Section 106 Agreement, as outlined in the report.

#### **8. PLANNING APPLICATION DC/2015/01528 - ERECTION OF A DETACHED DWELLING. GLEN USK, MAIN ROAD, UNDY.**

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

The application had been presented to Planning Committee on the 12<sup>th</sup> April 2016 where the Committee had resolved to defer the application so that amendments could be made to the positioning of the dwelling within the site and to the design of the dwelling. It had been requested to:

- Move the dwelling south-west of the site towards the neighbouring property Fairfield Court.
- Move the position of the dwelling south eastwards (towards the rear) so that it was not directly positioned behind no. 8 Rectory Gardens and so that the dwelling was mainly positioned between the building line of no. 8 and no. 7 Rectory Gardens.
- Change the roof material from a slate to a roof tile to match adjoining dwellings.
- Clarify the colour of the proposed render.

Following this request, amended plans had been submitted illustrating the changes.

Having received the report, it was proposed by County Councillor D. Evans and seconded by County Councillor R. Harris that application DC/2015/01528 be approved subject to the amendments to the site, as outlined in the report

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

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The proposition was carried.

We resolved that that application DC/2015/01528 be approved subject to the amendments to the site, as outlined in the report.

**9. PLANNING APPLICATION DC/2016/00141 - TO BUILD TWO DETACHED HOUSES RATHER THAN A PAIR OF SEMI-DETACHED HOUSES, APPROVED ON 8 AUGUST 2008 UNDER PLANNING PERMISSION REF. DC/2007/01569. 17 DIXTON CLOSE, MONMOUTH.**

We considered the report of the application which was recommended for approval subject to the six conditions, as outlined in the report.

County Councillor R.J.C. Hayward declared that he had a closed mind in respect of this planning application following a telephone conversation with the applicant. He therefore left the meeting taking no part in the discussion or voting thereon.

In noting the detail of the application, some Members had noted that an application had already been approved on 8<sup>th</sup> August 2008 to build a pair of semi-detached houses on this site and therefore considered that the application to build two detached houses on the site should not be approved.

Other Members considered that the application complied with planning regulations and there were no reasons to refuse the application.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2015/000141 be approved subject to the six conditions, as outlined in the report.

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

For approval	-	7
Against approval	-	2
Abstentions	-	1

The proposition was carried.

We resolved that application DC/2015/000141 be approved subject to the six conditions, as outlined in the report.

**10. PLANNING APPLICATION DC/2016/00342 - CHANGE OF USE OF A1 RETAIL USE TO C3 DWELLING TO INCLUDE RECONSTRUCTION OF BUILDING. OLD FORGE CRAFT SHOP, LLANELLEN LINK, LLANELLEN.**

We considered the report of the application which was recommended for approval subject to the five conditions, as outlined in the report.

It was proposed by County Councillor M. Powell and seconded by County Councillor P.R. Clarke that application DC/2016/00342 be approved subject to the five conditions, as outlined in the report.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2016/00342 be approved subject to the five conditions, as outlined in the report.

**11. PLANNING APPLICATION DC/2016/00378 - RETENTION OF REDWOOD SCULPTURES OF THE DRAGON AND LEOPARD FROM THE BEAUFORT COAT OF ARMS. THE BEAUFORT ARMS HOTEL, HIGH STREET, RAGLAN.**

We considered the report of the application which was recommended for approval subject to the one condition, as outlined in the report.

In noting the detail of the application, the Committee considered the sculptures to be good examples of local art. However, concern was expressed that the location of the proposed sculptures needed to be reviewed.

It was proposed by County Councillor P. Murphy and seconded by County Councillor P.R. Clarke that consideration of application DC/2016/00378 be deferred to allow officers to investigate with the applicant an alternative location for the sculptures and that if accepted, the Delegation Panel should approve the alternative location.

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

For deferral	-	11
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that consideration of application DC/2016/00378 be deferred to allow officers to investigate with the applicant an alternative location for the sculptures and that if accepted, the Delegation Panel should approve the alternative location.

**12. Proposed Amendments to the Protocol on Public Speaking at Planning Committee.**

We considered the revised Protocol on Public Speaking at Planning Committee.

We resolved to endorse the revised Protocol on Public Speaking at Planning Committee for adoption by Single Cabinet Member.

**The meeting ended at 4.02 pm**

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DC/2013/00474

**A FIRST FLOOR EXTENSION TO 5 & 5A CHIPPENHAMGATE STREET TO PROVIDE A SINGLE, ONE BEDROOM DWELLING WITH THREE PARKING SPACES AT GROUND LEVEL.**

**5 & 5A CHIPPENHAMGATE STREET, MONMOUTH NP25 3D**

**RECOMMENDATION: Approve**

Case Officer: Jo Draper  
Date Registered: 23/06/2015

## **1.0 APPLICATION DETAILS**

- 1.1 The application site relates to an area that is currently used for parking for flats 5 and 5a Chippenham Gate Street. This application proposes to formalise this car parking area to provide 3 spaces to serve the existing dwellings with an additional space for the proposed dwelling. This application proposes a one bedroom flat to be constructed above the parking area.
- 1.2 The application site is bounded by Chippenham Gate Street to the north, it is adjoining a residential property to the east, and there are gardens to the south that serve a neighbouring property with a neighbouring property to the west. The north elevation is open fronted to Chippenham gate Street and allows vehicular access to the site.
- 1.3 There have been many design changes with this scheme, the existing dwelling which this proposal is also included. It is proposed to modernise this building frontage with new contemporary windows, a smooth render and the entrance treated with a modern up to date entrance point. The new build sits slightly lower in eaves and ridge to this building (0.7m lower than the ridge and eaves on the existing building). The proposed new build has a footprint that measures 9.3m by 5m, the treatment is contemporary and comprises of vertical coated aluminium windows at first floor level with horizontal timber cladding, a modern metal roof is proposed. The rear elevation has contemporary external horizontal timber louvres proposed to part of the rear of the building. This not only serves to provide privacy to the neighbouring gardens immediately to the rear but also encloses the external staircase proposed to access this first floor flat. The only window not covered by louvres is a narrow modern horizontal window that serves the kitchen/living room.
- 1.4 The site is situated within the Monmouth development boundary the Conservation Area and an Archaeologically Sensitive Area and within a Zone C1 Flood Area.

## **2.0 RELEVANT PLANNING HISTORY**

None

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S1 – Spatial Distribution of New Residential Development  
S2- Housing Provision  
S4- Affordable Housing Provision  
S12- Efficient Resource Use and Flood Risk

S13 – Landscape, Green Infrastructure and the Natural Environment  
S17 – Place Making and Design

Development Management Policies

H1 – Residential Development in Rural Secondary Settlements  
H5 – Replacement Dwellings in the Open Countryside  
DES1 – General Design Considerations  
EP1 – Amenity and Environmental Protection  
NE1- Nature Conservation and Development  
GI1-Green Infrastructure  
HE1- Development in Conservation Areas  
MV1- Proposed Development and Highway Considerations  
SD3- Flood Risk

**4.0 REPRESENTATIONS**

4.1 Consultations Replies

Monmouth Town Council: Refused

- Not in keeping with the Conservation Area
- Wrong materials
- Design not in keeping with street scene

Natural Resources Wales:

The application site lies entirely within Zone C1. The site is within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Monnow, a designated main river. Our records show that the area around the proposed site has also previously flooded from the River Monnow.

We have reviewed the flood consequences assessment (FCA).

The flood levels at the site, stated in the FCA, are as follows:

- 1 in 100 year plus climate change: 18.41m AOD
- 1 in 1000 year: 19.91m AOD

The proposed finished floor level for the first floor extension is stated in the FCA as 20.08m AOD and the level for the undercroft car parking level is 17.42m AOD.

The 1 in 100 year plus climate change flood level (18.41m) is below that of the proposed habitable floor level (20.08m). Therefore, this part of the development is predicted to be flood free in the 1% plus climate change flood event as advised by A1.14 of TAN 15. It is also predicted to be flood free in the 1 in 1000 year flood event.

However, the proposed undercroft parking is predicted to flood to a depth of up to 1.0m in the 1 in 100 year plus climate change flood event, and as such is contrary to the advice at A1.14 of TAN15. The undercroft parking is predicted to flood to a depth of 2.48m during the 1 in 1000 year flood event. This is 1.88m in excess of the indicative tolerable conditions set out at A1.15 of TAN15.

It is noted that this area is already currently used as a hard standing for car parking. Should your Authority be minded to grant permission, and as such accept the consequences of flooding, we advise that an Emergency Flood Plan is undertaken by the owner/occupier and that they sign up to our flood warning service.

MCC Highways: No objection

- The proposed new dwelling is to be attached to the adjoining dwelling and upgrading the access, parking and facilities at the side of the existing site.
- The proposed parking will be in a car port provision and three in number.

- This is the maximum number of parking places that can be provided on site.
- As this is a town location, a relaxation would be required for this development to proceed. Three spaces currently available.

Gwent Glamorgan Archaeological Trust: Recommend a condition requiring the applicant to submit a detailed programme of investigation for the archaeological resource

Welsh Water: Recommend conditions relating to surface water and land drainage

#### 4.2 Neighbour Notification

3 representations have been received, the following issues have been raised.

- Whilst no objection to an extension, the front and back elevations are entirely unsuitable for a Conservation Area.
- The proposed layout with the upper floor extension and underlying car parking area is out of character in this part of the Conservation Area.
- Inappropriate development within a group of Listed Buildings
- There is a planning history of refusals
- The ground is unstable and the existing building is structurally unsound – further building could exacerbate this problem

#### 4.3 Other Representations

None received to date

#### 4.4 Local Member Representations

None received to date

### 5.0 **EVALUATION**

- 5.1 The site is located within the Monmouth Town Development Boundary, the development of this site meets the requirements of Strategic Policy S1 and Policy H1 in principle subject to detailed planning considerations. The main issues that arise in the consideration of this application are the following:

Impact upon the setting of the Conservation Area

Neighbour Amenity

Flooding

#### 5.2 Impact upon the setting of the Conservation Area

- 5.2.1 This application has gone through a number of amendments before being finalised to the scheme that is now being presented to Planning Committee. The existing site does not currently enhance this part of the Conservation Area, the form, design and materials associated with the existing dwelling and the hardstanding which forms the site for the new build has little architectural merit. Therefore, it is not appropriate in the case for the extension to try and compliment or reflect the design of the existing dwelling. Indeed Policy HE1 of the Local Development Plan states that “*Where development is acceptable in principle it should complement or reflect the architectural qualities of adjoining and other nearby buildings (unless these are harmful to the character and*

*appearance of the area) in terms of its profile, silhouette, detailing and materials. However, good modern design may be acceptable, particularly where new compositions and points of interest are created.*

5.2.2 The latest revised scheme now embraces the existing building, the modern proportions of the existing dwelling has resulted in the new build being contemporary in design and form with contemporary materials proposed. The existing dwelling is being given a modern facelift with clean contemporary materials and detailing used to enhance the frontage of the existing building. The resultant scheme therefore does not seek to reflect the traditional design and form of some of the surrounding dwellings, which would be inappropriate in this case, it does as a whole represent a significant improvement to the existing development and complies with Policy HE1 in this case.

### 5.3 Neighbour Amenity

5.3.1 The new development does introduce new windows at first floor level that is situated less than 21m from the first floor windows of the properties opposite. This however is characteristic of this area and reflects the built form with dwellings sited close to the road frontage, this coupled with the narrow vertical emphasis windows on both the existing neighbouring properties opposite and the proposed new development limits the viewpoints between properties. The neighbour impact is not considered to be significant in this case.

5.3.2 There is potential to immediately overlook the neighbouring gardens to the rear, this garden area is however currently overlooked from the highway as an open viewpoint can be achieved across the hardstanding area. There are three rear windows at first floor level and an external staircase that potentially increases overlooking as people can linger by the 1<sup>st</sup> floor access door and immediately overlook the garden area. This has been addressed within the design of the scheme with the provision of an external horizontal timber louver screen, this screens viewpoints from the two 1<sup>st</sup> floor windows and the upper floor landing. The only window not screened that serves the kitchen/living space is both narrow and horizontal and provides only a very limited viewpoint across into this private amenity space. The proposal has been innovative in the approach to protecting neighbour amenity and the scheme will not have an adverse impact upon neighbour amenity.

### 5.4 Flooding

5.4.1 The site is located in Zone C1 floodplain, Strategic Policy S12 and supporting development management Policy SD3 relating to Flood Risk is therefore of relevance. Strictly speaking the proposal is contrary to Policy SD3 as the residential development is located above an existing car parking area, it does not relate to the conversion of existing upper floors. It is necessary to consider whether the proposal satisfies the justification tests outlined in Welsh Government Guidance in TAN15.

