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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 27 February 2017

Notice of meeting:

Planning Committee

Tuesday, 7th March, 2017 at 2.00 pm,
The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA

AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	To confirm for accuracy the minutes of the previous meeting.	1 - 14
4.	To consider the following Planning Application reports from the Chief Officer - Enterprise (copies attached).	
4.1.	APPLICATION DC/2010/00969 - 15 SPECIALIST CARE APARTMENTS FOR THE OVER 55 AGE GROUP WITH CAR PARKING; ACCESS OFF THE EXISTING PUBLIC CAR PARK. LAND AT REAR ST. MAURS, BEAUFORT SQUARE, CHEPSTOW.	15 - 32
4.2.	APPLICATION DC/2016/00953 - OUTLINE APPLICATION FOR HOUSING DEVELOPMENT, 17 UNITS WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS. HILL FARM PWLLMEYRIC.	33 - 46
4.3.	APPLICATION DC/2016/01449 - A DIGITAL NOTICE BOARD PROVIDING PUBLIC INFORMATION AND POTENTIALLY COMMERCIAL ADVERTISING. PUBLIC OPEN SPACE, JUNCTION OF HIGH STREET AND NEVILL STREET, ABERGAVENNY.	47 - 50
4.4.	APPLICATION DC/2016/01452 - A DIGITAL NOTICE BOARD PROVIDING PUBLIC INFORMATION AND POTENTIALLY COMMERCIAL ADVERTISING. PUBLIC OPEN SPACE, ST JOHNS SQUARE, ABERGAVENNY.	51 - 54
4.5.	APPLICATION DC/2017/00090 - PROPOSED INTERNAL REORGANISATION AND EXTENSION TO EXISTING DWELLING. LINDSEY, THE NARTH, MONMOUTH, NP25 4QN.	55 - 56

5.	Local Development Plan Draft Sustainable Tourism Accommodation Supplementary Planning Guidance.	57 - 102
6.	FOR INFORMATION - The Planning Inspectorate - Appeals:	
6.1.	Appeal Decision - Chapel Road, Abergavenny.	103 - 104
6.2.	Appeal Decision - Highway Barn Mitchel Troy.	105 - 108
6.3.	Appeal Decision - The Old Stable, Abergavenny.	109 - 112
6.4.	Appeals received.	113 - 114
7.	To note the change of date of the May 2017 meeting: From 2 nd May 2017 to 25 th April 2017, commencing at 2.00pm.	

**Paul Matthews
Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillors:

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

Public Information

Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda or is available here [Public Speaking Protocol](#)

Access to paper copies of agendas and reports

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

Watch this meeting online

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Welsh Language

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

Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

Purpose

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

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

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

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

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

Decision-making

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

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

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

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

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

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

Main policy context

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

Policy EP1 - Amenity and Environmental Protection

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

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

Policy DES1 – General Design Considerations

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

- a) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape;
- f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;
- g) Incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) Foster inclusive design;
- l) Ensure that existing residential areas characterised by high standards of privacy and

spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

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

Supplementary Planning Guidance (SPG):

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

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

National Planning Policy

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

- Planning Policy Wales (PPW) 11 2016
- PPW Technical Advice Notes (TAN):
- TAN 1: Joint Housing Land Availability Studies (2015)
- TAN 2: Planning and Affordable Housing (2006)
- TAN 3: Simplified Planning Zones (1996)
- TAN 4: Retailing and Town Centres (1996)
- TAN 5: Nature Conservation and Planning (2009)
- TAN 6: Planning for Sustainable Rural Communities (2010)
- TAN 7: Outdoor Advertisement Control (1996)

- TAN 8: Renewable Energy (2005)
- TAN 9: Enforcement of Planning Control (1997)
- TAN 10: Tree Preservation Orders (1997)
- TAN 11: Noise (1997)
- TAN 12: Design (2016)
- TAN 13: Tourism (1997)
- TAN 14: Coastal Planning (1998)
- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (2007)
- TAN 19: Telecommunications (2002)
- TAN 20: The Welsh Language (2013)
- TAN 21: Waste (2014)
- TAN 23: Economic Development (2014)
- Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
- Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
- Welsh Government Circular 016/2014 on planning conditions

Other matters

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

Planning (Wales) Act 2015

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

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

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

Environmental Impact Assessment Regulations 2016

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

Conservation of Species & Habitat Regulations 2010

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

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

Well-being of Future Generations (Wales) Act 2015

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

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;
- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

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

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

Crime and Disorder Act 1998

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

Equality Act 2010

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

Children and Families (Wales) Measure

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

Protocol on Public Speaking at Planning Committee

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below.

Who Can Speak

Community and Town Councils

Community and town councils can address Planning Committee. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

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

Not to introduce information that is not:

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

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

Members of the Public

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

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

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

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

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

Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community/town council, have registered to address committee in opposition to an application.

When is speaking permitted?

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

Registering Requests to Speak

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

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

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

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

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

Content of the Speeches

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

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

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

- Boundary disputes, covenants and other property rights

- Personal remarks (e.g. Applicant's motives or actions to date or about members or officers)
- Rights to views or devaluation of property.

Procedure at the Planning Committee Meeting

Persons registered to speak should arrive no later than 15 minutes before the meeting starts. An officer will advise on seating arrangements and answer queries. The procedure for dealing with public speaking is set out below;

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- The representative of the community or town council will then be invited to speak for a maximum of 4 minutes by the Chair.
- If applicable, the objector will then be invited to speak for a maximum of 4 minutes by the Chair.
- If applicable, the supporter will then be invited to speak for a maximum of 4 minutes by the Chair.
- The Chair will then invite the applicant or appointed agent (if applicable) to speak for a maximum of 4 minutes. Where more than one person or organisation speaks against an application, the applicant or appointed agent, shall, at the discretion of the Chair, be entitled to speak for a maximum of 5 minutes.
 - Time limits will normally be strictly adhered to, however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
 - The community or town council representative or objector/supporter or applicant/agent may not take part in the member's consideration of the application and may not ask questions unless invited by the chair.
 - Where an objector/supporter, applicant/agent or community/town council has spoken on an application, no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the committee unless there has been a material change in the application.
 - The Chair or a member of the Committee may, at the Chair's discretion, occasionally seek clarification on a point made.
 - The Chair's decision is final.
- Officers will be invited to respond to points raised if necessary.
- Planning Committee members will then debate the application, commencing with the local member of Planning Committee.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Response by officers if necessary to the points raised.
- Immediately before the question being put to the vote, the local member will be invited to sum up, speaking for no more than 2 minutes.
- When proposing a motion whether to accept the officer recommendation or to make an amendment, the member proposing the motion shall state the motion clearly.

- When the motion has been seconded, the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at 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.

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

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.

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

- 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:

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:

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

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DC/2010/00969

15 SPECIALIST CARE APARTMENTS FOR THE OVER 55 AGE GROUP WITH CAR PARKING; ACCESS OFF THE EXISTING PUBLIC CAR PARK

LAND AT REAR ST. MAURS, BEAUFORT SQUARE, CHEPSTOW

RECOMMENDATION: REFUSE

Case Officer: Kate Young

Date Registered: 29th October 2010

1.0 APPLICATION DETAILS

- 1.1 This is a full application to provide 15 residential units for those residents over the age of 55. The site is in the centre of Chepstow on land that was previously rear garden for the property St Maurs, which provided office accommodation. The land has become neglected, overgrown and is often used for fly tipping. The site slopes down steeply towards Chepstow Castle. To the south-west is The Dell car park, to the south are residential and commercial properties which front onto Hocker Hill Street and to the north-east is the single storey Kingdom Hall. The site is within the Chepstow Conservation Area. St Maurs is a Grade II Listed Building.
- 1.2 The site has a long and complicated planning history, which will be outlined below. There is an extant permission to erect a three storey office block on raised ground levels although permission was never granted from the Highways Department for a vehicular access from the council car park. The current application seeks permission for the 15 units to be built in two, linked, three storey blocks on the southern part of the site and for there to be a well landscaped car park on the northern part. Vehicular access would be from the public car park. Owing to the varying ground levels and the fact that part of the building would be cut into the ground, the building will appear to be of two and three storey construction. The design of the proposal and the car parking has been considerably amended since the original submission, in order to reduce its visual impact, and all interested parties have been re-consulted on the amendments.
- 1.3 Initially officers were reluctantly minded to recommend this application for approval given the fall-back position of the previous application for offices approved on appeal in the 1970's. We have very sketchy plans of an office block approval. We also have a letter from the Council's Building Control section confirming that work on the office block had started. There is no dispute that work on the proposal began, probably this related to the digging of some foundations. On reflection officers are of the opinion that the fall-back position is not realistic and is not likely to proceed. The reason for this is that the applicants are not in possession of working drawings either for planning permission or for building regulations. The previous proposal has no vehicular access and therefore no parking provision, although its town centre location adjacent to a public car park means this situation is not unusual. However, the previous claims that the offices can be constructed without the need for access from the Council car park have been demonstrated to be untrue, given that unauthorised access for a digger was recently created (this machinery could not possibly fit down the alternative access which is a pedestrian alleyway. Furthermore there is limited demand for new office development within Chepstow, with several vacant offices within the town centre and at Thornwell. As we do not consider that the fall-back position is realistic this current application for residential accommodation should be considered on its own merits.

2.0 RELEVANT PLANNING HISTORY

A 990	Outline Planning permission for a new office building with corridor link to the offices at St. Maurs Allowed at appeal January 1977 subject to the standard time limit condition and a requirement that an archaeological exploration take place prior to the erection of the building
A11674	Outline permission for a three story office block Approved 1979
A18914	New office and corridor link Full application Approved 1983
A18944	New Office Building Reserved matters Approved 1983
A30305	New building to provide offices and a residential flat. Approved 08/08/89
A30898	Provision of 22 car park spaces for the adjacent office development. Approved 16/08/89

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 Spatial Distribution of New Housing Provision

S2 Housing Provision

S4 Affordable Housing Provision

S5 Community and Recreation Facilities

S16 Transport

S17 Place Making and Design

Development Management Policies

H1 Residential Development in Main Towns

CRF2 Outdoor Recreation/Public Open Space and Allotment Standards and Provision

MV1 Proposed Developments and Highway Considerations.

DES1 General Design Considerations

HE1 Development in Conservation Areas

NE1 Nature Conservation and Development

EP1 Amenity and Environmental Protection

Supplementary Planning Guidance

Chepstow Conservation Area Appraisal – Adopted March 2016

4.0 REPRESENTATIONS

4.1 Consultation Replies

Chepstow Town Council – Refuse

Concerned at the height of the residential block adjoining the public car park. This block will be visually intrusive to car park users.

Concerned that the proposed access via Welsh Street car park will generate considerable additional vehicle movements through the car park, exacerbating existing congestion.

Height of the proposal will impact on the castle

Footpath to town centre is very narrow and not good for emergency access

Loss of privacy to adjoining businesses and homes.

Welsh Water – No objections. Outlines Conditions

MCC Highways – No objections subject to conditions.

Car parking provision is in line with CSS Wales Parking Guidelines. Two dedicated disabled spaces and a turning head should be provided on the site. The proposal will result in the loss of several car parking spaces and MCC would seek a financial contribution for future maintenance and improvements to the car park. A Construction Management Plan will be required.

The [above] comments provided on the 14th November 2012 by the Highways Development Section were made solely on the technical merits of the development, this is particularly the case in respect of the resulting loss of car parking and associated financial contributions, this does not infer or imply that the highway authority as a statutory consultee has granted consent or otherwise for the applicant to use the car park as there means of access, this is an issue for the Council as landowner to determine. As referenced in para 5.1 of the report an earlier application in 1989 for the provision of 22 car parking spaces was granted although access through the car park was not allowed by the Council.

I trust this is helpful and clarifies the Highway Authority's response to the application being determined.

Mark Davies - Highway Development Manager

"In Roger Hoggins absence and the need to provide comments in response to the application as land owner and operator of the car park I would confirm that following a meeting with Roger Hoggins, Head of Operations with corporate responsibility for the Council's car parks and Amanda Perrin, Car Parks Manager, on 18th January 2017, the issue of access through the Council owned car park to provide access to the proposed development was not deemed appropriate as the loss of revenue would far exceed any payments or fees associated with providing access over the car park, for the following reasons:

Access over the car park cannot be guaranteed at all times, if it were then any such agreement will hinder and affect the Council in its day to day operations and management of the car park; this is a particular relevant when the Council have to deal with issues of anti-social behaviour, the ability to close the car park in the evening to prevent such activities for instance, we would not be able to do so.

To provide access off the car park results in the loss of at least 2 car parking spaces with resultant loss of revenue to the authority and further reduces available car parking spaces for visitors to the Town.

Access through the car park for domestic and commercial deliveries is restricted, and any local improvements may result in the loss of further spaces and revenue.

The proposed development provides for 15 car parking spaces, where a number of the apartments proposed are 2 bedroom; therefore the potential for additional car parking and further loss of car parking spaces following the issue of residential parking permits cannot be discounted with the inevitable loss of revenue."

Glamorgan Gwent Archaeological Trust –

In conclusion, the submission of a report on the archaeological evaluation has demonstrated that some archaeological features are present in the proposed development area but these are not of sufficient importance for the current application to be refused on archaeological grounds subject to an appropriate condition ensuring that they are fully investigated being attached to any consent that is granted. However; the applicant has provided no additional information on the design of the revised plans, particularly in regard to the setting of Chepstow Castle, which was an issue that Cadw have previously raised as being a fundamental concern. We have therefore recommended that the applicant should be requested to commission an assessment of this impact to assist in the determination of the application. We have also strongly recommended that the determination of this application should not be made until a response on the revised scheme has been received from Cadw.

Cadw – Comments on the Amended Scheme:

Raises fundamental concerns about the proposal and its potential effect upon the setting of Chepstow Castle. The development is contrary to the Welsh Government's guidance as published in para 6.5.1 in Planning Policy Wales which states that "Where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ..."

