

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 7th February, 2017 at 2.00 pm**

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

County Councillors: D. Blakebrough, R. Chapman, D. Dovey,
D. Edwards, R. Harris, B. Hayward, J. Higginson, P. Murphy,
M. Powell, B. Strong, A. Webb and A. Wintle

County Councillor A. Easson attended the meeting by invitation of
the Chair.

OFFICERS IN ATTENDANCE:

| | |
|------------------|---|
| Mark Hand | Head of Planning, Housing and Place-Shaping |
| Philip Thomas | Development Services Manager |
| Robert Tranter | Head of Legal Services & Monitoring Officer |
| Amy Longford | Heritage Manager |
| Shirley Wiggam | Senior Strategy & Policy Officer |
| Nia Morrison | Development Management Officer |
| Richard Williams | Democratic Services Officer |

APOLOGIES:

County Councillors D. Evans and P. Watts

1. Declarations of Interest

County Councillor P.R. Clarke declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DC/2016/01453 as he is the Vice-Chairman of the Monmouthshire Housing Association Board. He left the meeting taking no part in the discussion or voting thereon.

County Councillor A.M. Wintle declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DC/2016/01453 as he is a Board Member of the Monmouthshire Housing Association Board. He left the meeting taking no part in the discussion or voting thereon.

County Councillor A. Webb declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DC/2016/01453 as she is a Board Member of the Monmouthshire Housing Association Board. She left the meeting taking no part in the discussion or voting thereon.

2. Confirmation of Minutes

The minutes of the Planning Committee Meeting dated 10th January 2017 were confirmed and signed by the Chair.

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3. Application DC/2016/01380 - Removal of existing first floor above front room. Removal of existing and creation of new internal walls. New glazed door to front of property. Removal of existing signage. Alter colour scheme of facades (application for listed building consent). The Britannia Inn, 51 Frogmore Street, Abergavenny, NP7 5AR.

We considered the report of the application and late correspondence which was presented for refusal for the one reason, as outlined in the report.

Councillor C.D. Woodhouse, representing Abergavenny Town Council, attended the meeting by invitation of the Chair and outlined the following points:

- The Town Council had replied to the County Council stating that subject to all relevant conservation planning being met and the site visit taking place, which had happened, the Town Council would recommend approval of the application.
- The building has been empty for five years with minimal effect on the main street.
- There will be a small employment loss because of the failure to open this retail.
- The Committee was asked to pay particular attention to the archaeological report. There are discrepancies between the County Council's opinion and that of the report author.
- The Town Council considers that this matter needs to be resolved as quickly as possible.

The local Member for Grofield, also a Planning Committee Member, outlined the following points:

- The Britannia Inn in 2005 was considered important enough to be listed Grade II.
- Having visited the Inn recently, he was shocked at the internal state of the building.
- The neglect of the building cannot be used as the excuse to further abuse the interior by raising the first floor.
- The applicant has indicated that he has failed to let the building to companies. However, the letting of buildings is not a planning matter.
- The Conservation Officer has looked at recent approved planning permissions and has been flexible in aiding the applicant to maintain and let the building.
- Paragraph 3 of the report of the application, planning policy relates to heritage buildings to the Local Development Plan (LDP). Both bullet points are relevant and lead to Policy HE1 – Development in Conservation Areas.

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- The Conservation Officer has provided a detailed assessment of the property and the planning rules and regulations.
- In view of the Conservation Officer's evaluation and the interpretation of Cadw's conservation principles he stated that he would support the Officer recommendation to refuse the application.

Having considered the report of the application and the views expressed, some Members expressed their sympathy for the applicant as the floor in question was already in a poor condition. Also, from the outside the building fitted in with the street scene and the removal of the first floor would create no detrimental effect to the street scene. Approval of the application would bring the building back into use within the town.

However, other Members considered that a suitable option was available to raise the first floor by 400mm providing adequate ceiling height to the ground floor.