5.4.2 In this respect the proposal represents a 'windfall' brownfield development within the existing settlement boundary that contributes to meeting the housing targets set out in LDP Policy S2 and thereby assists in achieving the objectives of the Local Development Plan strategy. Furthermore the Conservation Area Policy seeks to preserve and enhance the character or appearance of the area and its landscape setting; Where development is acceptable in principle it should complement or reflect the architectural qualities of adjoining and other nearby buildings (unless these are harmful to the character and appearance of the area). In this case the proposal improves the existing



dwelling raising the standard of the existing development as a result of this proposed development and as concluded above the proposal represents a significant improvement in the overall street scene within this part of the Conservation Area, hence meeting a further LDP strategy. The proposal therefore satisfies the justification tests outlined in TAN 15. This when balanced with the conclusions that the upper floor will not be at risk in the 1 in 1000 year flood event, with the ground floor parking area predicted to flood to a depth of 2.48m during this event which can happen now, it is acceptable to over-ride SD3 and S12 in this case. It is recommended that there is a note to applicant within the informative advising that an Emergency Flood Plan is undertaken by the owner/occupier and that they sign up to our flood warning service

6.0 Response to the Representations of the Community/ Town Council

Addressed above

**7.0 RECOMMENDATION: Approve**

Conditions:

1	Standard Five year limit
2	Development to be carried out in accordance with the approved plans.
3	No development shall take place until the applicant ,or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
4	No development shall commence until samples of external materials have been supplied and agreed with the Local Planning Authority and retained in perpetuity thereafter.
5	Prior to occupation of the new unit the external timber louvers detailed on drawing reference AL.0.31 'Proposed Elevations' shall be fully in place and retained in perpetuity thereafter.
6	No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.



**DC/2015/00832**

**APPLICATION FOR REVISED WORKS CARRIED OUT TO BARN CONVERSION INCLUDING ENLARGEMENT OF RESIDENTIAL CURTILAGE.**

**CARROW HILL FARM, CARROW ROAD, CARROW HILL, CAERWENT NP26 3AU**

**RECOMMENDATION: Approve**

Case Officer: David Wong

Date Registered: 24/08/2015

## **1.0 APPLICATION DETAILS**

- 1.1 The initial planning application for a residential barn conversion was presented to the Planning Committee and approved in 2014. However, the barn conversion was not carried out in accordance with the approved details and the submission of this application is to regularise the unauthorised works.
- 1.2 The key features of this application include the alteration to the development boundary of the barn (i.e. an increase of the residential curtilage), a new stone wall along the front of the barn, a new garden store at the back of the site, a new overhang on the lower portion of the barn, a set of new glazing on the upper floor (on the gable end of the lower portion of the barn) and external fenestration changes as well as some internal works. There is no change to the overall dimensions of the barn.
- 1.3 This application is presented to Planning Committee as the applicant is a close relative of one of the Monmouthshire County Councillors.

## **2.0 RELEVANT PLANNING HISTORY**

DC/2014/00622 – Proposed conversion of redundant agricultural building into a dwelling. Approved 05/12/2014

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

**S1  
S13  
S17**

### Development Management Policies

**EP1  
DES1  
H4**

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Caerwent Community Council – Approve.

MCC Highways Officer – No objection.

#### 4.2 Neighbour Notification

None received

#### 4.3 Other Representations

None.

#### 4.4 Local Member Representations

None.

### **5.0 EVALUATION**

#### 5.1 The principle of the proposed development

5.1.1 Planning permission was approved in 2014 for the residential conversion of this barn. This application seeks planning approval to regularise the unauthorised conversion works to the barn, rather than considering the acceptability of the principle of the barn conversion.

#### 5.2 Design Amendments

5.2.1 The key features of this application include the alteration to the development boundary of the barn (i.e. an increase of the residential curtilage), a new stone wall, a new garden store and the modification to the external fenestration as well as some internal works.

5.2.2 It is noted that there is no change to the overall dimensions of the barn. As a result of this application, the residential curtilage of the barn will be increased however it does not extend beyond the established mature hedgerow, therefore, it does not adversely affect the setting of this part of Caerwent.

5.2.3 The principle of the new stone wall along the highway is acceptable as it is not considered to be an alien feature; stone walling is used on some of the neighbouring properties. However, part of the new stone boundary wall requires reduction in order to produce a consistent height along the entire length of the wall, as currently, the height of this stone wall curves up towards the barn. Having discussed this issue with the agent and the applicant, they are happy to carry out the work to have a stone wall with a matching height with the existing stone boundary along the front of the applicant's property, Highfield House. This work can be secured by a condition.

5.2.4 A new garden store has been constructed with stonework and timber cladding. This garden store is modest and is located at the back of the site, away from the public realm. Therefore, there is no objection to this element.

5.2.5 Additional rooflights have been inserted and the width of a couple of doorway have been increased. The gable end of the lower portion of the barn was open and timber clad; the use of new glazing on the gable end is visually acceptable. In addition, the

new overhang on the lower portion of the barn is acceptable. It is considered that these changes in this instance, do not adversely affect the integrity of the barn. Given the above, there is no objection to this application.

5.3 Neighbour amenity

5.3.1 The issues involve are primarily to do with the appearance of the barn and the neighbour amenity will not be adversely affected.

5.4 Ecology

5.4.1 The barn conversion is completed and is currently lived in. Therefore, no issue of this kind is anticipated.

5.5 Highway considerations

5.5.1 The on-site parking arrangement has been altered but there is no objection from the Council's Highways Department. Therefore, there is no objection to this element.

**6.0 RECOMMENDATION: Approve**

Conditions/Reasons

1	Within 3 months of the date of the decision the wall at the front of the property will be reduced in height to match the existing wall.
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**DC/2015/00890**

**LAND TO REAR OF BEDFONT COTTAGE, NEWTOWN ROAD, GOYTRE**

**FOUR BEDROOM DWELLING ON GARDEN LAND TO THE REAR OF BEDFONT COTTAGES**

**RECOMMENDATION : APPROVE**

Case Officer: Kate Bingham

Registered: 11/08/2015

## **1.0 APPLICATION DETAILS**

- 1.1 This full application relates to the rear garden of an existing pair of semi-detached dwellings in the village of Penperllenni. The site has the benefit of an outline consent for a dormer bungalow.
- 1.2 It is proposed to demolish an existing brick storage building to create a new vehicular access to the garden and the rear as well a large modern single storey garden store. The site will be divided so as to retain a garden and parking/turning area for the existing dwelling as well as adequate garden and parking and turning area for the proposed new dwelling.
- 1.3 The proposed dwelling has been reduced in height from a two storey dwelling to a one and a half storey dwelling following advice from officers. Windows have also been made obscure glazed or removed where necessary to avoid overlooking of neighbouring properties.

## **2.0 RELEVANT PLANNING HISTORY**

DC/2014/00139 – Rear two storey extension to Bedfont Cottage. Approved 31/3/2014.

DC/2014/00197 – Erection of one dwelling and garage (Outline) Approved 2014.

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

S1 – Spatial Distribution of New Housing Provision

S17 – Place Making and Design

H1 – Residential Development Rural Secondary Settlements

NE1 – Nature Conservation and Development

EP1 – Amenity and Environmental Protection

DES1 – General Development Considerations

## 4.0 REPRESENTATIONS

### Consultation Responses

Local Member - No comments received.

Goytre Fawr Community Council – No Objections.

Dwr Cymru Welsh Water – No objections. Standard conditions requiring foul and surface water to be drained separately requested.

Network Rail – No observations.

MCC Tree Officer - Much of the vegetation in the garden is of low quality in terms of landscape value with overgrown shrubbery with a few fruit trees. Whilst the loss of this vegetation would be regrettable, it would, from a landscape perspective, be acceptable. However, there is a semi-mature Oak tree to the far north-western corner of the application site which may or may be on the applicant's land. This particular tree makes a significant contribution to the surrounding landscape.

Whilst I feel that this development can accommodate this tree I should like the applicant to demonstrate that this can be achieved without damage to it. The condition should therefore be used.

### Neighbour Consultation Responses

Representations from 5 households received. Object on the following grounds;

- Drainage system is inadequate and do not have the ability to cope with the capacity connected to the system. Recently many properties were flooded out because of this issue and history of flooding for the same reasons. A *thorough* investigation needs to be carried out before approval is granted.
- Ground conditions are not suitable for a soakaway for surface water as required by Building Regulations.
- Fence boundary against existing hedge will cause the hedge to decay along boundary of no.40.
- Proposed dwelling too big for the plot.
- Proposed dwelling is too high.
- Insufficient distances between existing and proposed dwellings to maintain privacy standards.
- Bedroom windows will overlook no. 51 Longhouse Barn.
- Velux windows should be obscure glazed.
- Turning area not large enough.
- Adverse impact from headlights and lights on the building on neighbours.
- Impact from noise due to access.



## 5.0 EVALUATION

### 5.1 Principle of Development

The site is within the village development boundary of Penperllenni, within which new residential development is acceptable in principle under Strategic Policy S1 and Development Management Policy H1.

### 5.2 Visual Amenity

The previous outline consent that was granted in 2014 allowed a dormer bungalow with its first floor accommodation in the roof space. This is a full application rather than Reserved Matters and so does not have to follow the outline approval. However, following advice from officers, a dormer style building is also now being proposed and this design reflects that of many of the existing dwellings in the area and will not therefore appear incongruous. The scale of the proposed dwelling also reflects that of the local area and allows ample amenity space for both the proposed and existing dwellings as well as space for parking and turning.

Whilst the loss of the existing vegetation on the site would be regrettable, much of the trees in the garden are of low quality in terms of landscape value with overgrown shrubbery with a few fruit trees. It would therefore, from a landscape perspective, be acceptable. There is a semi-mature Oak tree to the far north-western corner of the application site which may or may be on the applicant's land. This particular tree makes a significant contribution to the surrounding landscape and should therefore be protected via a condition.

### 5.3 Residential Amenity

The application site is in a built-up area and the site backs onto existing dwellings at 50-55 Longhouse Barn. The siting of the proposed new dwelling shows sufficient distance from any neighbouring boundary so as to ensure that any new dwelling would not have an overbearing effect on any of the surrounding dwellings. The proposed dwelling is sited close to the north eastern boundary with no.40 Newtown Road but given the extent of the rear garden of this property, it is not considered that the new dwelling will have a significant impact. As a fence could be erected under Permitted Development Rights, the impact that this would have on any existing hedge boundary belonging to no.40 cannot be taken into consideration as part of this application.

In terms of overlooking, the dwelling is a one and a half storey with accommodation in the roof space orientated with its ridge running southeast to northwest resulting in the gable ends facing the host dwelling and more distant properties at 53, 54 & 55 Longhouse Barn. There will be a distance of approx. 25-35 metres between the north western gable end of the proposed new dwelling and nos. 53, 54 and 55 Longhouse Barn and at least approximately 25m between the south eastern gable end and the host dwelling and the proposed dormer window serving bedroom no.3 and the boundary with 51 Longhouse Barn. Apart from this dormer, the southwest and

northeast elevations of the proposed new dwelling would consist of principle windows at ground floor level only with roof lights at a higher level. As such there will be no significant overlooking between properties.

There will be no change in the location of the existing and proposed access and no significant increase in traffic using it. However, at present there is a garage that restricts access further into the plot for vehicles and the application proposes a parking area to the rear of nos. 51 - 53 Longhouse Barn. Given that the current occupiers of Bedfont Cottage could demolish this garage and utilise this area for parking now should they wish, without the need for planning permission, then it would be unreasonable to refuse this application on the basis that using this part of the garden for parking would be seriously harmful to residential amenity.

#### 5.4 Access and Parking

The proposed new dwelling will be accessed via the existing opening onto the highway that had previously been serving no.1 Bedfont Cottage. The demolition of an existing brick garage building will enable vehicles to be able to access the proposed new dwelling while the amalgamated nos. 1 &2 Bedfont Cottages will use the access previously serving no. 2 Bedfont Cottage. As such, no new opening is required and there will be no net increase in traffic using either of the accesses.

Three parking spaces have been shown as being retained for the existing dwelling and four are shown for the proposed new dwelling together with turning areas which meets adopted parking standards.

#### 5.5 Biodiversity Considerations

Neither of the buildings that are proposed to be demolished are likely to be used by bats as they are both well-lit and, being well maintained, do not have any access points. There are reports from neighbours of bats using the garden for foraging and the loss of mature trees from the site would not be desirable. However, this application does not propose the removal of any mature trees from the site

#### 5.6 Drainage and Flooding

Concerns have been raised by neighbouring occupiers in relation to the capacity of the local drainage network to accommodate an additional dwelling. Given that Dwr Cymru Welsh Water have no objection to the proposal, it would be unreasonable to refuse the application on that basis.