In addition Cadw question whether the earlier planning history at this site should be allowed to set a precedent for the current proposed development as there has been a significant change in legislation.

MCC Heritage Officer –Recommends refusal.

The application has a long history mainly focussing on the comparison of the proposals with the extant permission on the site. However it is now clear that the fall-back position of implementing the previous permission is not realistic and can no longer form part of the consideration of the proposals.

Therefore the application is considered on its own merits and the comments now relate to the impact of the size, scale, position and design of the building on the setting of the listed buildings and the conservation area. Cadw has responded in terms of the impact of the proposals on the Scheduled Ancient Monument and these have been noted. The site is in a very sensitive location being in the heart of the conservation area in the immediate setting of the Grade I listed and Scheduled Castle and that of the listed buildings of Beaufort Square and Hocker Hill Street, all of which are listed bar one, between 8 Hocker Hill Street and Raglan Lodge (listed Grade II*).

The current proposals consist of three to four storey building partially set into the slope at the rear of the grade II listed building of St Maur. The proposed building and associated landscaping will effectively fill the gap between the rear of the listed building and the boundary of the Scheduled Ancient Monument of Chepstow Castle. Despite the current proposals being an improvement on the extant permission and partially improved following negotiations from officers, it is considered that impact of the proposed development would still have significant harm on the setting of the listed buildings and the conservation area. The changes do not justify the development or outweigh the harm.

The proposals are considered to be overly large and far too dominant in such a sensitive location. The building is essentially four storeys given the changes in ground levels. The attempt to reduce the overall mass by breaking it up into sections provides some mitigation but is far from sufficient to create a successful application. This scale of

building is incongruous and alien to its environment, out of context the development pattern of development along the main street of individual buildings set in mainly narrow (burgage) plots extending back away from the street. This height and scale will have a significant overbearing impact on the surrounding designated heritage assets and become a dominant and obtrusive feature not only in the immediate setting of the site but also in wider views of the castle and the conservation area.

It is important to note that since the previous comments were made Chepstow Conservation Area Appraisal has been adopted as Supplementary Planning Guidance and so is a material consideration to the determination of the application. The site is within character areas 1, 3 and 6. 1- The historic core, states (para 7.3.3) The area is characterised by a high density of historic buildings comprising mainly of town houses, (para 7.3.4) the character area has a well-defined building line with back of pavement houses, shops, pubs and restaurants lining the 5 roads... the regular rhythm of the plot division and consistent scale is occasionally broken by balconies. Character area 6, Welsh Street and Moor Street states (para 7.3.42) at the northern end of Welsh Street there are open views across the Dell valley. Character area 3 refers to the Castle which has been discussed by Cadw.

The character areas are supplemented by maps 6A, 6C and 6F which identify key components of the conservation area. Of particular relevance is the key views across the site to the castle and towards the river, views from the castle to the rear of the listed buildings identified above, key groups of trees to the site in question and immediately adjacent.

Overall the proposals are considered to have a detrimental impact on the setting of the listed buildings, some highly graded as well as a failing to preserve the character and appearance of the conservation area for the above reasons.

The Heritage comments received previously are as follows:

'The proposed site is a very sensitive location sitting as it does above The Dell, opposite Chepstow Castle. If it were a stand-alone application with no planning history it would be opposed because of the impact of the new structure upon key views from the car parks, the Castle, and up The Dell. This is not however the current situation. The applicants have demonstrated that there is an extant consent which has been commenced, and that they have firmly indicated that they will be looking to implement should the current negotiations fail.

The extant scheme is far from ideal on a number of levels. It was an application for office accommodation in a rather out of date architectural form. In terms of its impact on the listed St Maurs building the rear of the new block was stark in design. In addition the car parking extended further down the plot towards The Dell. Whilst the footprint was essentially smaller this resulted in a taller structure which would be more prominent than that proposed.

One of the major concerns in relation to this application has been the visual impact of the scheme as seen from the Castle. To reduce the visual impact of the car park its extent has been moved back up the site and landscaping is now proposed to screen any parked cars. Semi-mature trees would be planted and pergolas formed over the individual bays. If consent is given the colour of the paved surface would need to be controlled. Clearly the cross sections show quite a marked increase in ground levels at the lower end of the site; this increase in height has been kept as low as feasible but has been introduced to provide a manageable slope for the residents. In terms of the new building itself it is proposed to be set down below ground level, which combined with its

broken form will help to reduce the visual dominance. The use of good quality materials as identified will also help in softening the visual impact. It should be noted that when viewed square on from the upper bailey of the Castle the new structures would be seen in the context of the backs of the other buildings that rise up Hocker Hill Street, the Kingdom Hall and the public car park which inevitably has a very engineered form. Turning to other vantage points, the impact upon the view from the upper public car park down The Dell is difficult to determine. However on balance the adverse impact has been minimised as can be seen from the various cross sections provided. When walking up The Dell the visual impact will again be minimised because of the degree to which it is set back and the slope of the land. The extent of visual impact generally will be affected by the level of planting proposed; at present whilst some trees are proposed there is very little other planting – additional planting should be secured if approval is recommended.

In terms of the building's design it is good, adopting a traditional form with modern details. If approved, the permission will need to strictly condition materials.

In summary the scheme has been developed with sensitive handling and is far better than the extant consent which, if implemented, would have a significantly detrimental impact upon the Conservation Area. Many revisions have been made to the current scheme to try and address the Council's concerns; consequently the proposals are recommended for approval.'

MCC Planning Policy - The LDP includes a specific paragraph (6.1.33) in relation to housing for people in need of care which states that:

'It is recognised that many people have housing needs that cannot be adequately satisfied by conventional housing stock. The term 'housing for people in need of care' covers a variety of residential care facilities where the special needs of particular groups can be accommodated. This includes nursing homes, sheltered housing, extra or close care housing, continuing care retirement communities or other similar types of development where an element of care is provided as part of the development. Proposals for such facilities will be assessed against the LDP policy framework and national planning policy guidance (PPW). To ensure that residents of such housing are well integrated with the wider communities, sites for these facilities should be located within defined settlement boundaries and accessible to a range of services and facilities, such as GP surgeries and shops.'

Of note, the issue as to whether the LDP should include a policy on housing for people in need of care was debated at the LDP Examination. We felt that any proposals for housing for people in need of care can be adequately judged against the framework of policies provided in the LDP. The Inspector agreed with this approach and noted in her report (paragraph 5.22) that: 'The requirements of older people will be adequately addressed by the generic housing policies which will allow dedicated housing of various types for the elderly to come forward, there is no need for special policies or allocations.'

In terms of listed buildings and scheduled ancient monuments (SAMs), the LDP does not repeat national development control policy and reference should be made to Chapter 6 of PPW and Circulars 61/96 and 60/96 which set out clear statements of national development management policy for listed buildings and archaeological remains.

MCC Landscape Consultant (recreation provision) – I would not expect to see any recreational facilities provided on the development itself; however I would expect the developer to pay a sum towards both open space and recreation.

MCC Tree Officer – No objection to the removal of the Norway Spruce on site but agree that the other trees listed on the tree survey should be retained and I am satisfied that they should not suffer harm as a result of the proposed development, provided that they are physically protected prior to and during the construction stage, as detailed in the tree protection plan. To reinforce the tree protection plan conditions should be imposed.

MCC Landscape (Urban Design)

In addition to previous comments [Colette Bosley_10.12.10]

1. We are unable to support proposals that would adversely affect the setting of Chepstow Castle or the Chepstow Conservation Area and that have not regarded strategic objectives and/or policy, set out in Planning Policy Wales (specifically chapter 6) or the Local Development Plan; by which development must protect, conserve or enhance the unique character and special qualities of historic landscapes and their settings, and must be of a high quality sustainable design.

Reasons

2. The development would have an unacceptable adverse effect on valued historic designations.

3. The proposal is inappropriate in its context and will have lasting detrimental effects on the Chepstow community.

4. The scale, massing and external appearance of the proposed building is unsightly, incongruous and inappropriate (in this location).

5. The scale and detailed design have not considered its impact on a Scheduled Ancient Monument and Grade 1 Listed Building, Conservation Area and the wider townscape; which would be significant, adverse and long-term.

6. The Design and Access Statement does not present an evidence based design rationale for their proposal; especially where historic designations, massing, scale and expression is concerned.

Further information

7. Proposals should be sympathetic in scale and character and contemporary by design.

8. Proposals should achieve both architectural and environmental excellence

9. An adequate site and context analysis would have provided pertinent information to develop their proposal properly; informing its scale, architectural design and material choice.

10. Their appraisal should have addressed how the site, proposal and the wider area work together.

11. The design process should have been clearly illustrated within the DAS and/or other supporting documents.

12. A Townscape and Visual Impact Assessment should have been carried out, to determine the key views and vistas from which the site will be visible and the context within which it sits.

13. Their proposal should have considered green roofs, solar water heating and solar electricity on roof space.

14. The design of external area(s) need to complement the building and public realm.

15. ...and landscape planting should have been used to reduce visual impact and rainwater runoff.

16. Section 4 of TAN 12 provides some useful information on design, as does...

17. <http://gov.wales/docs/desh/publications/160513-site-and-context-analysis-guide-en.pdf>

18. MCC Green Infrastructure SPG

MCC Landscape and Countryside Officer – (Initial response)

It is understood that an existing permission exists; otherwise my initial response would be to refuse the application in view of the scale and nature of the proposal and its proximity to the Castle as well as being within a sensitive part of the Conservation Area. Concerns are raised regarding the height and design.

It is strongly recommended that a visual impact assessment of the site be carried out. The design and layout of the proposal is wholly inappropriate. The development and car parking will eat into the visually distinct green spaces which provide the setting for the Castle and also result in a significant loss of connectivity for its biodiversity for possible species or habitats.

Biodiversity and Ecology Officer – An Ecological assessment has been undertaken and submitted in support of the application. The survey has identified the site as being of low ecological value but there are considerations relating to invasive species, protected species and landscape to be covered. Conditions are recommended relating to nesting birds, landscaping (including the control of Japanese knotweed and translocation of bluebells).

4.2a Neighbour Notification

20 Letters of objection.
Inappropriate development in such a beautiful area.
Inappropriate location for OAP housing.
Loss of light to adjoining properties.
Parking problems.
Dying trees should be replaced.
Development is disproportionately high given its impact on neighbours.
How will drainage be dealt with?
Should be converting existing buildings rather than new build.
Greater public consultation is needed given the sensitive nature of the site.
Not in keeping with the rustic appearance of Chepstow.
Disturbance to local residents.
Land could be put to better use.
Adverse effect on the character of the town.
Negative effect on neighbouring properties due to increase traffic and noise.
Use of existing pathway is not realistic, there is no public right of way, it is very narrow and cobbles are not safe for the elderly.
Do not want to lose the cobbles or have any lighting of the alley.
Loss of privacy to houses and gardens.
More strain on the already congested and dangerous car park.
Pedestrian access is already narrow.
More parking should be provided.
Questions over ownership of the land.
The land should be put to a more suitable use i.e. allotments, water garden or a bungalow.
Proposal will be an eyesore to tourists and residents.
In winter when there are no leaves on the trees the building will be very visually prominent.
Damage to the setting of historical buildings.
Proposal is too large and modern for this historic setting.
Location is poorly sited for the elderly.
The existing trees are not tall enough to screen the proposal from views from the castle.
The cobbled path to Hocker Hill Street is not a public through-way.
This development is not in the public interest.
The area has not changed much since 1686.
Residents wish to address Members of the Planning Committee.
No publicity of application.
Local residents do not have private parking.
Council to receive money for each apartment.
This is public land.

Impact on wildlife and archaeology.
Totally violates Chepstow's historic town.
Loss of sunlight.
Cobble stones are an asset to Chepstow.
Inappropriate hilly location
Insufficient access for emergency vehicles.
Blocks/ degrades views from and of the castle.
Blot on the skyline.
Adverse impact on the Conservation Area.
Over domination of adjoining walled garden.

4.2b Neighbour notification. 4 Letters received after re-consultation.

The amendments have not addressed our original objections
Inappropriate location for this development as the area is so hilly.
Insufficient access for emergency vehicles
Loss of public car park
Violates general planning in Chepstow
Confirmation is needed of land ownership.
May be contaminants on the site.
Loss of privacy
Detrimental to local businesses
Loss of views to and from the castle
Dominating impact
Ash trees used for screening are at threat
Grass snakes and slow worms on site.
Inappropriate location adjacent to a public house.
Unsafe pedestrian access.
Inaccessible location.

4.3 Other Representations

CAIR – Welcome the provision of accommodation for people with disabilities in this central location. It will enable people to remain in their community as they become older and more infirm. We are impressed with the design but think that disabled parking spaces should be provided.

The Chepstow Society – Universally disapprove.
The car park will interfere with views from the castle.
Parked cars will be seen on the skyline.
Loss of residential amenity by reason of noise disturbance, loss of privacy, increased traffic.
Loss of public parking spaces.
Increased traffic through the car park and Welsh Street.
Castle Dell will be spoilt by noise from vehicles and building work.
Adverse impact on St. Maur listed building.
Cobbled footpath is unsuitable for elderly people.

Tidenham Historical Group – Object in the strongest terms.
Irreparable damage to the historic setting of Fitzosbern's Great Tower.
Intrusive development which is out of place.
The gardens overlooking the Castle should be listed.