It was therefore proposed by County Councillor D. L. Edwards and seconded by County Councillor P. Murphy that application DC/2016/01380 be refused for the one reason, as outlined in the report.

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

| | | |
|-----------------|---|---|
| For refusal | - | 9 |
| Against refusal | - | 5 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2016/01380 be refused for the one reason, as outlined in the report.

4. Application DC/2016/01440 - Modification of condition to substitute the original plans with plans as built. The Chicken Shed Holiday Let, Park House Road, Parkhouse, Trellech, NP25 4PU.

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

Councillor J. Gooding, representing Trellech Community Council, attended the meeting by invitation of the Chair and outlined the following points:

- The Chicken Shed had been shortlisted for the Architecture gold medal at the 2016 Eisteddfod. However, the Community Council considered that the building should never have been approved for conversion and enforcement action should have been undertaken with the property being demolished.
- The message being sent out to the community is that people believe that they will be able to follow the example that has been set.

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- The Community Council considers that the applicant and / or agent appear to have shown contempt for the planning process.
- The Community Council considers that the building has been a planning disaster from start to finish.
- The Community Council has some sympathy with the current Planning officers who were not responsible for the errors. Measures are being put in place to prevent something similar happening again. However, the public have not been informed of the error.
- The consequences of this wrong message have been noticed as the Community Council had recently received an application, similar to the Chicken Shed, from a local resident.
- When the Community Council received the original conversion application DC/2011/00823 it had recommended refusal and had added that if the Planning Department were minded to approve the application, a further independent structural survey should first be required. This had not been done and approval had been granted.
- When the building work commenced, the walls had been removed and the roof trusses had been cut back so that they could no longer reach the walls. The Community Council considered that, at this stage, the old trusses could support the planned roof. Construction should have been stopped at this stage but the County Council allowed it to continue.
- The structure was then enclosed in a large tent. When the tent was removed the building was structurally complete and the old roof trusses had been discarded. Enforcement officers were called in and found the discarded trusses lying on the side of the plot. The applicants were then instructed to replace some of the old trusses into the building structure.
- The interior picture supplied with the application shows two green additional trusses purporting to be the original trusses. However, the Community Council considers that this was not possible.
- The Community Council consider that the building is not a conversion.

The applicant Mrs. S. Peacock, attending the meeting by invitation of the Chair, outlined the following points:

- The property had been purchased after planning permission had been granted.
- After significant financial investment a substantial holiday letting business has been established.
- The Architecture committee of the National Eisteddfod had shortlisted the building for the gold medal for architecture.

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- The Head of Planning had indicated that this is not the occasion to review or reconsider the grant of planning permission. It is also not the occasion to consider the complaints about the manner in which the structure of the building is preserved.
- The green trusses that were put back into the building are the original trusses.
- The application does not give rise to an adverse precedent.
- This is the occasion to regularise the planning permission.
- The application is not substantially different to the application that was approved. The dimensional changes are not great.
- Planning permission was granted on the basis that the building would require substantial reconstruction.
- Building regulations had an impact on the final dimensions.
- The fenestration changes do not change the nature of the development.
- The applicant wanted the internal layout to be suitable for a holiday let.
- The overall proportion of glass to cedar on the front elevation has not changed considerably.
- There was no secrecy about the build. The changes were apparent on the face of the drawings submitted to the Council's Building Control Department before work commenced.
- It would be difficult to identify the difference in the dimensions and fenestration if compared with the original drawings.
- The buildings appearance in the landscape remains unchanged.
- It is a beautiful and successful building.
- The risk of demolition should be removed today.
- The applicant asked that the committee considers the planning officers' recommendation.

The local Member for Trellech, also a Planning Committee Member stated that Trellech Community Council was right to raise the issues identified in the report and address the Planning Committee. However, she considered that the Committee should take a pragmatic approach when determining the application as the changes made to the building are minor and it is not harmful to the surrounding area. The conditions imposed in the report of the application will ensure that the building is used only for tourism. The

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property is adding to the local economy by bringing in tourism. The application should therefore be approved.