### 6.0 **RECOMMENDATION: APPROVE**

#### Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of

	approved plans set out in the table below.
3	Foul water and surface water discharges shall be drained separately from the site.
4	No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
5	Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
6	<p>No development shall take place until the local planning authority has received and agreed in writing an Arboricultural Method Statement (AMS) in accordance with British Standard 5837:2012 - Trees in relation to design, demolition and construction - Recommendations.</p> <p>The AMS shall demonstrate how the Oak tree to the north west of the plot can be accommodated within the scheme and shall include a scaled Tree Protection Plan showing the extent of the Root Protection Area and position of protective fencing.</p>

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DC/2015/01136

## PROPOSED GLAMPING PODS WITH UTILITIES AND SERVICES BLOCK.

FAIROAK, RUMBLE STREET, MONKSWOOD, NP15 1QG

### RECOMMENDATION: APPROVE

Case Officer: Andrew Jones  
Date Registered: 05/11/2015

#### 1.0 APPLICATION DETAILS

- 1.1 This application relates to a parcel of land adjacent to the property known as Fair Oak, located along Rumble Street in Monkswood.
- 1.2 Planning permission is sought for 10 glamping pods in addition to a utilities and services block. Each pod would measure 2.6m in height, 6m in length and 3.1m in width. They would be timber framed with larch cladding to exterior. The utility block would be sited within same parcel of land to the south of the pod locations. The structure would measure 11.8m in length, 6.6m in width and 3.5m to the ridge. With regard to external finishes these would include cedar boarding and timber doors/windows.
- 1.3 The site would be served by the existing access to the site off Rumble Street, whilst a grasscrete parking area would measure 21m x 23m and would be sited to the east of the pod locations.
- 1.4 Planning permission was refused in August 2015 for 10 touring caravan pitches and a utilities block for the following reasons:
- *The applicant has failed to provide any ecological information in support of the application. The Monmouthshire County Council biodiversity checklist identifies risks to Priority Habitats (NERC Act), Great Coed Cae Ddu Site of Importance to Nature Conservation and legally protected species including bats, dormouse, nesting birds, reptiles and amphibians. Without any information the Local Planning Authority considers that it is unable to determine with any degree of certainty whether the proposal would impact adversely on protected species. The proposal is therefore contrary to Policies T1 (a) and NE1 of the Monmouthshire Local Development Plan.*
  - *The Caravan Management Plan submitted could not be enforced via planning condition, and therefore the proposed development would cause unavoidable vehicle conflicts and congestion, and as a result be harmful to highway safety. The proposal is therefore contrary to Policies T1 (d) and MV1 of the Monmouthshire Local Development Plan.*

#### 2.0 RELEVANT PLANNING HISTORY

DC/2013/01022	Ten touring caravan pitches with utility & services block Refused	11/08/2015
DC/2015/00325	Removal of condition 4 from planning consent DC/2012/00254. Approved	14/05/2015
DC/2012/00254	Replacement dwelling	Approved 12/10/2012

DC/2012/00127	Replacement of 2x6m wind generators in favour of 1x12m generator	Undetermined	
DC/2010/00573	Replacement dwelling	Appeal Dismissed	14/09/2011
DC/2007/01021	Certificate Of Lawfulness (existing use or development) - use of dwelling in breach of condition 1 of permission 192 (granted 18/7/1951) that required the dwelling to be occupied by a person full time employed on the adjoining smallholding.	Approved	24/09/2007
DC/2007/00164	2 X Domestic 1.4KW wind generators.	Approved	

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### Strategic Policies

S11 – Visitor Economy  
S13 – Landscape, Green Infrastructure and the Natural Environment  
S16 - Transport  
S17 – Place Making and Design

#### Development Management Policies

T1 – Touring Caravan and Tented Camping Sites  
EP1 – Amenity and Environmental Protection  
DES1 – General Design Considerations  
LC1 – New Built Development in the Open Countryside  
LC5 – Protection and Enhancement of Landscape Character  
NE1 – Nature Conservation and Development  
GI1 – Green Infrastructure  
MV1 – Proposed Development and Highway Considerations  
MV3 – Public Rights of Way

### **4.0 REPRESENTATIONS**

#### 4.1 Consultations Replies

- 4.1.1 Llanbadoc Community Council – Recommend the application is approved, noting that members are aware and have acknowledged the number of objections from local residents in relation to this planning proposal. The Community Council have met the applicant on site to consider the local impact of the application. The clerk has brought to the attention of the Community Council the Monmouthshire Local Development Plan, and policy T2 – permanent visitor accommodation outside settlements. Also the fact that a bio-diversity report and highways report will be required for Monmouthshire County Council to consider impact on the Countryside, visibility and the impact and safety of the existing transport infrastructure. Council members felt the proposed location on the property, and appearance of the 10 pods to be acceptable, when compared with alternative proposals for the site.
- 4.1.2 MCC Highways – Provided the following comments:
- The applicant has identified that each glamping pod will have 1 parking space constructed utilising sustainable geotextile reinforcing mesh.

- The proposed development will utilise the existing means of access to Fair oak. The existing means of access is not deemed adequate to accommodate the numbers and frequency of additional vehicle movements.
  - The current proposal will not generate any more or any less vehicle movements than the earlier refusal application, but it will remove towed touring caravans from the existing local rural lanes, particularly Rumble Street.
  - Rumble Street is a typical rural lane that is very narrow and restrictive with limited localised passing bays. Rumble Street provides direct access from the A472, the lane provides direct access to 16 residential properties and residential and agricultural properties further afield.
  - The proposed development will generate on average 2 vehicle journeys per hour throughout the course of the day, although it is accepted that some concentrated vehicular activity can be expected on change over days when vehicles may depart and arrive on mass albeit at different times of the day.
  - It is inevitable that construction vehicles will require access to the site during the development of the site, the applicant should therefore make arrangement for all construction plant and deliveries to access and egress the development via Plough Lane and make internal arrangements include the means of access to enable all vehicles to access and egress the site in a forward gear.
  - I would offer no objections to the proposal to provide 10 glamping pods on highway safety grounds subject to the following conditions.
  - The development will be restricted to 10 number of glamping pods with no increase in the numbers nor the change of use to touring caravans.
  - The existing access shall be improved in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any development commences and shall be completed in accordance with the approved details before the development is brought into beneficial use.
  - Prior to the commencement of any works a Construction Traffic Management Plan and Designated Access Route Plan shall be submitted to and approved in writing by the Local Planning Authority.
- 4.1.3 Dwr Cymru Welsh Water – We would request that if you are minded to grant Planning Consent for the development that the suggested conditions and advisory notes provided are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water’s assets.
- 4.1.4 Planning Policy – Provided the following comments:
- Strategic Policy S11 provides some support for the proposal noting proposals that provide sustainable forms of tourism will be permitted subject to detailed planning considerations.
  - Policy T1 does not apply in this instance as the proposal does not relate to a touring caravan/tented camping site.
  - Policy T2 relates to visitor accommodation outside town and development boundaries. The log pods appear to be permanent structures (approximately 19m<sup>2</sup> each) and will each have attachment to services such as water, drainage etc.. Policy T2 notes the provision of permanent serviced or self-catering visitor accommodation will only be permitted if it consists of the re-use and adaptation of existing buildings or relates to the conversion of buildings, where they comply with the criteria set out in Policy H4. No information has been included with the application in relation to agricultural diversification, the site does not appear to be linked to a farm holding and therefore criterion (a) of Policy T2 is not of relevance. Criterion (b) and (c) relate to the conversion of buildings, the proposal does not relate to the conversion of any buildings, exceptions (b) and (c) are consequently not applicable.
  - The utility block is of a considerable size (approximately 78m<sup>2</sup>) and is considered a new build permanent structure.

- Policy LC1 contains a presumption against new-build development in the open countryside although identifies those type of developments involving new build that might be acceptable if justified in policies S10, RE3, RE4, RE5, RE6, T2 and National Planning Policy. None of these policies appear to be applicable.
  - Policy MV1 should also be considered relating to proposed developments and highway considerations. Policies EP1 and DES1 in relation to Amenity and Environmental Protection and General Design Considerations respectively would also need to be considered along with Policy LC5 relating to the protection and enhancement of landscape character.
- 4.1.5 Public Rights of Way Officer – Provided the following comments:
- The applicant’s attention should be drawn to Public Footpath No 24 in the community of Llanbadoc which runs through the proposed development site.
  - Footpath No.24 must be kept open and free for use by the public at all times, alternatively, a legal diversion or stopping-up Order must be obtained, confirmed and implemented prior to any development affecting the Public Rights of Way taking place.
  - No barriers, structures or any other obstructions should be placed across the legal alignment of the path and any damage to the surface of the path as a result of the development must be made good at the expense of the applicant.
  - Post construction any damage caused by private vehicular use to the surface of the footpath must be made good to at least footpath standards.
- 4.1.6 Tourism Officer – Provided the following comments:
- I confirm that this development fits with the identified priorities outlined in Monmouthshire’s approved Destination Development Plan 2012-15, and with Monmouthshire’s accommodation development opportunities report, which identifies market potential for luxury camping or ‘glamping’ (glamorous camping). The proposed development also fits well with Monmouthshire’s visitor product and similar sites operating in the county demonstrate strong demand for this type of accommodation.
  - Tourism generated £173m for Monmouthshire in 2014 and supported 2,733 FTEs (STEAM 2014). Staying visitors generate the lion’s share of the benefits of tourism - 71% (£122.8m) of total tourism revenue and 77% of direct FTEs in 2014- so increasing the number of bed spaces is key to growing tourism. Currently tourism in Monmouthshire is relatively seasonal, with significantly fewer bed spaces available between November and March compared with the peak months April to September. In order to extend the season and ensure tourism benefits are year round, bed spaces need to be available over the full twelve months. Twelve month availability of accommodation also increases the financial viability of small glamping sites like this which have limited opportunities to achieve economies of scale.
- 4.1.7 Biodiversity Officer – Provided the following comments:
- The revised layout does not raise an ecological objection for the scheme. I have visited the site and whilst the neutral grassland has some species rich indicators, the value at the site does not meet local wildlife site (SINC) quality. The current use of the site as a storage area for machinery and through route to the woodland is damaging the grassland present and limiting its quality. The new use for the site and enhancement of the sward and management should provide long term benefits for biodiversity. Hedgerow / tree planting along the northern boundary where the wetland apparently used to exist is proposed and detail of this will need to be secured as part of the planning permission. Please include suggested conditions.



4.1.8 Landscape Officer – Please include suggested condition for detailed hard and soft landscaping plan to be agreed and implemented.

#### 4.2 Neighbour Notification

Objections have been received from 9 properties following the consultation exercise raising the following areas of concern:

- Experienced excessive traffic whilst Little Mill railway bridge was closed.
- Extra traffic with very few passing places, impact will be intolerable.
- Illogical assumption that people will be using glamping pods rather than their own caravans.
- Highway Officers traffic flow calculation would double the volume of traffic incurred by residents at the moment.
- Construction traffic accessing via Plough Lane and in a forward gear is wishful thinking.
- Application does not comply with criteria A, B and D of Policy T1.
- Nothing has changed since previous application.
- Impact on aesthetics and noise for people using the public right of way.
- Close proximity to two areas of ancient woodland.
- Glamping pods are in effect permanently sited caravans.
- The surface of Rumble Street is a patchwork of remedial repairs, ruts and holes and the lane regularly floods in the winter.
- Road features a number of very narrow, sweeping blind bends with no escape route for pedestrians or horse riders.
- Does not comply with Policy T2 as does not involve re-use of existing buildings.
- A commercial proposal like this is unsuitable for a residential lane like Rumble Street.
- Pods look like giant pig sties.
- It is highly likely that these large semi-permanent structures would provide enough space for more than one car load of passengers.
- Problems are exacerbated as all amenities are a car ride away from the site.
- Vehicles used would most likely be large 4x4 than small family hatchbacks.
- If permission is granted it will facilitate expansion to something of a much larger scale.
- This is a permanent large construction, a continuous blot on the landscape and environment.
- Already unsafe to walk the lane.
- Noise and disruption of 50 or more campers, dogs and children would seriously affect the quality of our lives.
- Potential damage by trespassers and dogs.
- All residents along Rumble Street will be impacted.
- No control over the opening periods.
- Risk of drainage contamination to other residents.
- Applicant has not consulted neighbours as stated in application forms.

#### 4.3 Other Representations

4.3.1 Usk Civic Society – Provided the following comments:

- As with the previous application for caravanning facilities at this site (DC/2013/01022), no ecological information has been supplied, despite the proximity of the site to Great Coed Cae Ddu Wood;
- Glamping pods being semi-permanent wooden structures, would not appear to fall within the derogation in the LDP for temporary camping and caravanning facilities in the open countryside.

- While the traffic generated by a glamping site might be expected to be private cars rather than towed caravans, it remains the case that Rumble Street is a very narrow lane with minimal passing places and difficult access onto other roads at both ends.
- As with the previous application, therefore, it is not suitable for the increased traffic which would be generated by a commercial glamping site at this location.

#### 4.4 Local Member Representations

Councillor Val Smith – Request that this application is considered by full committee if recommended for approval as cannot support the proposal.

### 5.0 EVALUATION

#### 5.1 Principle of Development

5.1.1 Strategic Policy S11 *Visitor Economy* sets out that “development proposals that provide and/or enhance sustainable forms of tourism will be permitted subject to detailed planning considerations”. Proposals for tourism developments are assessed against relevant Development Management policies which seek to implement Policy S11 by providing the policy framework to support the provision and enhancement of tourist attractions, facilities and accommodation.