4.4 Local Member Representations

I would like you to note my observations on this proposal, which has been the subject of representations to me, and are as follows:

- It is clear from recent and previous responses to proposals for a development on this site that fundamental aspects and the reasons for opposing them remain unchanged.
- If it goes ahead, this development will have a serious impact on the heart of historic Chepstow in terms of amenity, architecture and in other ways, both while it is carried out and subsequently.
- The comments by CADW, Chepstow Town Council and The Chepstow Society in particular should, I suggest, be taken very seriously in the consideration of this application.
- I will not repeat, but I endorse the comments made by individuals about the impact on their property and the environment and ethos needed by their businesses.
- I would seriously question the suitability of this site for the kind of development proposed.
- I would wish to attend any site visit thought necessary for considering this application, as would the local residents and business people who have made known their objections.
- I urge refusal of this application.

5.0 EVALUATION

Planning History
Principle of development
Visual Impact
Landscaping
Impact on the Conservation Area and Chepstow Castle
Access
Residential amenity
Affordable housing
Archaeology
Recreational provision
Biodiversity
Other issues raised

5.1 Planning History

- 5.1.1 Outline planning permission was allowed, on appeal, in 1977 for office development on this site and subsequent approvals were granted between then and 1989. In a report to Planning Committee in December 1988, officers concluded that work on the development had started. That report stated:
- 5.1.2 “The original permission was granted on appeal by the Secretary of State in 1977. A reserved matters application was approved by this authority in 1983 (code No. 18944) and works commenced by the digging of foundation trenches and the laying of some concrete foundations. These works were confirmed to the Council on the 7th August 1985 in a letter from the then agents and were inspected by the Council’s Building Inspector on 2nd August 1985....There is no doubt that the development commenced and the application No. 18944 is still valid. No completion notice has been served and therefore the application can continue with the construction of the building as approved without further reference to the Planning Authority.”
- 5.1.3 It is not disputed that work had started on the office development and that under the provisions of prevailing case law at the time, the work could continue. Details of the office block and its corridor link to St. Maurs are shown in the Committee Plans and Presentation. It can be seen that the design and massing of that proposal and the location of the car park would have an adverse visual impact on the area as a whole, the

Castle and the Listed Building to which it was to be linked. In addition the architectural form is rather out dated and would not preserve either the character of the Conservation Area or the setting of Chepstow Castle. The plans are of insufficient detail to be implemented.

5.1.3 In 1989 planning permission was sought for the provision of 22 car parking spaces for the offices and flat to be accessed from the council car park. The application was considered by the Environmental Health and Control Committee where it was resolved not to allow access from the council's car park to the development. The application was then presented to Members of the Planning Committee. The officer's report said "The planning application should only be determined on its planning merits and the refusal to allow access is not a material consideration in relation to the planning application." A note at the end of the committee report said. "The permission hereby granted relates solely to planning permission and does not convey any other rights including rights of access over Council land for construction or operational purposes." It appears therefore that the approved scheme had no vehicular access. The applicants cannot provide evidence to the contrary.

5.1.4 If there was no planning history on the site, then the current submission would have been refused outright. However given the history and the fact that all parties agreed that work had started on site the current application was initially considered against the fall-back position, that of a very out-dated office block. There is no question that the design of the current proposal is an improvement in visual terms over that of the approved office block. However having researched the matter further since it was reported to Planning Committee in August 2015, officers now contend that the fall-back position is not realistic and therefore is not a justification for allowing new build residential development in this sensitive location. The fall-back position is not considered realistic as there is no vehicular access into the site and therefore no access for construction traffic as well as future occupiers. The only surviving plans held by either the Council or the applicants are very sketchy and are not of sufficient detail to build from. There is little demand for new office development within the Chepstow area. It is now considered that it is extremely unlikely that the approved office block would be built and therefore the fall-back position is unrealistic.

5.2 Principle of Development, LDP Policies S1 and H1

5.2.1 The application site lies within the Chepstow Town Development Boundary. Policy S1 of the LDP states that the main focus for new housing development is within or adjoining the main towns and presumes in favour of new residential development within Town Development Boundaries, subject to detailed planning considerations. Policy H1 reinforces this view saying that within development boundaries new build residential development will be permitted subject to detailed planning considerations and other policies in the LDP that seek to protect existing retail, employment and community uses. The detailed planning considerations will be considered in more detail elsewhere in the report but the basic principle of allowing new residential development is acceptable.

5.3 Visual Impact

5.3.1 The proposal when viewed from a distance will comprise essentially a four storey block of development measuring approximately 27 metres by 29 metres. Although the block is broken down into smaller elements and not all the elements are four storeys, the proposal will have a significant adverse visual impact on the setting of the Castle and its historic surroundings. In addition the development will break the sky line and dominate the area. It is proposed to set part of the development below ground level and while this will help to reduce the visual impact this is not sufficient to mitigate for the harm that such a large

building will have upon the character of the Chepstow Conservation Area. The mass of the building is broken into a series of two, three and four storey elements, and it adopts a traditional form with modern details and high quality materials. However this does not justify allowing such a large construction in this very sensitive location. The proposal will rise above the surrounding residential and commercial properties and will not respect the existing form, scale and massing of neighbouring buildings, many of which are historic. The proposed modern structure on the sky line of Chepstow will have an adverse impact on the built and natural views and panoramas of the historic core of Chepstow including views from and including Chepstow Castle. The mass of development in this location is therefore contrary to criteria c) and e) of Policy DES1 in the LDP.

5.4 Impact on the Conservation Area and the Castle

5.4.1 One of the major concerns in relation to this application is the visual impact of the scheme when seen from the Castle and the impact upon the Conservation Area. Cadw maintains that there are no direct impacts on the scheduled areas of Chepstow Castle or Chepstow Town Wall and Gate, but there are very significant effects upon the setting of Chepstow Castle. Currently there are unimpeded views across what would have been kept as open ground until the end of the 17th Century. The proposed development will extend the historic building line closer to the Castle. The new building would be approximately 50 metres from the boundary of the scheduled monument and the edge of the car park only 15 metres away. Cadw point out that The Great Tower of Chepstow Castle, the oldest and one of the most important medieval buildings in Wales, is only 90 metres from the edge of the proposed building. There are three elevated viewpoints from within the Castle that allow visitors to view across The Dell towards the proposed development site. The proposed development would be on the skyline, when viewed from Marten's Tower and the South-West Tower and be directly in the line of vision when viewed from the Great Tower. The roof of the proposed development will be higher than any of the viewpoints in the Castle. The existing tree cover, especially the mature ash and yew tree will provide some screening to the new structures, but this will be partial and seasonal and these trees will have only a limited life (particularly the ash trees). The application includes the planting of mature trees on a new 3 metre high bund at the northern end of the car park. These will have some effect upon the visibility of the proposed works from the Great Tower, but this may foreshorten the view and introduce a visual barrier to other viewpoints. When looking from the public castle car park up The Dell towards the Marten's Tower, the proposed development will appear as a very prominent building on the skyline, projecting out towards the Castle. In Cadw's view the proposed bund and tree planting at the north end of the car park would form "an important new and intrusive element in this view." Cadw also consider that the pergola that is proposed for the car park, would diminish the impact of the hard landscaping but combined with the 3m high bund, would introduce a very significant barrier into the panorama. There are various viewpoints, which give extensive views across Chepstow, especially when viewed from the modern road bridge across the River Wye. Cadw consider that the proposal would introduce one complex, prominent, free-standing new building into this and other views. To conclude, Cadw raises fundamental concerns about the proposal and its potential effect upon the setting of Chepstow Castle and considers it to be contrary to the guidance given in Planning Policy Wales.

5.5 Access

5.5.1 It is proposed that the site be accessed off the main public car park in the town. This would result in a loss in the number of car parking spaces available to the public and also result in an access road serving 15 residential units running through the car park. Permission would have to be sought from the Council as landowner to obtain access through the public car park and this permission is likely to be declined as noted by

comments made on behalf of the Council's Head of Operations. This is because during construction, the development would result in the (temporary) loss of parking and also conflict with car park users for example when HGV deliveries to the site are needed. After completion the loss of two car parking spaces would be detrimental to this part of Chepstow where parking provision is at a premium as the car park is heavily used and supports local businesses, shoppers and tourists. The developers have stated that they could develop the site without vehicular access, due to its town centre location but this is considered unlikely especially during the construction phase. A residential development of this size without parking provision would put additional pressure on existing public car parks.

- 5.5.2 If vehicular access was to be provided through the public car park, it is proposed to provide one car parking space on site for each residential unit; this is in line with the CSS guidelines. This is considered sufficient given the nature of the accommodation, and the accessible location of the development. The Council's Highways Team has requested that a turning head and disabled bay be provided.

5.6 Residential Amenity

- 5.6.1 There are four properties whose gardens back on to the development site. There is also the Kingdom Hall which abuts the north-east boundary of the site and is set at a lower level. St Maurs, which is a Listed Building, is used as offices and is approximately 22m from the boundary of the development site. No 10 Hocker Hill Street comprises two residential flats, a ground floor office and a psychotherapy practice. It is about 30m from the boundary of the development site. No 9 is residential and approximately 21m from the boundary. No 8 comprises offices and a residential flat, the building is a minimum of 18m from the proposed development. Between no's. 10 and 9 runs the cobbled footpath which will be used as a pedestrian link for occupiers of the new development. All those properties are set at a lower level than the proposed apartment blocks. The new development would have a major impact upon the occupiers of the adjoining properties especially given the relative height of the proposal so close to the common boundary. Part of St Maurs and no. 10 are commercial premises and therefore the standard of amenity expected for occupiers of such premises compared to a residential use is lower. The same is not strictly true for no's. 8 and 9 Hocker Hill Street, which have a greater proportion of residential accommodation and shorter gardens. That being said, it must be remembered that this is a town centre location where amenity standards tend to be lower than for suburban or rural locations. To assist with the privacy levels for the occupiers of no 8 and 9 Hocker Hill Street, the only windows on the elevation facing toward them are kitchen windows and these have been specified with opaque glass. The proposed mass of building so close to the common boundaries of residential properties would have an overbearing impact on these adjoining residential properties. Although the position of the windows on the proposed south-east elevation has been carefully considered there will inevitably be a level of overlooking and loss of privacy for those residents. The development would therefore be contrary to criterion d) of Policy DES1 as it would not maintain reasonable levels of privacy and amenity to the occupiers of neighbouring properties.

5.7 Landscaping

- 5.7.1 Tree Survey was submitted as part of the application. It identified five mature trees on the site (one Holm Oak, one Ash, one Norway Spruce and two Yews). It is proposed to remove the Spruce and retain the rest. The Council's Tree Officer has visited the site and agrees with the findings of the tree survey and has no objections to the removal of the Spruce tree. A condition can be imposed to protect the existing trees on the site. In

addition to this there are proposals for substantial landscaping of the car parking area. The extent of the car park has been reduced and moved back from the northern boundary (to a minimum of 14 metres from the boundary) in order to reduce its visual impact when viewed from the Castle. Landscaping in the form of semi-mature trees and the pergolas to be clad in creepers will help to screen the car park and the cars. Ground levels at the bottom of the slope would be raised in order to make the terrain more manageable to residents but this will not have a significant visual impact. The natural stone wall around the boundary of the site will be retained.

5.8 Affordable Housing

5.8.1 Policy S4 of the LDP requires that in Chepstow, as a main town, development sites with a capacity of 5 or more dwellings, will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable. When this application was first submitted in 2010 under the provisions of the UDP the required number of affordable units required was 20% and this figure was the basis for officer negotiations with the developers.

In this case it is not considered desirable or practicable to provide this element of affordable housing on the site. This is because the type of close care being provided by this development will be run by a management company and because the types of flats being offered do not lend themselves to being affordable units. The developer has agreed that if the application is successful that instead of providing on site affordable units he will enter into a s.106 agreement to provide a financial contribution in lieu of the affordable units. The monies can then be used to secure more appropriate affordable units elsewhere in Chepstow.

5.9 Archaeology

5.9.1 A report on an archaeological evaluation carried out on the proposed development area has been submitted as part of the application. The evaluation comprised seven trenches, varying in length between 7.5 and 10m. One trench revealed surfaces dating to the medieval period, whilst another located a linear feature and a substantial pit, both of medieval date and partially cut into the bedrock. No archaeology was found in the remaining five trenches, all of which contained only well-cultivated garden soil lying above natural deposits. No evidence for siegeworks associated with the Civil War siege of the castle was encountered during the work. This work therefore has shown that only limited areas of archaeological survival exist in the development area and that these features whilst of local/regional importance are not of sufficient significance for the current application to be refused on archaeological grounds subject to an appropriate condition being attached to any consent that is granted ensuring that they are properly investigated, recorded and the results made public. GGAT therefore have no objections to the application on archaeological grounds. However they do have concerns over the design of the proposal and its impact on Chepstow Castle. They refer us to a document issued by English Heritage which provides a framework for assessing the impact of development on the setting of ancient monuments and suggest that we request a similar assessment, although this is English guidance and officers consider that there is sufficient information to determine the application.

5.10 Recreational Provision

5.10.1 Policy CRF2 states that proposals for new residential development should provide appropriate amounts of outdoor recreation and public open space in accordance with the Councils adopted standards and that any provision should be well related to the housing development that it is intended to serve. Owing to the scale and nature of the proposed use there would not be a requirement for any facilities to be provided on the site and

there is no requirement for children's play, but it is expected that the developer would make a financial contribution towards outdoor adult recreation and public open space in the local area. This could be secured by a s.106 agreement, and the applicant is agreeable to this.

5.11 Biodiversity

- 5.11.1 An ecological assessment was submitted as part of the application and this identified the site as being of low ecological value. The Council's Biodiversity Officer accepts these findings but outlines conditions and informatives that should be applied if permission is granted.

5.12 Housing Land Supply

- 5.12.1 Although the principle of residential development within the settlement boundary is acceptable the detailed visual impact and design are not. Therefore officers are recommending the application for refusal. WG advice has been considered in relation to Housing Land Supply because within the County there is less than a five year land supply. TAN1 states at paragraph 5.1 that 'where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies'. It is acknowledged that the most recent Joint Housing Land Availability Study (2016) shows Monmouthshire as having a land supply of 4.1 years which is below the 5 year requirement. Recent appeal decisions in South East Wales confirm that the lack of a five year housing land supply is an important material consideration. In this case the proposal would only be adding 15 units to the total housing target for the County; this relatively small number does not justify granting the proposed development permission contrary to detailed planning considerations and causing so much visual harm to the Chepstow Conservation Area and the setting of Chepstow Castle.