In response to a Committee Member's request, it was noted that condition 3 could be amended as follows:

- To ensure that the property is occupied as holiday accommodation only in perpetuity.

Having considered the report of the application and the views expressed, Members considered that the building was not substantially different to the original application and was an asset to the community.

The local Member summed up by supporting the application and thanked officers for rectifying the matter and presenting the application with a recommendation for approval subject to the conditions, as outlined in the report.

It was therefore proposed by County Councillor D. Blakebrough and seconded by County Councillor P. Murphy that application DC/2016/01440 be approved subject to the five conditions, as outlined in the report, with an amendment to condition 3 to include 'in perpetuity'.

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

| | | |
|------------------|---|----|
| For approval | - | 13 |
| Against approval | - | 0 |
| Abstentions | - | 1 |

The proposition was carried.

We resolved that application DC/2016/01440 be approved subject to the five conditions, as outlined in the report, with an amendment to condition 3 to include 'in perpetuity'.

5. Application DC/2016/01453 - Demolition of existing structures on site, construction of 25 new dwellings and associated works. Brookside, Neddern Way, Caldicot, NP26 4RJ.

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

The local Member for Dewstow, attending the meeting by invitation of the Chair, outlined the following points:

- Over the previous months, the local Member has been involved in addressing some issues relating to the application.
- There is some criticism regarding the number of trees that need to be cut down.
- A bat survey suggests that more work is required in respect of this matter.

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- Bird nesting needs to be taken into account when deciding when to commence development.
- There are concerns regarding the lighting and where this will be connected.
- Concern was expressed regarding the road layout in that the road cannot be accommodated via Neddern Way.
- Concern has been expressed that some of the proposed houses will be located in close proximity to the Church. By re-orientating the houses and taking the road straight up and around would create a buffer and create an environment suitable for the residents of the houses and for the church. Public open space would not be affected if the road followed this route.
- The new estate will primarily be occupied by younger people. Protection of the facilities for young people should be considered.
- The current proposed route will be dangerous for local children as it will run through the estate.
- Local residents do not have an objection to the number of houses on the proposed development but the issues relating to the bird, bats and the extinguishment of the footpath need to be addressed.
- The road layout needs could be better delivered which would satisfy the residents' concerns.

Councillor F. Rowberry, representing Caldicot Town Council, attended the meeting by invitation of the Chair and outlined the following points:

- At the Caldicot Town Council meeting on the 10th January 2017 the application was considered. At the meeting it was noted that the Severnside Area Committee had made representations raising concerns regarding access to the site, the footpath and effect on the surrounding land and buildings. Therefore, the application was refused by the Town Council subject to further consultation with the residents.
- Whilst the Town Council supports development that brings in affordable housing to the area, there has been significant concerns expressed regarding the lack of consultation and the lack of time for consultation during the pre-application process.
- Representations were made to local ward members from the public and concerns had been expressed regarding traffic access around the development.
- Caldicot Town Council had met again on the 25th January 2017 and considered the amended application. The Town Council had refused this application for the same reasons as previously mentioned.

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Mr. C. Parker, representing objectors and Bethany Church, attended the meeting by invitation of the Chair and outlined the following points:

- Local objections refer to the entrance road to the proposed new estate.
- No two vehicles are able to pass at this entrance without one reversing to allow the other vehicle to pass.
- The close proximity of the proposed houses to the church is a concern as the distance is less than six metres in one area.
- The church's congregation is anticipated to increase from 100 to 170 attendees. It is a vibrant church with over 400 visitors per week. Events occur every day at the church.
- There will be issues regarding overlooking and privacy if the development is approved.
- The Highways Department had proposed that the road should go straight up into the estate. That road would then act as a buffer for the church and residents. Re-orientation of some of the proposed properties would be required to alleviate the issue of overlooking and would eliminate the issue arising from the narrow blind bend.
- To summarise, the objections refer to issues of safety, overlooking and noise.