5.1.2 In this instance Policy T1 *Touring Caravan and Tented Camping Sites* is not strictly applicable to the current proposal as the pods cannot be defined as either a touring caravan or tent, although they are moveable in the same manner as a touring caravan.

5.1.3 Policy T2 asserts that “outside town and village development boundaries, the provision of permanent serviced or self-catering visitor accommodation will only be permitted if it consists of the re-use and adaptation of existing building and the conversion of buildings for such uses complies with the criteria set out in Policy H4”. In this instance the proposed form of tourism would not be permanent as the pods would be removed from their seasonal siting and stored elsewhere within land owned by the applicant. The standard seasonal condition for touring and tented camping sites that would see the site closed between 30<sup>th</sup> September and 1<sup>st</sup> March. The pods can be towed out at this time and would be stored on the grasscrete parking area.

5.1.4 As such it is considered that as the pods would not be permanently sited or serviced that the use is acceptable in principle. Although not a planning consideration it is also worth noting that it has been advised by the Council’s Tourism Officer that the development fits with the identified priorities outlined in Monmouthshire’s approved Destination Development Plan 2012-15, and with Monmouthshire’s accommodation development opportunities report, which identifies market potential for luxury camping or ‘glamping’ (glamorous camping).

#### 5.2. Access, Parking and Traffic

5.2.1 As detailed in section 1.4 of this report one of the reasons for refusal of the previous application for touring caravans related to concerns with highway safety. The amendment to now propose glamping pods ensures that touring caravans would not be entering or leaving the site. The only accommodation provided would be through the 10 glamping pods and a condition is to be attached to ensure no other form of accommodation (including touring caravans) are to enter the site. It is acknowledged that Rumble Street is a narrow rural lane with limited passing places and is signed at

the southern entrance as being not suitable for heavy vehicles. However, whilst the proposed glamping site would inevitably create additional traffic through the lane, the traffic would not be encumbered by towed touring caravans.

The Council's Traffic and Development Manager has considered the potential traffic volume increase and is of the view there is no longer grounds to sustain an objection on highway safety grounds or traffic impact. This is however subject to the certain considerations which can be managed through appropriate planning conditions.

5.2.2 As noted previously the site is to be limited to glamping pods only, in addition this will also be restricted to the 10 as currently proposed. The Highway Officer has also identified the existing access as inadequate, therefore improvements are sought that will require details to be agreed prior to the development being brought into beneficial use.

5.2.3 It is anticipated that construction vehicles will need to enter the site and as such a Construction Management Plan and Designated Access Route Plan will be required to be submitted, approved and implemented before any works commence. Given the nature of these visits and the timescales involved it is considered that such a condition would be enforceable unlike the previous management plan (as part of the refused application) which related to guests visiting the site.

### 5.3 Visual Impact

5.3.1 The site is located approximately 110m from Rumble Street and is sited immediately to the east of the area of wood land known as Great Coedcae Du. To the south there is a small landscape bund, whilst the land steeply slopes up outside the site to the north.

The woodland provides significant screening from the West, and the existing landscape features and the proximity from Rumble Street mean that the 10 pods could be well screened from wider vantage points. Although some landscaping is proposed on the submitted plans, the level of detail is not sufficient and therefore is to be agreed via appropriate planning condition.

At a more local level, the site is crossed by public right of way and therefore views of the area for users of this footpath would be significantly different. However, it is not considered that the final landscaped site would be of unacceptable visual impact at this level.

5.3.2 The Council's Landscape Officer has recommended a detailed hard and soft landscaping scheme be agreed via planning condition. Such a scheme would include plant species, size and densities as well as information relating to drainage and pedestrian access/circulation routes. The information currently submitted is not considered to be sufficient

5.3.3 As detailed in section 5.1.3 conditions limiting the pitches to seasonal use would also safeguard against use in the winter when vegetation coverage is lessened.

### 5.4 Residential Amenity

5.4.1 There have been concerns raised from a number of local residents along Rumble Street relating to noise and disturbance created by people staying at the site. The nearest neighbouring dwellings (Keepers Cottage to the North East and Woodlands Farm to the East) are both in excess of 100m from the site, and in the case of Woodlands Farm on the opposite side of Rumble Street.

Additional planting, as discussed in the section above, could also help to provide additional noise attenuation. The site would not be open during the winter months

when this form of mitigation would be reduced through winter when vegetation coverage is reduced.

- 5.4.2 It is therefore considered that on balance the proposed development for 10 glamping pods would not cause unacceptable harm in terms of noise or privacy to the residential amenity of local residents.

## 5.5 Biodiversity Considerations

- 5.5.1 Previous application DC/2013/01022 was refused due to the omission of any ecological information to support the application. Of particular concern was an infilled pond (which are Priority habitats as defined by section 40/42 of the NERC Act). The Biodiversity Officer at the time had suggested consideration is given to creating a green buffer between the boundary of the site with the hedgerow/stream and the caravan pitches proposed at the time. Within the buffer it was suggested a pond should be reinstated along with a species-rich grassland margins. This information was not provided and the layout proposed would not have allowed for such features to be implanted via condition.

- 5.5.2 The site has been revisited and the Biodiversity Officer does not raise an ecological objection to the revised layout. Whilst the neutral grassland has some species rich indicators, the value at the site does not meet local wildlife site (SINC) quality. The current use of the site as a storage area for machinery and through route to the woodland is damaging the grassland present and limiting its quality. The new use for the site and enhancement of the sward and management should provide long term benefits for biodiversity. New hedgerow and tree planting along the northern boundary of the site where the wetland apparently used to exist is proposed and detail of this will need to be secured as part of the planning permission. Other conditions are to be attached safeguard ecological interests including clearance methods and the long-term management of the site.

- 5.5.3 It is therefore considered that given the revised layout and the implementation of the appropriate planning conditions the current proposal has overcome the previous ecological objection that necessitated refusal of application DC/2013/01022.

## 5.6 Response to Objections

- 5.6.1 Local concerns relating to policy compliance, visual impact, residential amenity and highway safety have been addressed in the preceding sections of this report. Other issues raised relate to the current application being the basis for future expansion and development of the site. The Local Planning Authority (LPA) can only consider the proposal as submitted rather than on speculative future intentions. In any event the site is not of excessive size and the number of units is considered to be commensurate to it. Planning conditions would ensure the size of the development is managed, and any future applications to expand would need to be considered on their own merits.

- 5.6.2 The issue of the site causing increase in damage caused by trespassers and dogs would be a police matter. The site is already crossed by a Public Right of Way which brings levels of outside footfall through the locality.

- 5.6.3 Finally concerns have been raised in relation to the applicant's statement that he has engaged in local consultation with residents. Whilst this may or may not have been undertaken, given the application type there is no statutory requirement for the applicant to engage in public consultation as part of the planning process.

## 6.0 RECOMMENDATION: APPROVE

### Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	The site shall not be used for the approved use between 30th September in any one year and 1st March in the succeeding year. During this time all pods shall be stored on the car parking area identified on drawing 2016/0805/99/01 (May 2016).
4	No lighting or lighting fixtures shall be installed in the development boundary until an appropriate lighting plan which includes low level PIR lighting and allows dark corridors for bats has been agreed in writing with the Local Planning Authority. The plan shall detail light type, specification and position.
5	All piles of rubble, stones and wood piles within the development site shall be removed by hand.
6	No construction activities including earthworks shall be undertaken within 6m of the woodland trees at the western edge of the site or within 3m of the northern hedge line including new tree planting.
7	A sparrow terrace box shall be provided on the new service block.
8	A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the operation of the development. The content of the Management Plan shall include the following; a) Aims and objectives of management of the grassland and hedgerow including new planting  b) Prescriptions for management actions  The approved plan will be implemented in accordance with the approved details.
9	During the permitted period the combined total number of glamping pods on the site shall not exceed 10 at any one time. No touring caravans or tents will be allowed to enter or use the site.
10	The existing access shall be improved in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any development commences and shall be completed in accordance with the approved details before the development is brought into beneficial use.
11	Prior to the commencement of any works a Construction Traffic Management Plan and Designated Access Route Plan shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved plans.
12	No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The shall include all of the following items:

	<ul style="list-style-type: none"> <li>- The submission should be presented on an A1 plan (or plans), to scale: 1:100</li> <li>- The plan should be supported by a written landscape strategy (the aims/objectives).</li> <li>- The plan should illustrate and where required, detail or specify the following information:</li> <li>- Existing levels (10m spacing's)</li> <li>- Location and size of existing tree(s) and hedgerows on and within 10m of the site.</li> <li>- Details of planting to be retained, together with measures to protect planting during construction.</li> <li>- Finished levels (10m spacing's)</li> <li>- Car park layout and details of hard surface materials and means of enclosure.</li> <li>- Any other vehicular access and circulation areas.</li> <li>- Pedestrian access and circulation areas (footways to glamping pods) and details of hard surface materials and means of enclosure (if required).</li> <li>- Planting plan, including name of species, plant size and densities in addition to the provision of native species rich grassland seeding</li> <li>- Minor artefacts and structures (play, furniture etc).</li> <li>- Proposed and existing service provision above and below ground (drainage, power, communications)</li> </ul> <p>The development shall be implemented in accordance with all of the approved details.</p>
13	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.</p>

Informatives;

Public Rights of Way.

Wales and West Utilities.

**DC/2015/01210**

**PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF THREE DWELLINGS ADJACENT TO 21 FOUR ASH STREET.**

**LAND ADJACENT 21 FOUR ASH STREET, USK**

**RECOMMENDATION: Approve**

Case Officer: Jo Draper

Date Registered: 01/10/2015

**1.0 APPLICATION DETAILS**

- 1.1 The proposed scheme is for the construction of three 2 bedroom dwellings with associated parking and turning areas to be constructed within the garden area of 21 Four Ash Street. The proposed terrace of 3 dwellings is proposed to be set back within the site with a small rear garden serving each dwelling and a shared parking area to the front of the site.
- 1.2 The application site sits within the garden curtilage of a Grade II Listed Building. This dwelling forms an end link property and has a Georgian frontage, it is rendered in roughcast with a slate roof. This dwelling has a very traditional frontage with garden walls projecting on either side of the frontage with a traditional iron railing crossing the whole frontage. The principle south western boundary to the site is a 1.6m high blockwork wall faced with random rubble stonework this forms the frontage to the application site.
- 1.3 The existing dwelling has a very large garden to the rear and side measuring approximately 1140 square metres. This application proposes the sub-division of this residential curtilage to accommodate a terrace of three small dwellings within the plot. The new dwellings take up 713 square metres leaving a further 597 square metres in amenity space. Each dwelling including the severed dwelling has 2 car parking spaces accommodated within the site.
- 1.4 The footprint of the three terraces measures 14.4m in depth by 8.1 in depth, the dwellings have been designed with a low ridge and eaves, the ridge height measures 7.1m with traditional dormer windows proposed to the front to provide the headroom required to make the first floor more accessible. The supporting information submitted with the application states that this has been designed to reduce the impact upon the neighbouring properties namely Blackfriars which are situated to the north east of the site. The proposed design has been amended to simplify the elevation removing the timber boarding previously proposed and replacing with a simple render finish. The finishing materials also comprise of natural blue/black slate, rainwater goods are painted cast metal, painted timber fascia and barge boards, and the fenestration is colour coated aluminium. The proposed driveways are finished with tegular paving setts edged with conservation type kerb edging.

- 1.5 The site will remain bound by walls and fences and the communal spaces will form part of the shared amenity space for the dwellings. The site has several trees with a Copper Beech to be retained in the rear garden. The willow and birch adjacent to the south western boundary and new vehicular access will be removed to allow the vehicle access to be widened, it is proposed to replace and compensate for these with native species trees to be planted along the south west boundary. The copper beech to the eastern corner will be retained and protected for the duration of the construction works.
- 1.6 The proposed vehicle access to the site is to be widened to 3.8m with an additional 1.4m path for pedestrian use. The existing boundary wall that forms the frontage to the site is a 1.6m high block and stone wall this is to be partly demolished and curved into the site to frame the new wider access with the height lowered to 0.9m at the one end to facilitate the visibility slay. The proposed site layout allows for two parking spaces per unit including that of the severed dwelling, the layout allows cars to enter and leave in a forward gear.
- 1.7 The site is situated within the Usk development boundary, the Usk Conservation Area and an Archaeologically Sensitive Area.

## **2.0 RELEVANT PLANNING HISTORY**

None

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S1 – Spatial Distribution of New Residential Development  
 S4- Affordable Housing Provision  
 S13 – Landscape, Green Infrastructure and the Natural Environment  
 S17 – Place Making and Design

### Development Management Policies

H1 – Residential Development in Rural Secondary Settlements  
 H5 – Replacement Dwellings in the Open Countryside  
 DES1 – General Design Considerations  
 EP1 – Amenity and Environmental Protection  
 NE1- Nature Conservation and Development  
 GI1-Green Infrastructure  
 HE1- Development in Conservation Areas  
 MV1- Movement and Development

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Usk Town Council: Approve



Gwent Glamorgan Archaeological Trust: An archaeological evaluation was carried out in response to previous consultation response. There is no objection to the positive determination of the current application but recommend that a condition is attached to any planning consent that is granted ensuring that any archaeological features that are disturbed by the works are identified, fully investigated and recorded.