- 5.12.2 Paragraph 6.2 of TAN1 states that 'Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study, the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies'. In addition to this the shortfall in the Housing Land Supply is an issue that has been addressed in the LDP Annual Monitoring Report (AMR) (September 2016). This is available on the Council's website and was formally endorsed for submission to the Welsh Government by Cabinet in October 2016. The AMR is recommending an early review of the LDP as a result of the need to address the shortfall in the Housing Land Supply and facilitate the identification and allocation of additional housing land. This relatively small site providing only 15 units would do little to contribute to the housing numbers required in Monmouthshire and this benefit is not considered to outweigh the harm that the proposal would cause.

5.13 Other issues raised

- 5.13.1 It is proposed to provide a pedestrian access to the site via a narrow cobbled alley. As a result of the proposal this alley will be opened up and this would add to the historic interest of the local area. While persons over the age of 55 would have little problem with the cobbles there is an alternative pedestrian access into the site for those people who may experience mobility difficulties.

5.13.2 Welsh Water has not indicated that there is a problem with either surface or foul water in the area.

5.13.3 With regards to publicity of the application, all adjoining occupiers were notified of the original scheme and then re-consulted on the amended plans, as were all the people who made representations initially. Furthermore the application was advertised on site in several locations. The publicity with regards to this application exceeded the statutory requirements.

5.13.4 The site is not public land.

6.0 RECOMMENDATION: REFUSE

1. Impact on the Chepstow Conservation Area

The proposed building because of its height and mass would create a very dominant feature on the skyline in the historic core of Chepstow. It would not preserve or enhance the character and appearance of the Chepstow Conservation Area. The resultant building would have a serious adverse effect on several significant views into and out of the Chepstow Conservation Area. The proposed building, due to its scale would dominate the historic buildings in this part of Chepstow and would have a significant adverse effect on the general character of the area. The application is therefore contrary to Policy HE1 of the Local Development Plan.

2. Impact on Castle

The proposed building and associated carpark will have a very significant effect upon the setting of Chepstow Castle which is a Grade I Listed building. The proposed development will extend the historic building line closer to the Castle. The Great Tower of Chepstow Castle, part of the oldest and one of the most important medieval buildings in Wales, is only 90 metres from the edge of the proposed building. The proposed development would be on the skyline, when viewed from Marten's Tower and the South-West Tower and be directly in the line of vision when viewed from the Great Tower. The roof of the proposed development will be higher than any of the viewpoints in the Castle. Notwithstanding that the proposed planting would go some way to reducing the visual impact of the development there would still be great harm caused as a result of the proposal to views from the Castle to the historic part of Chepstow. When looking from the public castle car park up The Dell towards the Marten's Tower, the proposed development will appear as a very prominent building on the skyline, projecting out towards the Castle and would introduce an intrusive element in this view. The proposal is therefore contrary to the advice given in Paragraph 6.5.12 of Planning Policy Wales (PPW) as the proposed development would damage the character and appearance of the Conservation Area.

3. Lack of Vehicular Access

At present there is no vehicular access into the site and it is unlikely that the Council, as landowners would give permission over the public carpark as this would reduce the capacity of an already crowded carpark to the detriment of shoppers and tourists visiting the town centre. A development of 15 flats without vehicular access, even taking into account its sustainable location is not acceptable in planning terms. There would be nowhere to take deliveries and it would increase the pressure on the existing public carpark as residents would inevitably park their own vehicles in the public car park. This development would be contrary to the objectives of Policy MV1 as it does not meet the adopted Monmouthshire Parking Standards and parking provision cannot

be reasonably achieved off site without compromising the capacity of the adjacent public car park.

Informative:

The applicant should note that if an appeal is lodged in the event the application is refused, then the appeal would need to be subject to a unilateral undertaking to secure an off-site affordable housing financial contribution, in accordance with the advice provided by the Council's Housing Officer.

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DC/2016/00953

OUTLINE APPLICATION FOR HOUSING DEVELOPMENT, 17 UNITS WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS

HILL FARM PWLLMEYRIC

RECOMMENDATION: APPROVE

Case Officer: Kate Young

Date Registered: 08/09/16

1.0 APPLICATION DETAILS

1.1 This is an outline application for housing development on land to the North West of Pwllmeyric. All matters are reserved except for access, which would be off Pentwyn Close. The site includes the existing property, Hill Farm Cottage. All of the site is within the Village Development Boundary and a large proportion of the site has been allocated in Policy SAH11 for Housing Development. The land is currently farmland surrounded in most parts by mature hedgerows. A public footpath crosses the site and there are several trees protected by TPO on the site. To the east of the site is the Historic Park and Garden of Mounton House. There is existing residential development to the south and east sides of the site. The site is surrounded by a Minerals Safeguarding Area. The land is very undulating especially to the south of the site. The dwellings would be sited either side of a spine road that would run from Pentwyn Close through the centre of the site. There would be an area of green space to the south of Hill Farm Cottage. The site proposes seventeen residential units (fifteen on the 60/40 site and two within the development boundary). Of these, seventeen units, eight would be for sale on the open market and nine would be affordable both for Low Cost Ownership and Social Rent.

2.0 RELEVANT PLANNING HISTORY

None Found

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 Spatial Distribution of New housing Provision

S2 Housing Provision

S4 Affordable Housing Provision

S5 Community and Recreation Facilities

S12 Efficient Resource Use and Flood risk

S13 Landscape, Green Infrastructure and the Natural Environment

S15 Minerals

S16 Transport

S17 Place Making and Design

Development Management Policies

H1 Residential Development in Main towns, Severnside Settlements and Rural Secondary Settlements

H2 residential Development in Main Villages

CRF2 Outdoor Recreation

SD4 sustainable Drainage

LC5 Protection and Enhancement of Landscape Character.

LC6 Green Wedges
GI1 Green Infrastructure
NE1 Nature Conservation and Development
EP1 Amenity and Environmental Protection
M2 Mineral safeguarding Areas
MV1 proposed Development and highway considerations
MV3 Public Rights of Way
DES1 General Design Considerations
SAH11 Rural Housing Sites

4.0 REPRESENTATIONS

4.1 Consultations Replies

Mathern Community Council - Refuse

The site was allocated for 15 dwellings but 17 are being proposed, only 15 should be approved. The principle concern is that of traffic generation and access onto the trunk road. The Community Council is continually requesting speed restrictions measures. Development would only add to the current problems.

MCC Planning Policy

A large proportion of the site is allocated in the LDP in Policy SAH11, the specific reference of which is SAH11 (xiii), the Policy indicates the allocation is for a maximum of 15 dwellings. The remainder of the site is located within the Pwllmeyric Village Development Boundary (VDB).

It is noted the application has been submitted in outline only, it would be necessary to establish whether sufficient detail has been provided to enable an assessment to be made against Policy SAH11. Policy S4 relates to Affordable Housing Provision and states that in Main Villages there is a requirement for at least 60% of the dwellings to be affordable. The allocated housing site meets this requirement of Policy S4 in principle. It is noted that 6 of the units relate to Low Cost Home Ownership and 3 of the units will be Social Rented, a mix that will need to be agreed.

The principle of development within the VDB is acceptable under Policy S1 and H2 of the LDP subject to detailed planning considerations.

With regard to compliance with Policy S4 – Affordable Housing, Supplementary Planning Guidance was adopted in March 2016 and should be referred to, particularly Section C.2 relating to sites in Main Villages. The net site area (excluding plot 3), now proposed as open space, the access road to the SAH11 site and the field access track) appears to be around 0.18 hectare. The theoretical capacity of the site (at 30 dwellings per hectare), therefore, exceeds the 2 dwellings now proposed. Strict application of Policy S4 would require affordable housing to be provided on site at a rate of 60%. This is subject to paragraphs C.2.b) and C.2.c) of the SPG, however, and it is accepted that, given the shape of the site and the character of surrounding development, a case can be made for accepting a lower density of development and making a financial contribution towards providing affordable housing off-site as an alternative to on-site provision. This financial contribution should be set at the equivalent of 35% of the agreed capacity of the site.

Site as a whole

General policies DES1 and EP1 relating to General Design Considerations and Amenity and Environmental Protection respectively should be taken into consideration. While currently an outline application, Policy NE1 Nature Conservation and Development and Policy GI1 relating to Green Infrastructure (GI) should be considered at the detailed stage. Policy MV1

relating to proposed development and highway considerations must also be considered.

Finally, the Council is currently progressing the implementation of a Community Infrastructure Levy (CIL). The current CIL Charging Schedule does not include a charge for the Main Village Allocations or sites of less than 3 dwellings, however, this may change during the course of the CIL examination.

Welsh Water

No Objection subject to conditions.

MCC Highways

The application is for outline with all matters reserved except for the means of access. The site is allocated in the Local Development Plan (LDP) for residential development and the principle of the development and particularly the scale and means of access was considered at the LDP enquiry stage.

The submission of a transport assessment is not deemed necessary in this case and more particularly as the site was subject to detailed review and scrutiny during the LDP site allocation process and Inspector's determination.

I offer no objections to the proposal and in light of the aforementioned and with particular regard to the access to the proposed development being gained off Pentwyn Close, a publically maintained highway, the main concern from a highway perspective is how to best mitigate for the impact of the access and increased movements over the Close. Following a meeting with the applicant's agents the means of access details were discussed and the preliminary proposals agreed and these are represented on Drawing No.1445 – 8D As Proposed Scheme 6.

Although the internal estate road layout is not to be considered at this stage I would offer the following observations and comments:

MCC Highways actively encourage the adoption of residential estate roads and promote the design principles reflected in Manual For Streets and welcome early engagement with developers to create an acceptable layout and street scene.

The applicant should where appropriate avoid using materials and unnecessary street furniture and concentrate on good quality geometric design and use of conventional materials in an innovative way so as to avoid costly commuted sums for the future maintenance of extra ordinary materials.

South East Wales Trunk Road Agency

This development affects the de-trunked section of the A48 approximately 850m south west of Highbeech and does not access our trunk road. The WG therefore maintain the no objection or further comment response as the application is off our network. From our Network point of view, if there were to be any queuing associated with the development then it would be likely to affect the MCC county maintained A48 approach to Highbeech only.

MCC Public Rights of Way

The applicant's attention should be drawn to Public Footpaths 42 and 44 which carry the Mouton Valley Circular promoted route and either run adjacent to or through the site of the proposed development. The applicant recognises that paths need to be realigned to accommodate the development but they should also be made aware that Town & Country Planning Act path orders are publically consultable and not guaranteed to succeed.

Relevant in England, Paragraph 7.8 of Defra Circular 1/09 states that any alternative route should avoid the use of estate roads wherever possible, with preference given to the use of made up estate paths through landscaped or open space areas, away from vehicular traffic. The proposed site layout does not fulfil this requirement. Although not applicable in Wales it is nonetheless a guide to good practice.

The site layout plan also currently shows path 42 diverted onto land not in control of the applicant. Authorisation will need to be secured from the relevant landowner prior to the

making any orders that look to achieve this. The diverted path shown on the site plan also introduces a dogleg into the path that is unlikely to be acceptable.

The Active Travel Act (Wales) requires local authorities to continuously improve facilities and routes for pedestrians and cyclists and to consider their needs at design stage.

A pedestrian link between paths 42 and 44 around the north of the site although also largely on land outside of the control of the applicant would make a welcome addition to the local path network and go some way to fulfilling the requirements of the Act. This link would circumvent the need for people using the Mounton Valley Circular to walk through the new development site and would provide leisure walking options for both new and existing residents. Outstanding availability issues surrounding paths 42 and 44 could also be resolved by diverting them onto land in control of the applicant and would also help fulfil the requirements of the Act. If the application is successful, prior to and during works the legal alignment of the paths affected will need to be closed by Temporary Traffic Regulation Order and if possible alternatives made available. Any Town and Country Planning Act Orders should have at least made it to Confirmation stage prior to any TTRO's being made.

All additional paths will need to be protected for use by the public and details of how this is to be achieved should form part of the application. If they are not to be adopted by MCC and maintained by contribution, access and maintenance should form part of a Local Government Act Agreement.

MCC Housing Officer

Housing's response consists of a sheet detailing on-site requirements for the 60% affordable housing site and a separate sheet detailing the financial contribution required in lieu of affordable housing on the small site within the development boundary.

Housing has tried to include all of the information that the developer would require with links to the Council's Affordable Housing Supplementary Guidance (SPG) and Welsh Government Development Quality Requirements (DQR).

Site: SAH11 Pwllmeyric	DC/2016/00953
Evidence of Housing Need	There are 481 households on Monmouthshire's Common Housing Register waiting for a house in this area.
Policy compliant percentage of affordable housing	60%
Standard required	Welsh Government Development Quality Requirements (DQR) - a copy of this document can be obtained from the Welsh Government website.
DQR Website Link	http://gov.wales/desh/publications/housing/devquality/guide.pdf
Tenure of affordable housing	Nine affordable units - mix of social rent and LCHO
Mix required 2 person 1 bed flats 4 person 2 bed houses 5 person 3 bed houses 6 person 4 bed houses 3 person 2 bed bungalows	Number of units Mix to be agreed prior to submission of full application following community consultation to establish type and tenure needed.