The applicant's agent, Sam Courtney, attended the meeting by invitation of the Chair and outlined the following points:

- The report of the application is detailed and sets out all of the planning considerations in a comprehensive and balanced way.
- The existing building is in a poor state and the accommodation is not fit for purpose due to the undersized rooms which do not properly cater for people with mobility issues.
- The residents of Brookside have been relocated over the previous six months to better suited accommodation within the community.
- The proposed development will provide much needed family housing which will go towards addressing the affordable housing need within Caldicot.
- The objections raised have been carefully considered. There are no instances of unacceptable privacy or amenity issues and no examples that could sustain a reason for refusal of the application.
- The applicant has investigated a number of design changes at the request of the objectors and the local Member, i.e., the re-alignment of the main access road

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and the re-orientation of a number of plots would result in an inferior design which would not be acceptable to the applicant or Planning officers.

- The design and density of the development has been questioned by objectors during the process. Rather than being overdeveloped the applicant has chosen a lower density development.
- The development includes the retention of a significant proportion of existing trees within the site which will be incorporated into the design.
- There will not be any adverse impact upon the wider highway network when compared to the potential traffic which could be generated from the existing premises.
- Matters such as car parking, access traffic impact and construction management arrangements have been carefully considered and Highways officers raise no objections subject to conditions.
- The applicant has exceeded the statutory requirements with regard to the amount of consultation undertaken giving interested parties a number of opportunities to review the scheme details and make comment.
- This application has been properly considered and received officer support following the detailed process of consultation.
- Approval of the application would deliver an attractive development providing much needed affordable homes for the community.

Having considered the report of the application and the views expressed, it was noted that:

- If the original building was fully occupied, it would generate more traffic than the proposed development.
- The road will be made up to an adoptable standard and the road layout is appropriate for this scheme.
- The proposed development will be designed to a high standard.
- Currently, the existing building is unfit for purpose.
- There will be no significant overlooking issues.
- The proposed dwellings will be in keeping with the surrounding properties.

It was therefore proposed by County Councillor R.J. Higginson and seconded by County Councillor B. Strong that application DC/2016/01453 be approved subject to the fifteen conditions, as outlined in the report.

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

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| For approval | - | 11 |
| Against approval | - | 0 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2016/01453 be approved subject to the fifteen conditions, as outlined in the report.

6. Application DC/2016/00880 - The development of up to 115 residential dwellings (C3), open space, landscaping, vehicular access off Gypsy Lane, pedestrian accesses and related infrastructure and engineering works. Land at Grove Farm, (Off Gypsy Lane), Llanfoist, NP7 9FF.

We considered the report of the application and late correspondence which was recommended for approval subject to the 17 conditions, as outlined in the report and also subject to a Section 106 Agreement, as outlined in the report.

Councillor L. Palmer, representing Llanfoist Community Council, attended the meeting by invitation of the Chair and outlined the following points:

- The Community Council recommends refusal of the application.
- The site is unsuitable due to its open countryside aspect.
- Llanfoist Village has been overdeveloped to a disproportionate degree in recent years.
- This has had a considerable impact on the village environment.
- The proposed site adjoins existing housing but this location is within the open countryside and access to the development will be from a country lane. This lane already receives a lot of traffic from Llanellen coming to Llanfoist.
- When Llanellen Bridge is closed the lane is used as a route to divert traffic.
- The safety of pedestrians walking along this lane will be compromised.
- Llanfoist Village has been greatly developed in recent years with the addition of a number of large housing developments. This has led to an increase in traffic on local roads.
- There has also been an increase in the use of the Medieval bridge.
- The infrastructure of Llanfoist cannot sustain all of these houses.

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- The local school is already full. Therefore, any children living on the proposed development will not be able to attend the local school.
- The impact on the village environment has been and continues to be immense with the village being turned into a town.
- There are many sites within the Local Development Plan (LDP) that could be developed.
- Llanfoist has doubled its size creating an unattractive urban sprawl.
- Llanfoist doesn't have the infrastructure to cope with the additional housing.
- There are more suitable locations for development identified in the LDP.