Welsh Water: response to be reported as late correspondence

MCC Tree Officer: The application site is within the Usk Conservation Area therefore all trees are legally protected.

The block plan shows a number of trees to be retained including 3 Birch trees to the frontage and a large Copper Beech to the rear. On the whole the loss of other trees within the conservation area will appear to have a limited impact on the landscape as they are relatively isolated from view.

Further information is required which can be covered by planning condition.

MCC Conservation: The proposed design of the new dwellings to the rear of 21 Four Ash Street are acceptable. The lower roof pitch will now reduce any visual impact and light loss.

MCC Highways: No objection to proposal subject to certain annotations on the plan (eg. ensuring that no surface water drains onto the highway) The application is intending to utilise the existing point of access off the highway.

The proposal has offered some improvement to the same but I would wish to see further improvements at the location to bring the access closer to the required standards. The applicant has shown a substandard width for a private driveway with a substandard width footway. It is recognised that whilst it would be more desirable to have a shared access and widen the driveway to 4.2m minimum to support the two way facility to and from the site, the proposed access with the revised annotations provides an access point that is not unacceptable to a point that would warrant refusal on highway grounds.

Usk Civic Society : Usk Civic Society objects to the proposal to build three two-bedroom houses in the grounds of 21 Four Ash Street. This building, also known as Monmouth House, which is listed, was once an inn and as such stands in a more spacious plot than the cottages which it abuts. The entrance from the street is on the line of a now lost street which connected Four Ash Street with the town rampart and ditch (see Usk Town Trail by A G Mein, pages 3-4). The proposed houses would obliterate this line. They would also crowd Monmouth House, and, in the Society's view, would constitute overdevelopment at this location. Not only would the houses themselves be on very poky plots, they would leave Monmouth House isolated on a very small plot with very little privacy. While provision has been made for parking spaces for the houses, the restricted size of the site means that there is little space for visitors or delivery vehicles. These would have nowhere to park except on the street in Four Ash Street or Castle Street, which are already at capacity because few of the houses have off-street parking. Castle Street is a one-way street opening on to Four Ash Street just outside the entrance to Monmouth House. Vehicles come down

Castle Street from Castle Parade quite fast and visibility is not good. Even with an improved visibility splay, the extra traffic that would be generated by three houses would constitute additional danger, both emerging from the entrance and turning into it, especially turning right from Four Ash Street, where it is difficult to see approaching cars coming down Castle Street (I have witnessed this myself).

#### 4.2 Neighbour Notification

6 representations have been received raising the following issues:

1. The entrance to the proposed dwelling is very narrow, in a dangerous position leading onto a narrow but busy one way street with limited views due to a high stone wall – will this have to be dropped to ease visibility  
This will have historic implications for removing the wall?
2. Questioned whether this will conform to highway regulations?
3. The junction where Castle Street and Four Ash Street meet have been a site for accidents between vehicles and pedestrians. Questioned the safety measures put into place
4. Parking on Castle street and Four Ash Street is limited to ensure safety from the proposed dwelling entrance would lead to the loss of car parking spaces. This would detract from the quality of life of local residents
5. Impact upon wildlife, disruption of building work and reduced amount of light will impact the local wildlife.
6. Sewerage drains block up
7. Increased flooding and storm water.
8. Usk is already a dormitory town for people working outside the area. Condition should be imposed requiring this development to provide low cost housing for local youngsters
9. The area is of significant historical and archaeological interest with the old town rampart ditch/pond and old lane access being built on
10. Listing group left house of a terrace of four, part of a good range of town houses retaining their character in a historic position. This is an opportunist proposal with little consideration for the Listing.
11. Outside the building line
12. Single pavement and carriageway offer poor access/ingress. Blind to approaching traffic. Highway perceived as mismanaged
13. Extra traffic generated by proposal and service vehicles increases highways problems.
14. Proposed development is within a Conservation Area and would adversely impact upon the integrity of the Listed group,
15. Large part of stone wall along Castle Street will be taken down and lost
16. The proposed dwelling will impinge upon the listed properties adjoining, will reduce privacy within the gardens and will increase noise levels
17. Out of character with the existing housing stock and will affect the natural green corridor from Usk Castle to the open fields to the south of Chepstow Road.

#### 4.3 Other Representations

None

#### 4.4 Local Member Representations

None

## 5.0 EVALUATION

As the site is within the Usk Development boundary, residential development is acceptable in principle subject to detailed planning considerations. The following issues arise in the consideration of this proposal:

Impact upon the setting of the Conservation Area and Listed Building  
Access Parking and Surface Water Drainage  
Trees  
Neighbour Amenity  
Archaeology

### 5.1 Impact upon the setting of the Conservation Area and the Listed Building.

- 5.1.1 In this context the emphasis is upon ensuring that the development proposals preserve or enhance the character or appearance of the area and its landscape setting. The proposal cannot have a serious adverse effect on significant vistas within the area and the general character and appearance of the street scene and roofscape. The materials should be appropriate to their setting and context with special attention given to the setting of the building and its open areas.
- 5.1.2 There will be glimpsed views into the site of the proposal from between 21 Four Ash Street and the garage of 5 Castle Street which projects out into the north-west boundary. Currently there is a stone garden wall that partly divides what appears currently as an enclosed overgrown garden. This is being removed which will partly open up with this development, although the viewpoint will continue to be framed by the severed dwelling and the aforementioned garage. The proposed dwellings are set well back into the site and by virtue of their modest traditional design sits comfortably within the background of this framed view. The form and design of the development is sympathetic to its setting as the height and mass of the built form has been designed to appear subservient to the Listed Building that forms the frontage to the site. The use of materials are simple, traditional and of a high quality that works within this setting.
- 5.1.3 There are some trees being removed but there are other trees that are being retained with additional trees being planted which helps to maintain the sense of privacy and enclosure that is characteristic of this site. It was important that the front boundary wall did not open up too much as this would compromise the current sense of enclosure that contributes to visual amenity of this part of the Conservation Area. The existing boundary wall which is a mixture of random rubble and blockwork is being widened to provide a wider shared access point but this has been kept as an opening of 3.8m with an additional footpath width of 1.35m that separates the side of the severed house from the altered access. The proposed curve of the wall that frames the vehicular access helps to maintain a sense of enclosure. The openness of the site is not compromised by the proposal as the development is not prominent being

set back in the site with a significant amount of open shared space to the front and side of the proposed dwellings that helps to prevent any sense of over development from being created as a result of this development.

- 5.1.4 The proposal will preserve and enhance the Conservation Area and does not compromise the setting of the Listed Building. The proposal complies with relevant planning policy in this case. Conditions are proposed that requires boundary materials and landscaping to be controlled.

## **5.2 Access, Parking and Surface Water Drainage**

- 5.2.1 The highway engineers would ideally like to see a wider access than that proposed the standard given being 4.2m, this application proposes 3.8m. Currently the access point is a lot narrower with restricted visibility as the height of the wall provides little visibility splay from Castle Street (which is where the vehicle traffic will approach along this one way highway). This is a setting whereby a larger vehicle access point would open up the site considerably and detract from the sense of enclosure that contributes significantly to the character of this area. Hence this is an occasion whereby the potential harm to the setting of the Conservation Area would outweigh the highway benefit from providing the standard access width that is preferred.

- 5.2.2 The car parking and turning area is considered to be acceptable and should not therefore intensify the on-street parking problem that has been raised in some of the neighbour objections. With regard to surface water drainage, this site is not within a C1 or C2 Flood plain, the neighbours have raised concern regarding surface water drainage. Revised plans have been submitted that shows a drainage route that prevents the surface water drainage from leaving the site and being absorbed within the soakaways inside the application site. The proposed highway and access details are acceptable in this case.

## **5.3 Trees**

- 5.3.1 There are many existing trees on the site that are being retained, there are trees being removed with compensatory trees proposed to be planted. The tree officer has confirmed that a number of trees are to be retained including 3 Birch trees to the frontage and a large Copper Beech to the rear. On the whole the loss of other trees within the conservation area will appear to have a limited impact on the landscape as they are relatively isolated from view. Subject to appropriate conditions requiring adequate protection of trees and a landscaping scheme that secures compensatory planting the proposal development is acceptable.

## **5.4 Neighbour Amenity**

- 5.4.1 The siting of the proposed dwellings has minimised any potential conflict between the severed dwelling and the new dwellings proposed. The separating distance is acceptable to prevent any direct overlooking. The garden curtilage proposed to serve

the severed dwelling is large enough to prevent the proposed scheme from having an over-dominating impact on this property.

5.4.2 There are no windows proposed on the gable ends of the proposed terraced properties with no direct overlooking into no 5 Castle Street. Whilst no 6-10 Blackfriars situated to the rear of the site has an aspect north west to south east, there are no windows that could potentially overlook the rear gardens of the three proposed properties. The small gardens that serve the new dwellings share a common boundary with the communal space for Blackfriars, this is a communal amenity space which is overlooked by all the flats, in this case the distance is considered to be acceptable.

5.4.3 The proposed scheme does not compromise privacy or space standards or have an adverse impact upon existing or proposed residential dwellings.

## 5.6 Archaeology

5.6.1 The site is within an Archaeologically Sensitive Area (ASA), GGAT are satisfied with the archaeological evaluation and have recommended conditions accordingly.

## 6.0 RECOMMENDATION: Approve

### Conditions/Reasons

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 development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme. Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
4	No development may take place until the local planning authority has received and agreed in writing a tree report in accordance with BS 5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations. The report should include the following information: (i) A scaled tree retention/removal plan showing the root protection area (RPA) for each of the retained trees. Nb the drawing should include any offsite trees where their RPA extends into the application site, (specifically the Monkey Puzzle and mature Birch trees in the adjacent garden of 23 Four Ash Street) (ii) An Arboricultural Method Statement detailing construction measures to mitigate damage where construction activity within the RPA is

	<p>unavoidable.</p> <p>(iii) Strategic hard and soft landscape design, including species and location of new tree planting.</p> <p>Reason :To protect existing and ensure continuity of Green Infrastructure assets within the Conservation Area.</p>
5	<p>No development shall commence until details of the design, height and materials proposed for the boundaries shown on the layout plan have been submitted to and approved in writing by, the Local Planning Authority. Such walls and fences shall be erected before the dwelling is completed or occupied whichever is the earlier and retained in perpetuity</p> <p>Reason: To ensure a satisfactory form of development takes place.</p>
6	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason : To safeguard the landscape amenities of the area.</p>
7	<p>No structure or erection or planting exceeding 0.9 metre in height shall be placed, erected or grown in the visibility splay.</p> <p>Reason : To ensure adequate visibility is provided.</p>

**DC/2016/00444**

**TO PROVIDE A DIGITAL SCREEN WITHIN A SECURE FRAME SITED ON EXISTING CIVIC SOCIETY NOTICE BOARD.**

**PUBLIC OPEN SPACE, CROSS STREET, ABERGAVENNY**

**RECOMMENDATION: Approve**

Case Officer: Alison Pankhurst

Date Registered: 05/05/2016

## **1.0 APPLICATION DETAILS**

This application relates to the replacement of the existing public noticeboard for a digital screen noticeboard with secure frame sited on the existing stand. The current notice board is situated adjacent to Boots the Chemist in the pedestrian zone of the upper part of Cross Street/High Street, Abergavenny. The replacement digital noticeboard casing measures 0.948m x 1.368m x 0.175m depth with a 1.190m total height. The display unit will have a hood at the top with a depth of 0.30m. The digital screen will be fixed inside this casing. The steel casing will be of a black gloss powder coated steel case which is water and weather resistant. It will also have toughened glass. The digital display will be inserted to the existing stand. The site is within Abergavenny Conservation Area and Abergavenny Archaeological Sensitive Area.

## **2.0 RELEVANT PLANNING HISTORY**

None

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S13 Landscape, Green Infrastructure, and the Natural Environment

S17 Place Making and Design

### Development Management Policies

EP1 – Amenity and Environmental Protection

DES1 – General Design Considerations

DES3 – Advertisements

HE1 – Development in Conservation Areas

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

Abergavenny Town Council – awaiting comments

Public Rights of Way – There are no public rights of way recorded on the definitive map of Public Rights of Way or Statement at the site of the proposed development

Heritage – I would suggest that it should not be south facing as they are unreadable in direct sun.

Abergavenny Civic Society - I am advised that the notice board in question is not the property of the Civic Society except for the Jubilee header which we assume will be retained. The Society does have an interest in the notice board at the junction of High Street and Nevill Street.

The Society has no observations to make on the present proposal, but, if it is installed, will consider its impact on the street scene when assessing any similar proposals.