Price to be paid by RSL for affordable units	38% of Welsh Government Acceptable Cost Guidance for the social rent and 50% of Welsh Government Acceptable Cost Guidance for LCHO. Number of each tenure to be determined by the Local Authority following community consultation.
ACG Figures for the Area 2p1b flat 4p2b house 5p3b house 6p4b house 3p2b bungalow	Band 5 £108,000 £175,500 £194,200 £226,000 £174,700 <i>These figures may change should Welsh Government release updated ACG rates. They may go up or down depending on the current housing market.</i>
Preferred RSL Partner	To be agreed at a later date.
Contact name at RSL	
Affordable Housing SPG Link	http://gov.wales/desh/publications/housing/devquality/guide.pdf

App. No. DC/2016/00953	Hill Farm, Pwllmeyric				
Key OMV ACG 77% 42%	Open Market Value Welsh Government Acceptable Cost Guidance (100 – 23 = 77) allowance of 20% made for Developer's Profit and 3% for Marketing Costs Price paid to developer by RSL if affordable units were to be on site				
Policy compliant percentage of affordable housing	35% (2 dwellings at 35% = 0.70)				
Affordable Housing SPG Link	http://gov.wales/desh/publications/housing/devquality/guide.pdf				
OMV	200,000	x	77%	=	154,000
ACG	174,700	x	42%	=	73,374
	154,000	-	73,374	=	80,626
	80,626	x	0.70	=	56,438

Financial Contribution	£56,438
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MCC Tree Officer

There are three mature Scots Pine trees adjacent to Hill Farm Cottage. Plots 2, 3 and 4 as shown on the site layout will be in close proximity to these tree and would present a significant constraint on the development proposals. A lesser but nonetheless important constraint for consideration is the hedge along the southern boundary.

In order to demonstrate that trees and hedges may be safely incorporated into the development, the application must be supported by a tree survey in accordance with BS5837:2012 Trees in relation to Design, Demolition and Construction Recommendations. The report must include the following information.

- * A scaled plan of the retained trees and hedges with their root protection areas (RPAs) shown on the proposed layout.
- * An Arboricultural Method Statement where construction activity within the RPA of any retained tree or hedge is unavoidable.
- * A scheme of arboricultural monitoring aka an arboricultural watching brief.

MCC Green Infrastructure and Landscape Officer

We currently object to this proposal pending confirmation that a revision can be made to the Design & Access Statement.

The Green Infrastructure submission is very light in terms of content - There is insufficient information to evidence that their proposal meets LDP policies GI 1, DES1 or LC5.

We feel that there is scope to secure a good design through reserved matters, and would therefore ask that you consider requesting the following changes to the submission.

1. Section 5 of the Design and Access Statement is revised to include the following information.

Design Principle 1

Street design and a high quality public realm will be an important part of the design. We will refer to Manual for Street's hierarchy when designing the layout of the development. The needs of pedestrians will be considered and made a priority. There is an opportunity to incorporate the access road into an area of high quality public realm; by using better quality surface treatments (to the road & footpaths), street furniture, low level lighting, textured kerbs (also considering kerb height) and landscape planting.

Design Principle 2

The development will be a high quality design and where appropriate use decoration and styles to enhance its appearance; the design and choice of materials for the proposed development are very important considerations. Promoting energy efficiency through the use of appropriate building fabric and inclusion of renewable or low carbon energy generation technologies (and SuDS) will have a more contemporary effect on the appearance of buildings and their surroundings; which is a desired approach to development and in-line with policies DES1 and G11.

Design Principle 3

Extensive tree and hedgerow planting will be an integral part of the design. New street trees, hedgerows and garden trees will aid privacy, improve micro-climate, air (and noise) and biodiversity. They will also enhance the appearance and integrate the development into the

surrounding landscape. Street tree planting should be outside private ownership; provide safe & adequate vehicle, pedestrian access; and provide an estimated 45% (of surface area) green canopy cover over 15 years; and incorporate SuDS. Tree pit construction and management of trees are other important considerations. Existing trees and hedgerow will be protected.

4.2 Neighbour Notification

Letters of Objection received from 10 addresses

The LDP allocated this site for 15 dwellings with 9 affordable units

Difficult and dangerous access

May lead to further development

Questions the integrity of the LDP process

Local speed limit is ignored

Increased traffic using Pentwyn Close

Danger to pedestrians

Increased congestion at High Beech roundabout

Increased traffic using the A48 leading to an increase in air pollution

Access into the site is narrow especially for construction traffic

Need wider footpaths

Access would be better from Bayfield or Moun-ton House

Main internet connection for Wales runs through Pwllmeyric

Environmental impact on wildlife

No need for seventeen more dwellings

Will lead to traffic accidents

No amenities for families within Pwllmeyric

Requires a crossing on the A48

Agricultural access through the site – it is queried how this will be maintained

Loss of privacy to adjoining properties

Loss of view from adjoining properties

Need land to maintain adjoining property

Hedges must be retained

Do not feel that fair and unbiased planning decisions are being made

Need mitigation for M48/ Pentwyn Close junction

Within 200metres of the proposed access there are two bus stops and 4 junctions

No capacity in local schools

No play areas in Pwllmeyric

Redirection of the public right of way

There are better places within Chepstow to build new houses

The infrastructure within the area cannot cope with more development.

Other housing sites within Chepstow are not completed yet.

The water pressure in the area is already low.

Brown field sites should be developed first.

Inadequate doctors' facilities in the area.

5.0 EVALUATION

5.1 Principle of the Proposed Development

5.1.1 All of the site is inside the development boundary within which LDP Policy H2 presumes in favour of residential development subject to detailed planning considerations. In addition a large proportion of the site has been allocated as a 60/40 site for new housing under policies SAH11 and S1 of the LDP. Therefore the principle of new residential development is already established. In terms of development plan policy, the application

essentially covers two different sites within which different policies apply. The north eastern part of the site has been allocated under Policy SAH11 as a site in a main village, where planning permission will be granted for residential development up to a maximum number of 15 units. The primary aim of these allocations is to provide affordable housing to meet local need and it is intended that 60% of the units on the site should be affordable. The proposal on this part of the site does conform to that policy requirement. Fifteen dwelling units are proposed on this part of the site of which nine would be affordable (low cost ownership and social rent). The other part of the overall site, the western part, is outside of the SAH11 allocation but still within the village development boundary. It is proposed to erect two market dwellings on this part of the site and they would be subject to 35% affordable provision. This part of the site accords with the second paragraph of Policy H2 which states that within Village Development Boundaries, planning permission will be granted for new residential development subject to detailed planning considerations including impact on the village form and character, impact on the surrounding landscape and other policies in the LDP. This part of the site is located between the allocated site and the existing built form of the village. In practical terms it makes sense for these two sites to be developed together so that the allocated site can gain vehicular access through Pentwyn Close and Hill Farm. In principle, the development does accord with the housing policies in the adopted LDP. This site was considered in detail for residential development through the LDP process and was considered by the Inspector to be suitable for residential development as a '60/40' site.

5.2 Highway Considerations

5.2.1 This is an outline application with all matters reserved except for access. Therefore the detailed access into the site needs to be considered at this stage. The submitted plan indicates a 5m spine road coming off Pentwyn Close and ending with a hammer head. There would be a 1.8m wide footway along one side of the spine road. The applicant has indicated that the road would be constructed to adoptable standards. The new road would come off Pentwyn Close between Hill Farm and an existing stone barn. No alterations are proposed for the junction of Pentwyn Close and the A48. The applicants have indicated that there would be a T junction within the site with the main part of the road serving 15 new units and a smaller section serving Hill Farm Cottage, two new dwellings and the agricultural land beyond. At the request of MCC Highway Engineers, alterations will be made to the turning circle on Pentwyn Close; the Council would adopt this part of the road and reduce its size by adding some landscape planting. The cost of this would be provided by the applicant through a section 106 agreement. The principle of this site being developed with an access off Pentwyn Close was considered by the LDP Examination and found to be acceptable.

5.3 Affordable Housing

5.3.1 Policy S4 of the LDP refers to affordable housing Provision. Again for the purposes of applying this policy, it is clearer if the site is divided into two parts, as identified above. Policy S4 states that with allocated sites in the main villages (Pwllmeyric is identified as a main village for the purposes of this policy), development sites with a capacity for 3 or more dwellings will make provision for at least 60% of the total number of dwellings on the site to be affordable. Of the fifteen units proposed for this part of the site nine of them are to be affordable and this complies with Policy S4. On the remainder of the site, the sixth bullet point of the policy applies and that says that on development sites with a capacity below 3 units the applicant may make a financial contribution towards the provision of affordable housing in the local planning authority area. In this case a financial contribution equivalent of 35% of the cost of providing affordable units will be required for each of the units. This can be secured through a legal agreement. This also

accords with the objectives of Policy S4. The MCC Housing Officer's comments identify the level of contribution required above in section 4,

5.4 Residential Amenity

5.4.1 Hill Farm Cottage is situated within the site. The plot is surrounded by mature trees, with no alterations proposed to this cottage or its curtilage. The detailed layout and design of properties to be submitted as reserved matters will be able to ensure that there is no unacceptable loss of privacy for the occupiers of this property. Springfield is a two story property to the rear of Pwllmeyric House and it has habitable windows on the side elevation adjacent to the site. Again when considering the reserved matters it will be important to take this into account when considering the layout and design of the new properties. There are two properties on Pentwyn Close which are on the south-western boundary of proposed plot 1. These properties are both at least 18m from the common boundary and set at a higher level. The access into the site will run between Hill Farm and Crofters Ash and it then runs around the boundary of Crofters Ash. In order that there are no unacceptable levels of disturbance and light pollution from car head lights, a close boarded fence would need to be erected and hedges retained where possible. The Rowans, to the south-east of the site has its rear elevation only 10 metres from the common boundary with the site. At the reserved matters stage the layout of the site should consider a wide wildlife corridor along this boundary of the site.

5.5 Green Infrastructure

5.5.1 There is scope to achieve good design through the reserved matters and a GI Assets and Opportunities Plan will have to be produced at that stage and this should take into account a Tree Survey of the site. There is a group of Scots Pines on the site which are the subject of a Tree Preservation Order; it is important that these are retained and protected during construction. Similarly existing hedgerows within the site and along the boundaries should be retained. The proposal included a small area of green space to the south of Hill Farm Cottage which will be used as informal public open space. This will add to the Green Assets on the site and provide a visual focal point. As part of the reserved matters a wide band of trees should be planted along the south-eastern edge of the site which will provide a wildlife corridor and assist with privacy levels to the existing properties.

5.6 Drainage

5.6.1 It is proposed that foul sewerage will be disposed of via mains sewers and that surface water will be disposed of through a sustainable drainage system. Welsh Water have no objection to this but request a condition be imposed requiring a drainage scheme for the whole site be submitted. This would be conditioned to form part of the reserved matters.

5.7 Mains Water Supply

5.7.1 With regards to water supply Welsh Water have offered no objection to the proposal and therefore it can be assumed that there is sufficient capacity and pressure within the system.

5.8 Public Rights of Way

5.8.1 Public Footpaths 42 and 44 which carry the Mounton Valley Circular promoted route run either adjacent to or through the site of the proposed development. The applicant recognises that paths need to be realigned to accommodate the development. In 2010 a diversion order was made in relation to part of this footpath. The applicant intends to

apply for a diversion order to accommodate this development and the Council's Countryside Team has suggested that a link between footpaths 42 and 44 could be achieved, and although on land outside the application site, it is within the applicant's ownership and this would provide a welcome addition to the local public footpath network and help fulfil the requirements of the Active Travel Act.

5.9 Infrastructure Provision

5.9.1 This site was allocated for housing through the LDP process and at that stage service and infrastructure provision would have been considered in detail. It is recognised that there are no community facilities in Pwllmeyric. However the village is very close to Chepstow where there is a full range of services including schools, shops and medical facilities. There is public transport in the form a bus service between Pwllmeyric and Chepstow that runs regularly.

5.10 Minerals Safe Guarding Area

5.10.1 The land to the north and east of this site has been allocated as a Minerals Safeguarding Area. The site itself does not form part of the Minerals Safeguarding Area. Policy M2 of the LDP states that proposals which may impact on the minerals safeguarding areas will not be approved unless the area for mineral extraction has been investigated, the mineral can be extracted prior to development, there is an overriding need for the development or that the development comprises infill development. In this case the site has already been allocated for housing development and it is not actually on land identified as a safeguarding area. It is most unlikely that the land to the north and east of this site would be considered suitable for mineral extraction due to its close proximity to the AONB and historic sites. At worst development on this site would result in a buffer being required between the site and any mineral extraction and this is no justification for refusing the application.

5.11 Response to the Representations of the Community Council

5.11.1 Mathern Community Council recommend refusal of this application because seventeen units are being proposed rather than fifteen. As outlined above this application comprised two sites, one of fifteen units on an allocated 60/40 site which had been identified as being suitable for that number and the other two dwelling units being on an infill site within the village development boundary. The proposal therefore accords with the allocation and policies of the LDP.

5.11.2 When considering this site at the LDP Examination consideration would have been given to the level of traffic that development on this site would generate. In addition MCC Highways have no objection to the level of traffic generated or its impact on the local highway network.

5.12 Other issues raised

5.12.1 As noted, the larger part of the site is already allocated for such purposes in the LDP and the capacity of local services was taken into account at that time. Although there are few facilities within Pwllmeyric itself, there is a full range of services within Chepstow which is only 1.5 miles away and accessible by public transport. The proposal will not lead to further development as all applications will be determined on their merits. High Beech Roundabout is a part of the trunk road network and Welsh Government Highway Division has said that it has no objection to the proposal. The impact of traffic resulting from this development of seventeen dwellings will be very small as a proportion of all of the vehicles using that roundabout. MCC Highway Engineers have also offered no

objection. The access point put forward as part of this application is off Pentwyn Close and that is the access that it is necessary to consider and was the one proposed at the LDP stage. Any other access would only be considered if it was submitted by the applicant for the Council's consideration. It is unlikely that access from Bayfield or Mounton would be acceptable. The width of the footpaths has been recommended by MCC Highway Engineers and meet with their standards. Wider footpaths would compromise the rural character of the proposal and also that of the area as a whole. MCC Highways do not consider it necessary to make any alterations to the junction of Pentwyn Close and the A48. It has sufficient capacity to accommodate the traffic from an additional seventeen dwellings. The additional traffic, both vehicular and pedestrian resulting from an additional seventeen dwellings is not sufficient to justify a new pedestrian crossing on the A48. The application is considered on its planning merits and there is no need to look at alternative sites for this form of development.