The applicant's agent, Ms. D. Powell, attended the meeting by invitation of the Chair and outlined the following points:

- The proposal has been subject to careful assessment and has no outstanding technical objections from internal or statutory consultees.
- Whilst the site is currently allocated in the LDP as being outside the settlement boundary, Monmouthshire does have a shortfall in housing land supply.
- National planning guidance states that there is a need to increase housing land supply and this should be given considerable weight.
- If approved, the application will make a meaningful contribution towards meeting this shortfall and would provide 35% affordable housing which equates to 40 units.
- The requirements in the Council's Affordable Housing Supplementary Planning Grant (SPG) will be met.
- The applicant is in advanced talks with a developer and is willing to accept planning conditions which will ensure that this site is brought forward quickly.
- The site is a greenfield site. However, unlike other greenfield sites it is related to the existing settlement and is accessible to nearby facilities.
- With regard to the concerns raised in respect of the proposed transport impacts, it was noted that the proposed access is a simple T junction off Gypsy Lane. The transport impacts have been assessed and officers are satisfied that there will be no significant impact on the local highway network to the detriment of highway safety and the necessary visual space is provided for.
- Significant revisions have been made to the scheme following feedback from officers.

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- Additional areas of open space and green infrastructure are now proposed.
- No objections have been received from Natural Resources Wales regarding objectors' references to potential flooding in the area and a robust flood consequences assessment accompanied the application which did not identify this as an issue.
- Before the application was submitted, a draft proposal was presented to the community council. The applicant had offered to engage with the community council on two occasions but these offers were not taken up.

Having considered the report of the application and the views expressed, the majority of the Committee expressed their support for the application and outlined the following points:

- The location was suitable for housing provision.
- There was a need for affordable housing within Llanfoist and approval of the application would provide 40 affordable units.
- The masterplan layout of the proposed development was very good.
- It was identified that sites within the LDP were not coming through as quickly as the Authority would like.

However, one Member expressed concern that the proposed development site fell outside of the LDP and that approval of the application would result in development sprawl within Llanfoist. Concern was also expressed that more applications for development across the County, outside of the LDP, might be coming forward and considered that tight guidelines should be established to prevent this from happening.

In response, the Head of Planning, Housing and Place Shaping stated that within national planning policy it is clear that the Authority is required to have a five year housing land supply and there is a clear way in which this is calculated. Every year this goes to an independent inspector to be signed off. The Authority's current land supply up to April 2016 was 4.1 years. Work is being undertaken to establish what the new figure will be for April 2017. Therefore, the lack of the five year supply weighs heavily in support of this application.

There will be a footpath parallel to Gypsy Lane with a link through to the school site during school hours.

It was noted that there was the lack of a barrier at bottom of the existing public right of way where existing steps meet Gypsy Lane and the footway. This matter would be raised with the Highways Department with a view to resolving this matter as part of this development.

It was therefore proposed by County Councillor M. Powell and seconded by County Councillor R. Chapman that application DC/2016/00880 be approved subject to the 17

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conditions, as outlined in the report and also subject to a Section 106 Agreement, as outlined in the report.

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

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|------------------|---|----|
| For approval | - | 13 |
| Against approval | - | 1 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2016/00880 be approved subject to the 17 conditions, as outlined in the report and also subject to a Section 106 Agreement, as outlined in the report.

7. Application DC/2016/01210 - Static food catering van. Severn Bridge Social Club, Bulwark Road, Bulwark, Chepstow, NP16 5JN.

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

Having considered the report of the application, it was proposed by County Councillor R. Harris and seconded by County Councillor P. Murphy that application DC/2016/01210 be approved subject to the four conditions, as outlined in the report.

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

| | | |
|------------------|---|----|
| For approval | - | 14 |
| Against approval | - | 0 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2016/01210 be approved subject to the four conditions, as outlined in the report.

8. The Planning Inspectorate - Appeals.

We received and noted the appeals report.

The meeting ended at 4.27 pm