Highways – The proposal will have no adverse effect on the highway or highway safety. I would offer no adverse comment to this proposal. It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

#### 4.2 Neighbour Notification

Several neighbouring properties/businesses were consulted on the application and a site notice was also placed on site. No objections have been received in response to the consultation period.

#### 4.3 Local Member Representations

No comments received.

### **5.0 EVALUATION**

#### 5.1 Principle of the proposed development

The application is for the replacement of an existing noticeboard for a digital notice board. The digital notice board will be used to display events and activities. The new digital screen will be erected in steel casing with toughened glass and placed on the existing stand. The size of the proposed digital screen will be encased in a unit measuring 0.948m x 1.368m x 0.175m depth with a 1.190m total height. The display unit will have a hood at the top with a depth of 0.30m.

#### 5.2 Visual amenity

The materials to be used will be a black gloss powder coated steel case which will be slim line and erected onto the existing legs that currently hold the existing noticeboard display. Therefore the proposal is considered to be acceptable and in accordance with Policy DES1, DES3, HE1 and EP1 of the Local Development Plan.

#### 5.3 Highway Safety

The proposal is situated within the pedestrianised area of the town centre. The display will be illuminated but there is no highway objection and therefore there will be no harm to highway safety.



#### 5.4 Conclusion

It is considered that the proposed digital notice board is not detrimental to the amenity of the area and complies with policy DES1, DES3, HE1 and EP1 of the Monmouthshire Local Development Plan.

#### 6.0 **RECOMMENDATION: APPROVE**

##### Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority
3	Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition
4	Where any advertisement is required under the above Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority
5	No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission
6	No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (Civil or Military).

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**DC/2016/00494**

**CHANGE OF USE OF HOTEL WITH C1 USE TO A1, A2 AND A3 USE ON THE GROUND FLOOR WITH B1 USE TO THE FIRST AND SECOND FLOORS.**

**THE SWAN HOTEL, CROSS STREET, ABERGAVENNY, NP7 5ER**

**RECOMMENDATION: APPROVE**

Case Officer: Andrew Jones

Date Registered: 19/05/2016

## **1.0 APPLICATION DETAILS**

1.1 This application relates to the Swan Hotel, which is located at the south east end of Cross Street within the centre of the town of Abergavenny. The building is also Grade II listed and as such the application is considered concurrently with Listed Building Consent DC/2016/00496.

1.2 Planning permission is sought for the change of use of the hotel (C1) to A1, A2 or A3 on the ground floor with a B1 use to the first and second floors above. External works include the enlargement of ground floor windows and the removal of the portico to the south east elevation and a number of external pipes. Proposed internal works are under consideration as part of the concurrent Listed Building Consent application.

1.3 The application is presented to Planning Committee at the request of the Local Member, Councillor John Prosser.

## **2.0 RELEVANT PLANNING HISTORY**

DC/2014/00727 - Smoking hut. Approved on 06/01/2015.

DC/1976/00925 – Alterations. Approved on 10/11/1976.

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S5 – Community and Recreation Facilities

S6 – Retail Hierarchy

S8 - Enterprise and Economy

S11 – Visitor Economy

S12 – Efficient Resource Use and Flood Risk

S13 – Landscape, Green Infrastructure and the Natural Environment

S17 – Place Making and Design

### Development Management Policies

SD3 – Flood Risk

CFR1 - Retention of Existing Community Facilities

DES1 – General Design Considerations

EP1 – Amenity and Environmental Protection

MV1 – Proposed Developments and Highway Considerations

HE1 – Development in Conservation Areas

RET2 – Central Shopping Areas

#### **4.0 REPRESENTATIONS**

##### **4.1 Consultations Replies**

4.1.1 Abergavenny Town Council – have not responded to date.

4.1.2 MCC Highways – Have not responded to date

4.1.3 Dwr Cymru Welsh Water – We would request that if you are minded to grant Planning Consent for the development that the suggested conditions and advisory notes provided are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water’s assets.

4.1.4 Planning Policy – Provided the following comments:  
Policy S11 relates to the Visitor Economy, which states in part that development proposals that would result in the unjustified loss of tourism facilities will not be permitted. It does not appear that any information has been submitted within the application in order to justify the loss of tourism use in terms of financial viability, occupancy rates etc.

The benefits of the alternative uses should nevertheless be considered and balanced against the loss of hotel accommodation, the proposal will provide additional Class A uses at ground floor level along with an employment use to the first and second floor which will contribute to the local economy.

The proposal is located within the Central Shopping Area and the addition of A1, A2 and A3 on the ground floor complies with RET2 in principle and assists in supporting the retail hierarchy set out in Policy S6.

The introduction of a B1 use at first and second floor level needs to be considered against Policy S8, which seeks to deliver the Council’s vision of sustainable economic growth, while also enabling the continuing development of key economic sectors, including tourism. Support for the proposed B1 use is provided by Policy S9, which seeks to provide a suitable range and choice of sites for business uses such as B1.

The site is located in Zone C2 floodplain, Strategic Policy S12 and supporting development management Policy SD3 relating to Flood Risk are therefore of relevance. The proposed use does not relate to a highly vulnerable use and there is subsequently no conflict with S12 or SD3.

In addition to the above, the site is located within the Abergavenny Conservation Area, Policy HE1 must therefore be referred to. The site is also located in an Area of Special Archaeological Sensitivity, National Planning Policy Guidance set out in Chapter 6 of Planning Policy Wales therefore applies. General policies DES1 and EP1 should also be taken into consideration.

4.1.5 Glamorgan Gwent Archaeological Trust – Have not responded to date.

##### **4.2 Neighbour Notification**

No objections have been received following the consultation exercise.

##### **4.3 Local Member Representations**

Councillor John Prosser – Request that this application is considered by full committee as it will impact on accommodation levels in Abergavenny.

## **5.0 EVALUATION**

### **5.1 Principle of Development**

5.1.1 The proposed change of use would see the loss of 11 hotel rooms with none to be retained. Strategic Policy S11 *Visitor Economy* which states in part that proposals that result in the unjustified loss of tourism facilities will not be permitted. In response to this no information has been provided in support of the application in order to justify the loss of tourism use, for example financial viability or occupancy rates.

5.1.2 However, the loss of the hotel accommodation needs to be balanced with the economic benefits of the proposed alternative uses. The proposal would provide additional Class A uses to the ground floor with additional employment use (B1) to be delivered to the upper floors. The site is located within the Central Shopping Area (CSA) as designated by Policy RET2 of the LDP, this would support the Class A uses proposed and would assist in supporting the retail hierarchy detailed within Policy S6 *Retail Hierarchy*.

5.1.3 As detailed in paragraph 5.1.2 the proposal seeks to introduce a B1 (Office not within A2) use to the upper floors. Policy S8 *Enterprise and Economy* seeks to enable the delivery of the Council's vision of sustainable economic growth through the development of key economic sectors, including tourism. However, whilst a tourism use is to be lost, Policy S9 *Employment Sites Provision* does provide support for the B1 use by seeking to provide a range and choice of business sites (including B1).

5.1.4 It is therefore considered on balance that whilst the loss of 11 hotel rooms is unfortunate, the proposed change of use would nevertheless provide economic benefit to the local area. Projected figures within the application detail that employment places within site would increase from 9 to 26 as a result of the proposed change of use. The retail use is fully in accordance with relevant LDP policies and as such the change of use is considered to be acceptable in principle.

### **5.2. Access, Parking and Traffic**

5.2.1 The premises currently provides 13 car parking spaces and 1 space for a light goods vehicle, the change of use would retain these existing levels. Whilst it is anticipated that the change of use would increase staff levels and potentially footfall through the building, the site is located immediately adjacent to the Swan Meadow Car Park and Abergavenny Bus Station. As such it is considered that the change of use would not cause any issues relating to parking and could comfortably cater for any additional traffic.

### **5.3 Flooding**

5.3.1 The planning application proposes to change the building to a less vulnerable use (retail) from a highly vulnerable use (hotel). The proposal falls within Zone C2 of the Development Advice Map (DAM) contained in TAN15. Therefore a Flood Consequences Assessment (FCA) has not been considered necessary for the purposes of determining the planning application.

5.4 Visual Impact

5.4.1 The most notable external alteration to the building would be the loss of the portico to the south east elevation of the building. Photographic evidence has been provided which illustrates that this is not an original feature and as such its loss has been agreed by the Council's Heritage Officer. Similarly the alterations to the ground floor windows, that also form part of the concurrent LBC, are considered to safeguard the character and appearance of the Grade II listed building and wider Conservation Area.

5.5 Residential Amenity

5.5.1 Given the existing hotel use, it is not considered that the change of use at ground floor level to Classes A1 to A3 would be harmful to the residential amenity of any neighbouring properties, including Pegasus Court opposite. The suggested opening hours are considered to be acceptable give the town centre location and can be managed via planning condition.

**6.0 RECOMMENDATION: APPROVE**

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
4	The premises shall not be used for the approved B1, A1 and A2 purposes outside the following times 08:30-17:30 Monday to Friday, the approved A3 use shall not use outside the following times 08:00-23:00 Monday to Saturday and 08:00-22:00 on Sundays.

Informatives:

None.

**DC/2016/00529**

**Provision of raised timber deck to accommodate timber summer house in garden.**

**4 Toynbee Close, Osbaston, Monmouth, NP25 3NU**

**RECOMMENDATION: Approve**

Case Officer: Joanne Clare  
Date Registered: 20/05/2016

## **1.0 APPLICATION DETAILS**

This application relates to a detached property located in an elevated position in the village of Osbaston, Monmouth.

It is proposed to erect a raised decking area at the top of the garden which will house a summer house. The proposed decking will measure approximately 4.2m X 3.5m and due to the steepness of the garden the front of the decking will be raised 1.2m from the floor to make it level. The summerhouse would measure 3.1m X 1.8m and 2.1m in height. The application is presented to Planning Committee as the applicant is a senior officer of the Council.

## **2.0 RELEVANT PLANNING HISTORY**

None

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S13 Landscape, Green Infrastructure and the Natural Environment  
S17 Place Making and Design

### Development Management Policies

EP1 Amenity and Environmental Protection  
DES1 General Design Considerations

## **4.0 REPRESENTATIONS**

### 4.1 Consultations Replies

SEWBREC Search Results - No significant ecological record identified

Monmouth Town Council – Recommends Approval

### 4.2 Neighbour Notification

No objection received

4.3 Local Member Representations - None to date

## 5.0 EVALUATION

### 5.1 Visual Amenity

The proposal is to erect a raised decking platform to house a summerhouse at the top of the garden at 4 Toynbee Close. The summerhouse would be constructed with cedar walls painted grey with granular felt roof tiles in a charcoal colour. To the front façade this will be fully glazed with opening French doors painted light grey. The summerhouse would sit in an elevated position at the top of the garden but would not be prominent or detrimental to the street scene as it is located within the rear garden. The summerhouse would not be harmful to the character or appearance of the dwelling or the local area and therefore complies with policies EP1 and DES1 of the Monmouthshire Local Development Plan.

### 5.2 Residential Amenity

The proposed summerhouse would not harm any other party's residential amenity. The shed and decking is to be set well away from the adjoining dwellings and therefore the development would not affect any neighbouring properties privacy or private amenity space, therefore it would be in accordance with policies EP1 and DES1 of the Monmouthshire Local Development Plan. There have been no objections to this proposal.

## 6.0 RECOMMENDATION: Approve

### Conditions:

1	This development shall be begun within 5 years from the date of this permission
2	The development shall be carried out in accordance with the list of approved plans set out in the table below



**DC/2016/00532**

**2.3M X 3M GREENHOUSE - EARTH BASE INSIDE. 3M X 3.7M GARDEN SHED TO STORE WOOD AND COAL. TO ALSO PROVIDE SOME SHELTER TO GREENHOUSE FROM EXPOSURE OF HIGH WINDS.**

**ROCKMON VIEW, ROCKFIELD, MONMOUTH**

**RECOMMENDATION: APPROVE**

Case Officer: Alison Pankhurst  
Date Registered: 19 May 2016

## **1.0 APPLICATION DETAILS**

1.1 The application seeks consent to retain an existing greenhouse and erect a garden shed at the rear of the property known as Rockmon View, Rockfield. Planning permission is required as permitted development rights have been removed from the property regarding outbuildings. The greenhouse which is to be retained measures 2.3m x 3m. The proposed shed measures 3m x 3.7m x 2.24m and will be sited at the rear of the dwelling next to the greenhouse. The shed will in galvanised steel. The application is presented to Committee as the applicant is a close relative of a Member of Planning Committee.