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

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

6.0 RECOMMENDATION: APPROVE subject to a section 106 agreement requiring that nine of the dwelling units be provided as affordable housing either for low cost home ownership or social rent; that a financial contribution of £56,438 be made in lieu of affordable housing in respect of proposed plots 1 and 2, and a financial contribution to be made for the adoption of Pentwyn Close

Conditions/Reasons

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority prior to any works commencing on site.
2.
 - a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - b) The development hereby approved must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. The development shall be carried out in accordance with the list of approved plans set out in the table below.
4. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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

5. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
6. No development shall be commenced until a detailed surface water management scheme, which shall include for the provision of sustainable drainage solutions (SUDS) and a programme for its implementation, has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
7. A Green Infrastructure (GI) Assets and Opportunities Plan shall be submitted to and approved by the Local Planning Authority as part of the reserved matters submission. The layout, drainage and landscaping of the development shall be designed in accordance with the approved (GI) Assets and Opportunities Plan.
8. A Tree Survey shall be submitted to and approved by the Local Planning Authority as part of the reserved matters submission. The layout, drainage and landscaping of the development shall be designed in accordance with the approved Tree Survey

Informatives

1. The layout of the reserved matters shall take into account the formal comments made by Monmouthshire County Council's Green Infrastructure team in response to this application.
2. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network
3. The Highway Authority will require the developer / landowner to enter into a legally binding agreement (S278 of the Highways Act 1980) to secure the proper design analysis and implementation of the proposed highway improvement works.
4. No development shall commence until the developer / landowner has entered into the S278 agreement.
5. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].
6. Monmouthshire County Council Highways actively encourage the adoption of residential estate roads and promote the design principles reflected in Manual For Streets and welcome early engagement with developers to create an acceptable layout and street scene.
7. The applicant should where appropriate avoid using materials and unnecessary street furniture and concentrate on good quality geometric design and use of conventional materials in an innovative way so as to avoid costly commuted sums for the future maintenance of extra ordinary materials.

8. In respect of condition 8 a tree survey in accordance with BS5837:2012 Trees in relation to Design, Demolition and Construction Recommendations. The report must include the following information.
 - A scaled plan of the retained trees and hedges with their root protection areas (RPAs) shown on the proposed layout.
 - An Arboricultural Method Statement where construction activity within the RPA of any retained tree or hedge is unavoidable.
 - A scheme of arboricultural monitoring also known as an arboricultural watching brief.
9. Street Naming/Numbering - The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk
This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

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DC/2016/01449

A DIGITAL NOTICEBOARD PROVIDING PUBLIC INFORMATION AND POTENTIALLY COMMERCIAL ADVERTISING

PUBLIC OPEN SPACE, JUNCTION OF HIGH STREET AND NEVILL STREET, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Andrew Jones
Date Registered: 18/01/2017

1.0 APPLICATION DETAILS

- 1.1 This application relates to the corner of Nevill and High Street in the centre of Abergavenny. The site is also located within the Abergavenny Conservation Area.
- 1.2 The application seeks advertisement consent for the installation of a digital noticeboard that would display public information. In time it may also display commercial advertising. The boards would be elevated 1m above the ground and enclosed in a black gloss powder coated steel case. With regard to the dimensions the boarding would measure 948mm x 1368mm, it would also feature a 300mm guard overhanging at the top. It would be fixed to an existing noticeboard facing out towards High Street.

2.0 RELEVANT PLANNING HISTORY

None.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

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

Development Management Policies

DES1 – General Design Considerations
DES3 – Advertisements
EP1 – Amenity and Environmental Protection
MV1 – Proposed Developments and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

- 4.1.1 Abergavenny Town Council – recommends approval.
- 4.1.2 MCC Heritage Officer – The screens were part of much discussion and debate as to their position, size, materials and the purpose of the display. The screens are now designed to fit into the current display boards and not to be an additional feature that could cause physical clutter in the street. There were concerns over visual clutter,

emphasised by moving pictures or images on the screens, however the proposed screens are set in locations that would be the least harmful. The screens do not fail to preserve the character or appearance of the Conservation Area.

4.1.3 MCC Highways Officer – no objections.

4.2 Neighbour Representations

At the time of writing no responses have been received.

5.0 EVALUATION

5.1 Amenity

5.1.1 The sign would be fixed to an existing notice board directly in front of the Burton's store at the corner of Nevill Street and High Street. As such it is not considered that it would add to the visual clutter within the pedestrianised town centre. Although there would be a degree of illumination via the digital display it is not considered that this would fail to preserve or enhance the character and appearance of the Conservation Area.

5.2 Highway Safety

5.2.1 The sign would be fixed to an existing sign and consequently it would not add an obstruction to the natural path line for pedestrians. Its gloss black finish is also distinguished from the recently resurfaced square which would therefore ensure that it does not pose a hazard to persons with visual impairment.

5.2.2 The sign is located within a pedestrianised part of the town centre and fixed to an existing structure and as such it is not considered that it would have any impact on motorists.

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

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

6.0 RECOMMENDATION: APPROVE

Conditions:

1	<ol style="list-style-type: none">1. 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.2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.3. 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.
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	<p>4. 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.</p> <p>5. 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).</p>
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.

Informatives

None.

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DC/2016/01452

A DIGITAL NOTICEBOARD PROVIDING PUBLIC INFORMATION AND POTENTIALLY COMMERCIAL ADVERTISING

PUBLIC OPEN SPACE, ST JOHNS SQUARE, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Andrew Jones
Date Registered: 18/01/2017

1.0 APPLICATION DETAILS

- 1.1 This application relates to St Johns Square which is located centrally in Abergavenny. The site is also located within the Abergavenny Conservation Area.
- 1.2 The application seeks express consent to display an advertisement for the installation of a digital noticeboard that would display public information while in time it may also display commercial advertising. The board would be elevated 1m above the ground and enclosed in a black gloss powder coated steel case. With regard to the dimensions the boarding would measure 948mm x 1368mm, it would also feature a 300mm guard overhanging at the top.

2.0 RELEVANT PLANNING HISTORY

None.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

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

Development Management Policies

DES1 – General Design Considerations
DES3 – Advertisements
EP1 – Amenity and Environmental Protection
MV1 – Proposed Developments and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

- 4.1.1 Abergavenny Town Council – recommends approval.
- 4.1.2 MCC Heritage Officer – The screens were part of much discussion and debate as to their position, size, materials and the purpose of the display. The screens are now designed to fit into the current display boards and not to be an additional feature that could cause physical clutter in the street. There were concerns over visual clutter, emphasised by moving pictures or images on the screens, however the proposed screens are set in locations that would be the least harmful.

The screens do not fail to preserve the character or appearance of the Conservation Area.

- 4.1.3 MCC Highways Officer – has no objections, noting that the proposals are in area that has been recently redeveloped to create an area of public open space. The siting of the digital noticeboard is not deemed to cause a hazard, obstruction or distraction to highway users.

4.2 Neighbour Representations

At the time of writing no responses have been received.

5.0 EVALUATION

5.1 Amenity

- 5.1.1 Whilst the site is located within the Abergavenny Conservation Area (CA) the digital sign would be enclosed in a lightweight black frame which is not considered to be visually intrusive. As noted previously the sign would be sited within existing street furniture, but its installation would not result in unacceptable visual clutter. Although there would be a degree of illumination via the digital display it is not considered that this would fail to preserve or enhance the character and appearance of the CA.

5.2 Highway Safety

- 5.2.1 The sign would be sited next to existing street furniture including potted planting and a recycling bin, as such it would not interrupt the natural path line for pedestrians. Its gloss black finish is also distinguished from the recently resurfaced square which would therefore ensure that it does not pose a hazard to persons with visual impairment.
- 5.2.2 The advertising would be illuminated via the digital display however it is not considered that this would cause unacceptable distraction to motorists travelling along Castle Street to the south.

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

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

6.0 RECOMMENDATION: APPROVE

Conditions:

1	<ol style="list-style-type: none">1. 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.2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
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	<p>3. 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.</p> <p>4. 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.</p> <p>5. 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).</p>
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.

Informatives:

None.

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DC/2017/00090

PROPOSED INTERNAL REORGANISATION AND EXTENSION TO EXISTING DWELLING

LINDSEY, THE NARTH, MONMOUTH, NP25 4QN.

RECOMMENDATION: APPROVE

Case Officer: Joanne Clare
Date Registered: 26.01.2017

1.0 APPLICATION DETAILS

- 1.1 This application relates to a previously extended bungalow in the village of The Narth just outside Monmouth. It is proposed to erect an extension to the rear of the bungalow which would measure approximately 7m x 5.7m and 4.1m to the ridge. The reorganisation would mostly take place to the bedroom and kitchen area where the layout will be altered to make it more practical. The extension and alterations to the dwelling would be consist of textured, cream-coloured render with oak boarding, concrete tiles to the roof and dark grey aluminium windows and doors.
- 1.2 The application is reported to Committee because the applicant is an employee of the Council's Development Management Team.

2.0 RELEVANT PLANNING HISTORY

DC/2002/00018 – Single storey garage extension to existing bungalow and alterations to existing porch roof – Approved 27/02/2002

DC/1997/00318 – Replace existing flat roof over garage with new pitched roof, convert garage to bedroom – Approved 17/06/1997

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
LC4 Wye Valley AONB

4.0 REPRESENTATIONS

4.1 Consultations Replies

Trellech Community Council – Recommends approval

SEWBREC Search Results - No significant ecological record identified

4.2 Neighbour Notification

No objections received.

5.0 **EVALUATION**

5.1 Principle of the proposed development

5.1.1 Lindsey is situated in The Narth which is within the Wye Valley Area of Outstanding Natural Beauty. It is proposed to erect a single storey extension to the rear of the existing dwelling and reorganise the layout of the current bungalow to make a more cohesive and practical layout, all of which is considered to be acceptable.

5.2 Visual Amenity

5.2.1 The proposed extension is considered to be a modest domestic addition that is not harmful to the character or appearance of the dwelling. The proposal would be of an appropriate scale and form, and would be constructed with sympathetic materials that integrate well with the property ensuring that the extension does not appear as an alien addition. The proposed extension would be contained entirely to the rear of the property and would have an acceptable visual impact that would not be harmful to the wider area. The extension and internal alterations are of an acceptable standard of design that respect the form of the existing dwelling in accordance with policies DES1 and LC4 of Monmouthshire's Local Development Plan (MLDP).

5.3 Residential Amenity

5.3.1 The proposed development would not harm any other party's residential amenity. The development would not result in any windows overlooking any other dwellings and no party's privacy will be affected. The proposed extension would not obstruct any other party's access to natural light. The relatively minor form of domestic development would not harm any other party's residential amenity and would be in accordance with Policy EP1 of MLDP. There have been no objections to this proposal.

5.4 Response to the Representations of the Community/ Town Council (if applicable) Well-Being of Future Generations (Wales) Act 2015

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

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1. The development shall be carried out within 5 years of the date of this approval.
2. The development shall be carried out in accordance with the approved plans listed in the table below.

**SUBJECT: Local Development Plan Draft Sustainable Tourism
Accommodation Supplementary Planning Guidance**

MEETING: Planning Committee

DATE: 7 March 2017

DIVISIONS/WARDS AFFECTED: All

1 PURPOSE

- 1.1 The purpose of this report is to seek Planning Committee's endorsement of Draft Supplementary Planning Guidance (SPG) on Sustainable Tourism Accommodation, with a view to issuing for consultation.

2 RECOMMENDATIONS

- 2.1 To endorse the Draft Sustainable Tourism Accommodation SPG, with a view to issuing for consultation, and to recommend to the Cabinet Member for Innovation, Enterprise and Leisure accordingly.

3 KEY ISSUES

Background

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted in February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). This statutory development plan contains a number of policies relevant to tourism which are set out in Appendix A of the Draft SPG (attached as Appendix 1). Legislation requires that planning applications are determined in accordance with the LDP, unless material planning considerations indicate otherwise. Consequently, the effectiveness and appropriateness of the LDP policies is essential in securing desired tourism outcomes. However, it is worth noting that the LDP does not have to cover all eventualities. Indeed, Welsh Government guidance on producing LDPs requires that LDPs do not duplicate national planning policy. Topics or types of tourism not covered by specific LDP policies can be considered under national planning policy and/or material planning considerations.
- 3.2 The Economy and Development Select Committee, at its meeting on 13 October 2016, received a report which provided an update on the effectiveness of the LDP policy framework in enabling/delivering tourism related development since the Plan's adoption and reviewed the extent to which the LDP is supporting sustainable forms of tourism accommodation. Particular consideration was given to the policy support for proposals for 'glamping' accommodation - an identified key growth area that the Council wishes to support in principle. The report subsequently recommended that draft SPG be prepared to provide clarity on how proposals for sustainable tourism accommodation will be considered and that the SPG be reported back to Economy and Development Select Committee prior to the SPG being

circulated for public consultation. The SPG was reported to Economy and Development Select Committee on 9th February 2017 for comment and endorsement to publicise for public consultation.

- 3.3 Selective use of SPG is a means of setting out more detailed thematic or site specific guidance on the way in which the policies of an LDP will be applied in particular circumstances or areas.