## **2.0 RELEVANT PLANNING HISTORY**

DC/2015/00582 - Removal of conditions 13, 14 and 15 of planning permission DC/2012/00168. Approved 8/7/2015

DC/2015/00293 - Non material amendment (alteration of window to UPVC door to match) in relation to planning permission DC/2012/00168. Approved April 2015

DC/2014/01350 Discharge of condition 4 from application DC/2012/00168 Approved January 2015

DC/2014/00822 - Discharge Condition 1 and condition 3 of DC/2014/00130. Highways Drainage and brick course; Approved September 2014

DC/2014/00130 Approval of details of layout, scale and appearance, landscaping and access. DC/2012/00168 Approved June 2014

DC/2012/00168 A second dwelling on an established farm for retirement purposes Approved August 2012

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

S13 Landscape, Green Infrastructure and the Natural Environment

S17 Place making and design

### Development Management Policies

EP1 Amenity and Environmental Protection

DES1 General Design Considerations

## **4.0 REPRESENTATIONS**

4.1 Consultations Replies

Llangattock Vibon Avel – No Objection to the development

**5.0 EVALUATION**

5.1 Principle of the development

It is considered that the visual impact of the retention of the greenhouse and the erection of the proposed shed is minimal to neighbouring properties and the surrounding area. Permitted development rights were removed when the dwelling was granted planning permission 2012 for any enlargements, improvements any outbuildings or other alterations to the dwelling home. It is therefore considered that the retention of the greenhouse and erection of the shed to be acceptable within the boundary of the site and in accordance with Policies DES1 and EP1 of the Monmouthshire Local Development Plan.

5.2 Residential Amenity

It is considered that the proposals would not significantly harm the privacy or private amenity space of any other neighbouring properties. The proposal is only a minor form of development and it is felt that the proposal would not have a detrimental impact on the locality, therefore it would be in accordance with Policies EP1, DES1 of the Monmouthshire's Local Development Plan.

There have been no objections to this proposal.

**6.0 RECOMMENDATION: APPROVE**

Conditions

1	This development shall be begun within 5 years from the date of this permission
2	The development shall be carried out in accordance with the list of approved plans set out in the table below

## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/06/16

**gan Joanne Burston BSc MA MRTPI**  
**Arolygydd a benodir gan Weinidogion Cymru**  
**Dyddiad: 21/06/16**

## Appeal Decision

Site visit made on 14/06/16

**by Joanne Burston BSc MA MRTPI**  
**an Inspector appointed by the Welsh Ministers**  
**Date: 21/06/16**

**Appeal Ref: APP/E6840/A/16/3144803**

**Site address: Castle Oak, Usk, Monmouthshire NP15 1SG**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Dŵr Cymru Welsh Water against the decision of Monmouthshire County Council.
- The application Ref DC/2015/00868, dated 1 July 2015, was refused by notice dated 16 September 2015.
- The development proposed is the erection of a detached dormer bungalow.

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application is made in outline form with all matters reserved for subsequent consideration. The Design and Access Statement (DAS) details the ridge height to be 6 -7 metres and the building to be offset from the eastern boundary with 42 Castle Oak by a minimum of 3.8 metres and offset from the eastern elevation of 44 Castle Oak to the west by 2 metres.

### Main Issues

3. The main issues in this case are the effect of the proposed development on:
  - The character and appearance of the area; and
  - The living conditions of neighbouring occupiers, with particular regard to outlook and noise and disturbance.

### Reasons

4. The appeal site lies on the northern edge of Usk, off Castle Oak a residential road. The road is a vehicular dead end and terminates a little way beyond the appeal site. The surrounding area is characterised predominantly by residential development of a mix of scale, form, design and external appearance. Notwithstanding this variety, plot sizes in the vicinity of the site are, for the most part, generous and give the area a low density, spacious feel.

5. The site currently forms part of the large side garden serving 44 Castle Oak and is bounded to its north by agricultural land and to the east and west by dwellings, 42 and 44 Castle Oak respectively. The ground slopes across the site towards the south and east, so that No. 42 is situated at a lower level than the appeal site.
6. In considering whether the proposal would be overdevelopment of the site, I have considered the nature and appearance of nearby development, including the comparative plot widths of the row of detached houses on the eastern side of the appeal site. I have noted the appellant's supporting illustrations, which seek to demonstrate that a bungalow on the site would be compatible with its surroundings. Whilst, I accept that some nearby detached properties are situated close to their site boundaries, my observations are that the majority of these are on wider plots. I have also had regard to the narrow width of the plots of the neighbouring two-storey detached dwellings. However these properties have a distinctly different character compared to a detached bungalow, and I am not persuaded that they provide justification for allowing the appeal.
7. Notwithstanding the potential for a different position on the appeal site, or the possibility of a differently shaped building, the narrow width of the plot would mean that any dwelling of a reasonable size would appear cramped and physically constrained on the site. Although there would be sufficient outdoor amenity space for occupiers of the proposed dwelling, a detached bungalow of any type on the plot would appear at odds and out of context with its surroundings. This would be particularly noticeable due to the highly prominent location of the site.
8. I note the appellant's comments relating to infill development within settlement limits and the 'presumption in favour' of developments as set out in the Monmouthshire Local Plan (the Local Plan). However, not all land is suitable for development as it is also a requirement to respect the character and appearance of the area.
9. Accordingly, the proposal would represent overdevelopment which would be unacceptably harmful to the character and appearance of the area. It would therefore conflict with Policy DES1 (c) and (i) of the Local Plan, which states that all development proposals will be required to respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

*Living conditions*

10. I do not consider that vehicle noise and disturbance associated with a further single dwelling would materially harm the living conditions of neighbouring occupiers. However, as I have previously stated, the building would intrude into the appearance of the area and this would most particularly affect the occupiers of No.44. The proposed building would be approximately two metres from the side elevation of this dwelling and would be clearly visible from this property, given the windows on this elevation which serve habitable rooms.
11. I accept the appellant's comments that boundary fencing and planting<sup>1</sup> may provide adequate screening. Nevertheless, the combination of such boundary features and the close proximity of what would be a substantial amount of additional built form close to No. 44 would represent such a significant change that it would result in an over-dominant impact on outlook.

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<sup>1</sup> as permitted by the Town and Country Planning (General Permitted Development) Order 1995.

12. Consequently, I find material harm to the living conditions of the occupiers of 44 Castle Oak. Therefore, the proposal conflicts with Policies DES1(d) and EP1 of the Local Plan, which aim to safeguard residential amenity.

**Conclusion**

13. In reaching my decision I have had regard to all the matters raised, however, none of these factors are sufficient to alter my conclusions. For the reasons given above, I conclude that the appeal should be dismissed.

*Joanne Burston*

INSPECTOR

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## Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 24/05/16  
Ymweliad â safle a wnaed ar 24/05/16

**gan Mr A Thickett BA (Hons) DipTP  
MRTPI Dip RSA**

**Arolygydd a benodir gan Weinidogion Cymru**  
**Dyddiad: 15/06/16**

## Appeal Decision

Hearing held on 24/05/16  
Site visit made on 24/05/16

**by Mr A Thickett BA (Hons) DipTP MRTPI  
Dip RSA**

**an Inspector appointed by the Welsh Ministers**  
**Date: 15/06/16**

**Appeal Ref: APP/E6840/A/16/3143186**

**Site address: Old Shop Cottage, Star Hill, Llanishen, Monmouthshire, NP16 6NT**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- 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 & Mrs G Prothero against the decision of Monmouthshire County Council.
- The application Ref DC/2015/00600, dated 13 May 2015, was refused by notice dated 6 August 2015.
- The development proposed is a replacement dwelling of size commensurate with approved reinstated dwelling (planning approval DC/2012/00760).

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - whether the proposed development conflicts with national and local policies designed to protect the countryside
  - the impact of the proposed development on the character and appearance of the Wye Valley Area of Outstanding Natural Beauty (AONB)

## Reasons

Countryside

3. The appeal site is in the open countryside to the south of Llanishen. The site extends to around 0.19 ha and includes a derelict building and adjoining ruined outbuildings. The building, described as 'former cottage' on the submitted plans has a central door opening in the front elevation with ground floor window openings on either side. There are two rectangular openings above but there is no first floor. There are no windows in the other elevations and none of the openings are fitted with windows nor is there a door. The roof comprises corrugated iron sheets supported by timber trusses. There is a fireplace but no services. The adjoining spaces, described as 'former barn' and 'former shop' are enclosed by walls but are otherwise open to the elements.

4. The appellant contends that the building is a dwelling and that, as a consequence, the appeal proposal should be considered against Policy H5 of the Monmouthshire Local Development Plan 2011-2021, adopted 2014 (LDP). Policy H5 is permissive of the replacement of dwellings in the countryside provided a number of criteria are met. The Council accepts that the building was used as a dwelling at one time but argues that the use has been abandoned and the proposal constitutes a new dwelling in the countryside for which there is no justification.
5. In 2013 the Council permitted works to the existing building to reinstate it and bring it into use as a dwelling. That permission has been implemented in so much as the access has been created but no significant works have been carried out to the building. It has not been occupied and there is no dispute that it is not habitable. The building does not, therefore, enjoy a residential use as a consequence of the 2013 permission. The building can only benefit from residential use and Policy H5 apply, if that use has not been abandoned.
6. The criteria for abandonment as set in '*Hartley v Minister of Housing and Local Government [1970] 1 QB413*' are generally accepted to be the tests against which this matter is judged. The criteria are:
  - i. the physical condition of the building
  - ii. the length of time for which the building had not been used for residential purposes
  - iii. whether it had been used for any other purposes
  - iv. the owners' intentions
7. I have described the building above. The main building has the appearance of a traditional cottage but it is not habitable. The outbuildings are little more than ruins. According to a planning officer's report relating to an unsuccessful application made in 1990 for 'Cottage rehabilitation and extension', the proposal related to '*a small redundant stone building with a corrugated iron roof. The building is structurally unsound with the roof completely missing at one end*'. This suggests to me that the building had not been used for residential purposes for a long time before 1990. Indeed, from the decision letter relating to the subsequent appeal it is clear that the question of abandonment was raised then. The Inspector considered that there was insufficient information to reach a firm conclusion but the matter would not have been raised had there been no doubt that the lawful use of the building was residential<sup>1</sup>. From the evidence submitted, I can only be certain that the building was not in residential use in 1990 but, in light of the above, it is not unreasonable, in my view, to assume that it had not been occupied for a considerable time before then.
8. The Council accepted at the hearing that there is no evidence to suggest that the building has been used for any other purpose. Turning to the owner's intentions, I heard that the current owner, Mr Prothero, purchased the site in 2005 from Mr Davies who was the owner at the time the 1990 application was made. The description of development given on the planning application form, decision notice and subsequent appeal decision is 'cottage rehabilitation' which indicates that, at that time, it was Mr Davies' intention to use the building for residential purposes (albeit that the Inspector considered the proposal to be tantamount to a new dwelling).

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<sup>1</sup> Appeal reference P33/1527



9. However, in considering someone's intentions it is important, in my view, to consider their actions as well as their words. I do not know how long Mr Davies owned the site before he made the application in 1990 but the building was in a parlous state and existence of residential use was clearly in doubt. It is pertinent to note (although not conclusive) that the Council considered the application under Policy S11(A) of the Gwent Structure Plan which relates to the conversion of redundant buildings in the countryside. In its statement relating to the appeal referred to above the Council argued (as it does now) that the policy relating to replacement dwellings '*is not relevant as the building in question no longer has a residential use as its use has clearly been abandoned*'.
10. Mr Davies appears to have done nothing to pursue the rehabilitation of the building after the appeal was dismissed in 1992. The plans submitted with applications in 1990 and 1991<sup>2</sup> showing the existing elevations show that a roof covered the former cottage and the adjoining former barn. Further, the eastern wall of the former shop extended above first floor level. There is no longer a roof over the former barn and the gable walls between the former barn and shop and at the end of the former shop have gone above ground floor. Allowing the building to deteriorate does not support an argument that it was the owner's intention to re establish a residential use. To my mind this is a strong indication that the use of the building for residential purposes had already been abandoned before it was purchased by Mr Prothero.
11. Mr Prothero stated at the Hearing that it was always his intention to use the building as a dwelling but he could not afford to do so until 2012 when an application was submitted for 'Proposed reinstatement of existing dilapidated former house'. Planning permission was granted in March 2013. Details were submitted to discharge various conditions but only after the appeal application had been submitted to replace the building in May 2015 (details submitted in July 2015), an indication, in my view, that in 2015 the appellant's first preference was not to utilise the existing building. Notwithstanding what has been said and applied for, the considerable time the building has been left to deteriorate casts significant doubt regarding the intentions of the owners, particularly Mr Davies.
12. The appellant seeks to rely in part on a statement made by Council officers in their committee report recommending approval of the 2013 permission. In that report Council officers said that '*the development is considered an acceptable sympathetic reinstatement of what is (my emphasis) a traditional cottage*'. I accept the Council's explanation that this described the appearance of the building and does not indicate an acceptance that the building benefits from a residential use. I have also had regard to the Council's opinion provided by the appellant. That opinion criticises the Council's approach to the question of abandonment but does not reach a firm conclusion.
13. Turning back to the 4 tests, the evidence suggests that the building has not been put to any other use. The building has not been used for residential purposes for at least 26 years and very probably for very much longer. It is not and the evidence suggests that it has not been habitable for at least 26 years and its condition has deteriorated significantly in that time. Finally, despite what I have heard and read about the owners ambitions, I am not persuaded that, Mr Davies in particular, had any serious intention to use the building for residential purposes. On balance, therefore I consider

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<sup>2</sup> Applications 33091 & 34026

that the residential use of the building has been abandoned and that Policy H5 of the LDP does not apply.

14. However, notwithstanding my conclusion I will consider the alternative. As indicated above Policy H5 is permissive of the replacement of dwellings in the countryside provided a number of criteria are met. These include, amongst other things, that the original dwelling is '*not a traditional farmhouse, cottage or other building that is important to the visual and intrinsic character of the landscape*'. The reasoned justification to the policy states that it seeks to retain traditional dwellings that make a positive contribution to the County's rural character. As stated above the building is described as a former cottage and there is no dispute that its last use was residential. Despite its condition, I agree with the planning officers that the building has the appearance of '*a charming traditional cottage*'. It sits comfortably in its rural surroundings and, in my view, it is important to the visual and intrinsic character of the landscape of which it is a part. Its loss, therefore, would conflict with Policy H5 (a)(i).

#### Character and appearance

15. The next criteria of Policy H5 relates to the design of the building and its impact on its setting. The site lies in an area of rolling open countryside with irregular shaped fields enclosed by established trees and hedges. It is, as its designation denotes a very attractive rural area. The proposed new building has been designed to look exactly like the development permitted by the Council in 2013. However, even re-using the existing materials and 'coursed local rubble stonework' as noted on the proposed elevations the building would clearly be new. It would stand up straight with plumb walls and clean right angles and would look very different from the reinstated existing building with its crooked charm. Consequently, the proposed building would have a different character. It would be distinguishable from the permitted reinstatement and, albeit traditional in design, would have an adverse impact on the rustic and rural setting of this part of the AONB compared to the permitted scheme. I conclude, therefore, that the proposed development would conflict with Policy H5 (b) and Policy LC4 of the LDP which seeks to protect the AONB.

#### Overall conclusions

16. I acknowledge that a new structure could be built to modern sustainable standards but the strict control of new dwellings in the countryside is an important pillar of national and local policy which seeks to protect the countryside and promote development in sustainable locations. LDP Policy LC1 sets out a presumption against new built development in the open countryside unless it is necessary for, amongst other things, the purpose of agriculture or forestry. No case is made that the proposed dwelling is required for any such use and the appellant does not seek to rely on Policy LC1. I consider that the use of the building for residential purposes has been abandoned and that the proposal constitutes a new dwelling in the countryside for which there is no justification.
17. If I am wrong with regard to abandonment, for the reasons given above, I conclude that the proposed development conflicts with Policies H5 and LC4 in that it would result in the loss of a traditional building which is important to the visual and intrinsic character of this special landscape. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Anthony Thickett*

Inspector

## **APPEARANCES**

### FOR THE APPELLANT:

L Powell	RPS
E Fortune	RPS
G Prothero	

### FOR THE LOCAL PLANNING AUTHORITY:

C O'Connor	Monmouthshire County Council
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### **Documents submitted to the Hearing**

Doc 1	Application and committee report A33091
Doc 2	Appeal decision P33/1527
Doc 3	Council's appeal statement P33/1527
Doc 4	Decision notice, application and committee report A34026
Doc 5	Council tax records
Doc 6	Counsel's advice to appellant

### **Plans submitted to the Hearing**

Plan A	Plans supporting application A33091
Plan B	Plans supporting application A34206

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Appeals - Detail Report

Report Parameters:

<b>Report Requested By:</b>	
<b>Report Date:</b>	24-Jun-2016 at 12:47
<b>Sort Sequence:</b>	

<b>Total Applications Found:</b>	4
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**Planning Objects Associated to Appeal**

**Associated Planning Objects:**

Object	Linked	UniqueReference	Description	Type
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**Appeal Details**

<b>Local Reference:</b>	DC/2014/01489	<b>DOE Reference 2:</b>	/16/3150437
<b>DOE Reference 1:</b>	E6840/A		
<b>Appeal Type:</b>	Written Representation		
<b>Appeal Application Type:</b>			
<b>Reason For Appeal:</b>	Against a Refusal		
<b>Appeal Received Date:</b>	10-Jun-2016		
<b>Appeal Description:</b>	Demolition of existing dwelling and replacement with new residential dwelling with associated access, curtilage and landscaping works.		
<b>Site Address:</b>	Pwll-Y-Cath, Newchurch, Chepstow NP16 6DJ		

**Appeal Decisions**

<b>Appeal Decision Type:</b>	
<b>Appeal Decision Text:</b>	
<b>Appeal Decision Qualifier:</b>	
<b>Appeal Decision Level:</b>	
<b>Appeal Legal Agreement:</b>	N
<b>Date Signed:</b>	
<b>Appeal Decision Date:</b>	

  

Appeal Conditions				
Type:	No:	Text	Effect Date:	Deact. Date:

  

Appeal Decision History		
Status:	Decision Type:	Dec. Date:

**Other Details / Audit**

<b>Team:</b> DC Enforcement	<b>Officers Name:</b> Paula Clarke		
<b>Telephone Number:</b> 01633 644817	<b>Fax Number:</b>	<b>E-Mail Address:</b> paulaclarke@monmouthshire.gov.uk	
<b>Unclear Plans:</b> N	<b>No Plans Available:</b> N	<b>Major/Key Proposal:</b> N	
<b>Unclear Records:</b> N	<b>No Plans:</b> N	<b>Private Road:</b> N	
<b>Created On:</b> 10-Jun-2016	<b>Created By:</b> PLUMBG	<b>Updated On:</b> 10-Jun-2016	<b>Updated By:</b> BAILEYL
<b>Data Source:</b>	<b>Import Block:</b> N	<b>Checked:</b> N	<b>Deactivated Date:</b>

**Notes:**

<b>Note ID:</b>					
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<b>Summary:</b>					
<b>Text:</b>					
<b>Create On:</b>	<b>Created By:</b>				
<b>Updated On:</b>	<b>Updated By:</b>				
<b>Deactivated Date:</b>	<b>Checked:</b>				
<b>Links:</b>					
<b>Local Reference:</b>	<b>Checked:</b>	<b>Created On:</b>	<b>Created By:</b>	<b>Updated On:</b>	<b>Updated By:</b>

**Planning Objects Associated to Appeal**

**Associated Planning Objects:**

Object	Linked	UniqueReference	Description	Type
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**Appeal Details**

<b>Local Reference:</b>	DC/2015/00790	<b>DOE Reference 2:</b>	/15/3139390
<b>DOE Reference 1:</b>	E6840/A		
<b>Appeal Type:</b>	Written Representation		
<b>Appeal Application Type:</b>			
<b>Reason For Appeal:</b>	Against a Non Determination		
<b>Appeal Received Date:</b>	27-May-2016		
<b>Appeal Description:</b>	Wind turbine with associated works.		
<b>Site Address:</b>	Palace Farm, St Tewdric Church Lane, Mathern NP16 6JA		

**Appeal Decisions**

<b>Appeal Decision Type:</b>	
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<b>Appeal Decision Qualifier:</b>	
<b>Appeal Decision Level:</b>	
<b>Appeal Legal Agreement:</b>	N
<b>Date Signed:</b>	
<b>Appeal Decision Date:</b>	

**Appeal Conditions**

Type:	No:	Text	Effect Date:	Deact. Date:
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**Appeal Decision History**

Status:	Decision Type:	Dec. Date:
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**Other Details / Audit**

<b>Team:</b> DC Case Officers	<b>Officers Name:</b> Kate Young		
<b>Telephone Number:</b> 01633 644811	<b>Fax Number:</b>	<b>E-Mail Address:</b> Kateyoung@Monmouthshire.gov.uk	
<b>Unclear Plans:</b> N	<b>No Plans Available:</b> N	<b>Major/Key Proposal:</b> N	
<b>Unclear Records:</b> N	<b>No Plans:</b> N	<b>Private Road:</b> N	
<b>Created On:</b> 27-May-2016	<b>Created By:</b> BAILEYL	<b>Updated On:</b> 27-May-2016	<b>Updated By:</b> BAILEYL
<b>Data Source:</b>	<b>Import Block:</b> N	<b>Checked:</b> N	<b>Deactivated Date:</b>

**Notes:**

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<b>Summary:</b>					
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<b>Updated On:</b>	<b>Updated By:</b>				
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<b>Links:</b>					
<b>Local Reference:</b>	<b>Checked:</b>	<b>Created On:</b>	<b>Created By:</b>	<b>Updated On:</b>	<b>Updated By:</b>

**Planning Objects Associated to Appeal**

**Associated Planning Objects:**

Object	Linked	UniqueReference	Description	Type
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**Appeal Details**

<b>Local Reference:</b>	DC/2015/00808	<b>DOE Reference 2:</b>	/16/3150956
<b>DOE Reference 1:</b>	E6840/E		
<b>Appeal Type:</b>	Written Representation		
<b>Appeal Application Type:</b>			
<b>Reason For Appeal:</b>	Against a Refusal		
<b>Appeal Received Date:</b>	16-Jun-2016		
<b>Appeal Description:</b>	Retention of French doors to south elevation.		
<b>Site Address:</b>	White House Farm, Llanvair Kilgeddin Abergavenny NP7 9BB		

**Appeal Decisions**

<b>Appeal Decision Type:</b>	
<b>Appeal Decision Text:</b>	
<b>Appeal Decision Qualifier:</b>	
<b>Appeal Decision Level:</b>	
<b>Appeal Legal Agreement:</b>	N
<b>Date Signed:</b>	
<b>Appeal Decision Date:</b>	

**Appeal Conditions**

<b>Type:</b>	<b>No:</b>	<b>Text</b>	<b>Effect Date:</b>	<b>Deact. Date:</b>
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**Appeal Decision History**

<b>Status:</b>	<b>Decision Type:</b>	<b>Dec. Date:</b>
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**Other Details / Audit**

<b>Team:</b> DC Conservation	<b>Officers Name:</b> Katherine Biggs		
<b>Telephone Number:</b> 01633 644876	<b>Fax Number:</b>	<b>E-Mail Address:</b> katherinebiggs@monmouthshire.gov.uk	
<b>Unclear Plans:</b> N	<b>No Plans Available:</b> N	<b>Major/Key Proposal:</b> N	
<b>Unclear Records:</b> N	<b>No Plans:</b> N	<b>Private Road:</b> N	
<b>Created On:</b> 16-Jun-2016	<b>Created By:</b> BAILEYL	<b>Updated On:</b> 16-Jun-2016	<b>Updated By:</b> BAILEYL
<b>Data Source:</b>	<b>Import Block:</b> N	<b>Checked:</b> N	<b>Deactivated Date:</b>

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<b>User Group:</b>	<b>CON29 Question:</b>				
<b>Summary:</b>					
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<b>Create On:</b>	<b>Created By:</b>				
<b>Updated On:</b>	<b>Updated By:</b>				
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<b>Links:</b>					
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**Planning Objects Associated to Appeal**

Associated Planning Objects:				
Object	Linked	UniqueReference	Description	Type

**Appeal Details**

<b>Local Reference:</b>	E12/069			
<b>DOE Reference 1:</b>	E6840/C	<b>DOE Reference 2:</b>	3151033	
<b>Appeal Type:</b>	Written Representation			
<b>Appeal Application Type:</b>				
<b>Reason For Appeal:</b>	Against an Enforcement Notice			
<b>Appeal Received Date:</b>	26-May-2016			
<b>Appeal Description:</b>	Erection of building			
<b>Site Address:</b>	Ridge House Stables, Earlswood			

**Appeal Decisions**

<b>Appeal Decision Type:</b>	
<b>Appeal Decision Text:</b>	
<b>Appeal Decision Qualifier:</b>	
<b>Appeal Decision Level:</b>	
<b>Appeal Legal Agreement:</b>	N
<b>Date Signed:</b>	
<b>Appeal Decision Date:</b>	

**Appeal Conditions**

Type:	No:	Text	Effect Date:	Deact. Date:
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**Appeal Decision History**

Status:	Decision Type:	Dec. Date:
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**Other Details / Audit**

<b>Team:</b> DC Enforcement	<b>Officers Name:</b> Alison Pankhurst		
<b>Telephone Number:</b> 01633 644816	<b>Fax Number:</b>	<b>E-Mail Address:</b> alisonpankhurst@monmouthshire.gov.uk	
<b>Unclear Plans:</b> N	<b>No Plans Available:</b> N	<b>Major/Key Proposal:</b> N	
<b>Unclear Records:</b> N	<b>No Plans:</b> N	<b>Private Road:</b> N	
<b>Created On:</b> 26-May-2016	<b>Created By:</b> CLARKEPV	<b>Updated On:</b> 26-May-2016	<b>Updated By:</b> LLOYDK
<b>Data Source:</b>	<b>Import Block:</b> N	<b>Checked:</b> N	<b>Deactivated Date:</b>

**Notes:**

<b>Note ID:</b>					
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