PPW (Edition 9, 2016) at paragraph 2.3.3 states that:

'SPG does not form part of the development plan but it must be consistent with the plan and with national policy. It must derive from and be clearly cross referenced to a generic LDP policy, specific policies for places, and/or – in the case of a masterplan or site brief – a plan allocation. SPG cannot be linked to national policy alone; there must be an LDP policy or policy criterion that provides the development plan 'hook', whilst the reasoned justification provides clarification of the related national policy.'

- 3.4 Paragraph 2.3.4 of PPW further emphasises that SPG can be a material consideration in the determination of planning applications, provided that it is consistent with the development plan and appropriate consultation has been undertaken:

'Only the policies in the development plan have special status under section 38(6) of the 2004 Act in deciding planning applications, but SPG may be taken into account as a material consideration. In making decisions on matters that come before it, the Welsh Government and the Planning Inspectorate will give substantial weight to approved SPG which derives from and is consistent with the development plan, and has been the subject of consultation.'

Draft Sustainable Tourism Accommodation SPG

- 3.5 The Draft Sustainable Tourism Accommodation SPG is attached to this report as an **Appendix 1**. The SPG is intended to provide certainty and clarity for applicants, officers and Members in the interpretation and implementation of the existing LDP policy framework in relation to proposals for sustainable forms of visitor accommodation. For the purposes of this SPG sustainable visitor accommodation is concerned primarily with glamping facilities, although it would also apply to other forms of sustainable visitor accommodation. The guidance relates to proposals outside settlement boundaries (as identified on the LDP proposals maps). The SPG provides an overview of the national and local planning policy context in relation to sustainable tourism, clarifies what is meant by sustainable tourism accommodation in relation to Strategic Policy S11 and outlines the various types of sustainable tourism accommodation to which this SPG relates. The main part of the SPG (Section 4) provides guidance on the interpretation and implementation of the LDP policy framework in relation to proposals for sustainable forms of visitor accommodation. Information is also provided with regard to submitting a

planning application for sustainable visitor accommodation, including details of the Council's pre-planning application advice service.

- 3.6 Further detail/information is provided in the appendices to the SPG. Appendix B sets out the key policy considerations for assessing particular types of glamping accommodation, namely yurts, tepees, bell tents, wooden pods/tents, shepherd's huts and tree houses. These types of glamping facilities are specifically included as they have become increasingly popular in recent years and are likely to continue to be so. A list of example planning conditions that may apply to planning permissions for glamping proposals is provided in Appendix C.

Next Steps

- 3.7 As referred to in paragraph 3.4 above, for SPG to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be sent to those considered to have an interest in the SPG topic, although all town and community councils will be consulted and a notice will be placed in the press. The consultation will also be publicised via our Twitter account @MCCPlanning. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

4. REASONS

- 4.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities were required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are now being taken in accordance with policies and proposals in the LDP. The Draft Sustainable Tourism Accommodation SPG provides further explanation and guidance on the way in which the tourism related policies will be applied to proposals for sustainable forms of visitor accommodation.

5. RESOURCE IMPLICATIONS

- 5.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy budget and carried out by existing staff

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

Sustainable Development

- 6.1 Under the Planning Act (2004), the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to assess the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with

the European Strategic Environment Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. SPG is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

Equality

- 6.2 The LDP was also subjected to an Equality Challenge process and due consideration given to the issues raised. As with the sustainable development implications considered above, SPG is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.
- 6.3 In addition a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**).

7. CONSULTEES:

- Economy and Development Select Committee
- Planning Committee

8. BACKGROUND PAPERS:

- Monmouthshire Adopted LDP (February 2014)
- Monmouthshire Local Development Plan Annual Monitoring Reports, 2014-15, 2015-16.

9. AUTHOR & CONTACT DETAILS

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APPENDIX 1



**Draft Sustainable Tourism
Accommodation
Supplementary Planning Guidance**

February 2017



**Monmouthshire County Council
Local Development Plan**

**Draft Sustainable Tourism
Accommodation
Supplementary Planning
Guidance**

February 2017

Planning Policy Service

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*Front Cover Photographs Clockwise from Top Left:
Yurt, Hidden Valley Yurts, Llanishen
Shepherd's Hut, Meend Farm, Penallt
Yurt, Penhein, Llanvair Discoed
Yurts, Hidden Valley Yurts, Llanishen*

1 Introduction: Purpose of this Supplementary Planning Guidance

- 1.1 Tourism plays a significant role in the Monmouthshire economy particularly in assisting the diversification of the rural economy and in sustaining the County's historic town centres. Monmouthshire benefits from extensive natural and cultural assets that offer considerable potential for residents and visitors to enjoy. The County is noted for its natural beauty and has a rich and diverse landscape stretching from the Gwent Levels in the south to the uplands of the Brecon Beacons in the north and the picturesque river corridor of the Wye Valley and Offa's Dyke in the east. Monmouthshire's historic market towns and cultural/heritage assets are also key attractions.
- 1.2 The visitor economy provides jobs, services and facilities that are essential to the well-being and enjoyment of local communities and residents of Monmouthshire. In 2015 there were 2.19 million visitors to the County, with tourist expenditure amounting to £187 million¹. Tourism also provides opportunities for enterprise and employment, and is a significant employer in the County. According to STEAM, tourism supported 2,744 full time equivalent jobs in 2015, accounting for approximately 10% of all employment in the County. Of note, the relative importance of staying visitors has increased in recent years, with such visitors accounting for 77% of the total amount generated by tourism in 2015 and staying an average of 2.5 nights.
- 1.3 Given the importance of tourism to the Monmouthshire economy, the need to safeguard, provide and enhance the County's visitor facilities, including the accommodation offer, is essential if Monmouthshire is to realise its potential as a high quality and competitive visitor destination.
- 1.4 Reflecting this and the aims of national planning policy, there is a desire to encourage and plan for sustainable forms of tourism accommodation in Monmouthshire. The LDP provides a positive planning framework to enable appropriate tourism development whilst ensuring that the County's natural and built environment, on which the tourism market depends, is protected/enhanced.
- 1.5 In recent years new forms of visitor accommodation known as 'glamping' (i.e. glamorous camping) have emerged and are becoming increasingly popular with the staying visitor market. Given that such forms of accommodation are a relatively recent innovation they are not defined in legislation and not explicitly referred to in current LDP policies. Accordingly, there is a need to clarify how such proposals should be assessed against the existing LDP policy framework.
- 1.6 This Supplementary Planning Guidance (SPG) is intended to provide certainty and clarity for applicants, officers and Members in the interpretation and implementation of the existing LDP policy framework in relation to proposals for sustainable visitor accommodation. For the purposes of this SPG sustainable visitor accommodation is concerned primarily with glamping facilities, although it would also apply to other forms of sustainable visitor accommodation. The guidance relates to proposals outside

¹ STEAM 2015. (STEAM is a tourism economic impact modelling process which approaches the measurement of tourism from the bottom up through its use of local supply data and tourism performance and visitor survey data collection).

settlement boundaries (as identified on the LDP proposals maps). Within settlement boundaries, such accommodation is generally acceptable in principle subject to normal amenity considerations and planning policy matters such as flood risk.

- 1.7 This SPG is aimed at anyone considering proposals for glamping accommodation in rural Monmouthshire and will assist all those involved in the formulation and determination of such proposals. The SPG is a material consideration in relation to planning applications and appeals and helps guide applicants and the Council through the planning process with regard to proposals for sustainable forms of tourism accommodation.

The SPG contains the following information:

- **Section 2** provides an overview of the national and local planning policy context in relation to sustainable tourism;
- **Section 3** explains what is meant by sustainable tourism accommodation in relation to Policy S11 and provides an overview of the various types of glamping accommodation to which this SPG relates;
- **Section 4** provides guidance on the interpretation and implementation of the LDP policy framework in relation to glamping accommodation.
- **Section 5** provides information on submitting a planning application for sustainable visitor accommodation, including details of the Council's pre-planning application advice service.

- **Appendices**

LDP Tourism Policy Framework (Appendix A)

Guidance for Assessing Specific Types of Glamping Accommodation: Key Policy Considerations (Appendix B)

Example Planning Conditions (Appendix C)

Sources of Advice (Appendix D)

National Planning Policy

- 2.1 National planning policy on tourism is set out in Chapter 11 of Planning Policy Wales (PPW, Edition 9 November 2016) and reflects the Welsh Government's aim to encourage tourism to grow in a sustainable way and make an increasing contribution to the economic, social and environmental well-being of Wales (11.1.2). It provides for the planning system to encourage sustainable tourism in ways which enable it to contribute to economic development, conservation, rural diversification, urban regeneration and social inclusion, recognising the needs of visitors and local communities (11.1.4).
- 2.2 PPW recognises the importance of tourism to economic prosperity and job creation and its ability to act as a catalyst for environmental protection, regeneration and improvement in both urban and rural areas. In rural areas tourism related development is considered to be an essential element in providing for a healthy, diverse local economy and in contributing to the provision and maintenance of facilities for local communities. However, it also clarifies that such development should be sympathetic in nature and scale to the local environment and to the needs of the visitors and the local community.
- 2.3 National guidance is clear that development plans should encourage the diversification of farm enterprises and other parts of the rural economy for appropriate tourism uses, subject to adequate safeguards for the character and appearance of the countryside, particularly its landscape, biodiversity and local amenity value (11.2.7).
- 2.4 These national aims and objectives are reflected in the LDP's tourism planning policy framework and this SPG.

Monmouthshire Local Development Plan (LDP)

- 2.5 The Monmouthshire LDP was adopted in February 2014 and provides the planning policy framework for this SPG. The vital role of tourism to the Monmouthshire economy is reflected in the LDP policy framework which seeks to support and enable sustainable forms of tourism development while at the same time ensuring that the natural and built environment, key drivers of the visitor economy, are preserved and enhanced.
- 2.6 Strategic Policy S11 – Visitor Economy – specifically seeks to enable the provision and enhancement of sustainable tourism development in Monmouthshire.

S11 Visitor Economy

Development proposals that provide and/or enhance sustainable forms of tourism will be permitted subject to detailed planning considerations.

Development proposals that would have an unacceptable adverse impact on features and areas of tourism interest and their settings, or that would result in the unjustified loss of tourism facilities will not be permitted.

The first part of Strategic Policy S11 gives positive encouragement to and enables the provision of sustainable forms of tourism, including visitor accommodation, subject to detailed planning considerations. The second part of the policy seeks to protect and prevent the loss of tourism facilities in the County. This SPG relates to the first part of the policy only.

2.7 Policy S11 is supported by a number of development management tourism policies which provide a more detailed policy framework to support the provision and enhancement of tourist facilities (these are set out in **Appendix A**):

- T1 Touring and Tented Camping Sites
- T2 Visitor Accommodation outside Settlements
- T3 Golf Courses

Strategic policies S8 (Enterprise and Economy) and S10 (Rural Enterprise) also offer support for sustainable economic growth and the provision of rural enterprise/rural diversification, where appropriate. Policy RE3 (Agricultural Diversification) is also supportive of many forms of sustainable visitor accommodation. Other LDP policies, including those relating to landscape and highways, will also be relevant to such proposals and the LDP should be referred to accordingly.

2.8 Further details on the relevance and interpretation of these policies in relation to glamping proposals is set out in Section 4 and **Appendix B** of this SPG.

2.9 Proposals for sustainable tourism accommodation should also have regard to the Council's Green Infrastructure SPG and emerging Landscape SPG.

2.10 While this SPG is concerned with glamping accommodation, it should be noted that the LDP policy framework (outlined above) provides sufficient guidance and support for other forms of appropriate visitor accommodation, including hotels and B&Bs. The importance of these other types of tourism to the local economy is acknowledged. Proposals for such accommodation will be assessed against existing LDP policies.

What is Sustainable Tourism Accommodation?

- 3.1 The LDP defines sustainable tourism as tourism that is 'economically viable, generates local benefits, is welcomed by and helps support local communities, reduces global environmental impacts and protects/enhances the local environment' (5.82).
- 3.2 Sustainable tourism is defined in the European Charter for Sustainable Tourism as 'Any form of development, management or tourist activity which ensures the long-term protection and preservation of natural, cultural and social resources and contributes in a positive and equitable manner to the economic development and well-being of individuals living, working or staying in protected areas.'
- 3.3 In view of this it is considered that sustainable tourism accommodation (glamping) proposals should reflect the following key principles of sustainable tourism:
- Generate benefits for the local economy (residents and visitors)
 - Protect and enhance landscape character and natural/historic environment i.e. visually unobtrusive
 - Scale and design appropriate to site context.
 - Locally adapted (recognising that sustainable accommodation solutions can be diverse/unique)
 - Generate minimal car trips
 - Make use of renewable energy resources (energy efficient)
 - Capable of being removed without leaving a permanent trace

All proposals for sustainable tourism accommodation will be expected to accord with these key principles.

Glamping Accommodation

- 3.4 Glamping accommodation has become increasingly popular in recent years and offers visitors a certain level of luxury and comfort above what can be offered in the traditional tenting experience. There are various types of glamping accommodation, the majority of which are semi-permanent structures and typically incorporate the aforementioned principles of sustainable tourism. Typical examples of glamping accommodation include:

Yurts

Large circular tent structures, comprising a latticed wooden frame with felt insulation and canvas cover. Yurts often have wood burners and beds. Typically larger, more complex to erect and more permanent than traditional tents given their wooden bases which generally remain in situ throughout the year. Upper parts of the structures can be easily removed.



Yurt, Hidden Valley Yurts, Llanishen

Tepees



Tepee, Powys
(Image source: CanopyandStars.co.uk)

Conical shaped tent comprising rounded wooden pole frame covered with canvas. Tepees often have wood burners and beds. Typically larger, more complex to erect and more permanent than traditional tents given their wooden bases which generally remain in situ throughout the year. Upper parts of the structures can be easily removed.

Bell Tents

Conical shaped tent supported by a single central pole and covered with canvas. Bell tents can have beds. Can be more permanent than traditional tents where they have wooden bases which may remain in situ throughout the year.



Bell Tent, Kingstone Brewery, Tintern
(Image Source: CanopyandStars.co.uk)

Wooden Pods/ Tents



Wooden Pods, Llantillio Croesenny

Typically simple timber structures comprising a floor, sides and roof with no services although it is recognised that some types of pods/tents incorporate beds/heaters and may be connected to services. Wooden pods/tents are generally transported onto a site as a complete unit and simply placed on land (no foundations). They cannot be categorised as touring units given their greater degree of permanency.

Shepherd's Huts

19th and 20th century version of a modern caravan. Shepherd's huts typically comprise a solid wooden frame on cast iron wheels with corrugated iron roof and sides. Often have beds, wood burners and other facilities. As with wooden pods, they are transported onto a site as a complete unit. They cannot be categorised as touring units given their greater degree of permanency.



Shepherd's Hut, Penallt

Tree Houses

Structures built next to and/or around tree trunk/branches above ground level. Some have beds/ facilities while others comprise a single open space /no facilities. Can vary considerably in type, design and scale (this would determine whether it would



constitute a sustainable form of tourist accommodation in the context of the LDP policy framework and this SPG). Unlike the aforementioned types of glamping accommodation, tree houses are permanent structures and are considered to be operational development as explained in paragraphs 4.9-4.10.

Tree House, Powys
(Image Source: CanopyandStars.co.uk)

- 3.5 Glamping accommodation typically has infrastructure requirements in the form of amenity blocks as many do not contain facilities such as toilets, showers and kitchens. Guidance and key policy considerations in relation to the provision of amenity blocks to accompany glamping accommodation is set out in paragraph 4.20.
- 3.6 This list of glamping accommodation types is not exhaustive, and should proposals for other types of sustainable visitor accommodation come forward these will also be assessed in accordance with the LDP policy framework and the guidance contained in this SPG.

4 Interpretation and Implementation of the LDP Policy Framework for Assessing Proposals for Sustainable Tourism Accommodation

- 4.1 This section of the guidance provides detail on the interpretation and implementation of the LDP policy framework in assessing proposals for glamping accommodation. Further guidance in relation to specific types of glamping accommodation is set out at **Appendix B** and will assist in the formulation and assessment of such proposals. To reiterate, the guidance relates to glamping proposals outside settlement boundaries (as identified on the LDP proposals maps). Within settlement boundaries, such accommodation is generally acceptable in principle subject to normal amenity considerations and planning policy matters such as flood risk.
- 4.2 The Council seeks to support and adopt a positive approach to sustainable forms of visitor accommodation. This is reflected in the LDP policy framework which is supportive of such proposals providing that this is not at the expense of natural and built environment, which in themselves are key drivers of the County's visitor economy. Appropriate proposals will be those which are considered to accord with principles of sustainable tourism set out in paragraph 3.3, i.e. have minimal landscape/environmental impact, generate benefits for the local economy, are of an appropriate scale and design, generate minimal traffic, incorporate renewable energy solutions and are capable of being removed without leaving a permanent trace.

Glamping Accommodation Proposals: Key Planning Considerations

- 4.3 The main planning considerations that will be relevant to the majority of proposals/applications for sustainable forms of tourism accommodation are set out below. Other considerations may, however, be relevant on a site specific basis. These issues will need to be considered and balanced in the assessment of planning applications for such proposals.

Strategic Policy S11 – Visitor Economy

- 4.4 The starting point for assessing proposals for sustainable tourism accommodation is Strategic Policy S11 which seeks to enable the provision of sustainable forms of tourism development subject to detailed planning considerations. Of note, the limited degree of permanence of most forms of sustainable tourism accommodation² means they can be considered as a use of land rather than operational development.
- 4.5 Proposals for sustainable tourism accommodation will generally be supported by S11 unless ruled out by other LDP policies. To constitute a sustainable form of visitor accommodation in the context of Policy S11, proposals will need to demonstrate that they incorporate the key principles of sustainable tourism as set out in paragraph 3.3.
- 4.6 Strategic policies S8 (Enterprise and Economy) and S10 (Rural Enterprise) are also applicable and may provide support for such proposals, subject to detailed planning considerations.

² With the exception of tree houses, most forms of glamping accommodation are a use of land rather than operational development.

- 4.7 Proposals for sustainable visitor accommodation would therefore be acceptable in principle unless ruled out by detailed development management tourism policies T1, T2 or other relevant LDP policies. To deal with these in turn:

T1 – Touring and Tented Camping Sites

- 4.8 This policy would apply/offer support to specific types of glamping accommodation such as yurts, tepees and bell tents where they are considered to constitute a tented camping site i.e. the units are not permanent and upper parts of the units can be easily removed. However, the applicability of this policy diminishes where proposals involve supporting infrastructure, such as sizeable areas of raised decking. Where relevant, consideration must be given to the criteria set out in this policy.

T2 – Visitor Accommodation Outside Settlements

- 4.9 Part of this policy applies to new build permanent serviced/self-catering visitor accommodation proposals outside settlement limits and as such will not be relevant to many forms of glamping. However, where glamping proposals constitute permanent new build development, for example tree houses, this policy would be applicable.
- 4.10 The policy does not support new build permanent self-catering visitor accommodation outside settlement boundaries unless ancillary to established medium or large hotels. Proposals for new build permanent glamping accommodation (operational development) would therefore generally be contrary to this policy. However, it is recognised that there may be instances where such accommodation could constitute sustainable visitor accommodation (in accordance with sustainable tourism principles set out in 3.3). Therefore, where appropriate, such proposals could be balanced against other LDP policies, including Policy S11, to allow a new build permanent form of sustainable visitor accommodation in cases where a proposal is considered to constitute sustainable tourism accommodation given its scale, innovation, design etc. Such proposals would need to be considered on a case by case basis.
- 4.11 Policy T2 also allows for the re-use or conversion of existing buildings for tourism accommodation in the countryside subject to the criteria set out in Policy H4 (Conversion / Rehabilitation of Buildings in the Open Countryside for Residential Use). This matter will be given further consideration in a separate SPG dealing specifically with Policy H4. As an exception, Policy T2 also allows for visitor accommodation which involves the substantial rebuild of a building within the curtilage of an existing and occupied farm property where it assists in an agricultural diversification scheme in accordance with Policy RE3 (Agricultural Diversification). By definition, this provision would normally relate to a more traditional holiday cottage or small B&B rather than glamping.

T3 – Golf Courses

- 4.12 Policy T3 allows for visitor accommodation on golf courses where it supports the tourism economy, subject to detailed planning considerations, and should be referred to where relevant.

RE3 – Agricultural Diversification

- 4.13 Criterion d) of Policy RE3 offers support for certain types of glamping accommodation (i.e. so long as not new build structures) where proposals are linked to agricultural

diversification schemes. The applicability of this policy to glamping proposals is given further consideration in Appendix B.

Other LDP Policies

- 4.14 Having considered the aforementioned key tourism related policies, consideration will need to be given to a proposal's compliance with other relevant LDP policies, including landscape, highways and natural/historic environment. Relevant policies are likely to include:
- LC1 New Built Development in the Open Countryside
 - LC5 Protection and Enhancement of Landscape Character.
Landscape impacts will be a key policy consideration in the formulation and assessment of glamping accommodation proposals in the open countryside.
 - G11 Green Infrastructure
 - NE1 Nature Conservation and Development
 - MV1 Proposed Developments and Highway Considerations
 - SD3 Flood Risk
 - DES1 General Design Considerations
 - EP1 Amenity and Environmental Protection
 - EP3 Lighting
- 4.15 This list is not exhaustive and policies may vary on a case by case basis depending on site context and the proposal. Applicants are advised to engage in the Council's pre-planning application advice service to determine which key LDP policies apply and to gain general planning advice (see section 5).

Scale of Development and Cumulative Impacts

- 4.16 The scale of a glamping accommodation proposal will be a key consideration in its assessment against the LDP policy framework. An increase in the scale of a proposal could result in potential non-compliance with other LDP policies, including for example Policy S11, in terms of whether it would constitute a sustainable form of visitor accommodation, and Policy LC5 in terms of impact on landscape character.
- 4.17 Similarly, the cumulative impacts of a glamping proposal will also be an important consideration in determining its appropriateness and compliance with the policy framework. As above, in instances where the cumulative impacts of a proposal are of concern there could be potential non-compliance with other LDP policies.

Degree of Permanency

- 4.18 A key planning consideration in assessing proposals for glamping accommodation is the degree of permanency of the unit(s) and whether it (they) will be removed from the site out of season. In general, glamping accommodation such as yurts, tepees, bell tents, shepherd's huts should be taken down or relocated out of season. However, the necessity for this will need to be considered on a case by case basis depending on site context and landscape/visual impacts.
- 4.19 In this context, regard should also be given to the importance of maintaining a balance between the need to protect the landscape/environment and to avoid negative effects on the local economy due to the seasonal nature of tourism. Again, this will need to be considered on a case by case basis.

Supporting Infrastructure

- 4.20 Amenity blocks (showers, toilets, kitchen/eating areas) are often required to accompany glamping accommodation, where such facilities are not incorporated within the accommodation itself. In such instances, the first preference for these facilities would be for the conversion of existing buildings (subject to compliance with Policy H4). Where this is not possible, such facilities could be considered as ancillary to sustainable tourism accommodation, again subject to other relevant policy considerations, including landscape impact. Careful consideration should be given to the scale and design of amenity facilities to ensure landscape /environmental impacts are minimised.
- 4.21 As a sustainable form of visitor accommodation it is expected that glamping proposals will have minimal supporting infrastructure. Access roads/tracks, drainage facilities, electricity and water supplies should be kept to a minimum. Supplementary features such as fire pits, BBQ areas should be integrated within the overall scheme design. All such paraphernalia should be included in plans and documents submitted in order to ensure compliance with policy framework. The intention is that such accommodation should have minimal landscape/visual impacts. In accordance with sustainable tourism principles, proposals are encouraged to incorporate rainwater recycling and incorporate renewable energy for lighting and heating purposes e.g. solar panels. This is in marked contrast to static caravan parks, which are not considered to be a sustainable form of tourism or supported by this policy.

Occupancy Restrictions

- 4.22 In all cases, the use of such visitor accommodation for permanent residential occupancy will not be acceptable. Accommodation must remain for the intended tourism purpose only so that the wider economic benefits are secured. Further details on this matter, and seasonal occupancy, is provided in Appendix C Planning Conditions.

Planning Conditions

- 4.23 **Appendix C** sets out a list of example planning conditions that may apply to planning permissions for glamping accommodation. These include:
- The number and siting of units and type of accommodation permitted (to ensure the site remains informal/sustainable),
 - Occupancy (to ensure that the original use is retained and not used for unauthorised permanent residential accommodation)
 - Seasonal occupancy (although recognising the importance of maintaining a balance between protecting the landscape/environment and avoiding negative local economic impacts which can be associated with the seasonal nature of tourism).

Guidance on Specific Types of Glamping Accommodation

- 4.24 Further detailed policy considerations in relation to specific types of sustainable visitor accommodation is provided in **Appendix B**.

5 Submitting a Planning Application

- 5.1 Anyone considering a proposal for sustainable visitor accommodation are, in the first instance, encouraged to engage with the LPA through the formal pre-planning application advice service (available at a modest cost). This will enable discussions with relevant officers at an early stage to determine the relevant planning issues (e.g. site constraints, design considerations), identify the key applicable LDP policies/ SPG and establish the information required to accompany an application. This will assist in preparing a proposal for submission and avoid any unnecessary delays.
- 5.2 In submitting an application, the Council expects applicants to submit a reasonable level of detail in order to allow a comprehensive consideration of the proposal. This will vary on a case by case basis depending on the nature /scale of the proposal but will often include a landscape assessment. The Council would also expect all applications to include full details of any proposed supporting infrastructure, including amenity facilities, decking, access roads/tracks etc. Engagement at the pre-application stage will assist in determining the level of information required.
- 5.3 Information on the Council's pre-planning application advice service is available using the following link:

<http://www.monmouthshire.gov.uk/planning/pre-application-advice-service>

In 2015/16, of those planning applications that were first subject to pre-application advice, 100% were determined in accordance with the pre-application advice. 99% of the applications were approved. The remaining two applications were refused in accordance with the pre-application advice, and the Council's decision was subsequently upheld at appeal.

APPENDIX A

Monmouthshire LDP Tourism Policy Framework

Strategic Tourism Policy

S11 Visitor Economy

Development proposals that provide and/or enhance sustainable forms of tourism will be permitted subject to detailed planning considerations.

Development proposals that would have an unacceptable adverse impact on features and areas of tourism interest and their settings, or that would result in the unjustified loss of tourism facilities will not be permitted.

Development Management Tourism Policies

Policy T1 – Touring Caravan and Tented Camping Sites

New touring caravan and tented camping sites and the expansion of such sites will only be permitted where:

- a) there is no unacceptable impact on the countryside having regard to biodiversity, landscape quality and the visibility from roads, viewpoints and other public places;
- b) there are no permanently sited caravans;
- c) the development can be satisfactorily supervised without the need for additional permanent living accommodation for wardens; and
- d) there are no adverse safety and / or amenity effects arising from the traffic generated and access requirements

Policy T2 – Visitor Accommodation outside Settlements

New build serviced or self-catering visitor accommodation will be allowed outside town and village development boundaries as ancillary development to established medium or large hotels.

Otherwise, 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 buildings and the conversion of buildings for such uses complies with the criteria set out in Policy H4.

As an exception to the above proposals to provide visitor accommodation may be permitted where they involve:

- a) the substantial rebuild of a building within the curtilage of an existing and occupied farm property where it assists in an agricultural diversification scheme in accordance with Policy RE3.
- b) the conversion of buildings of modern construction and materials provided the buildings are appropriate for residential use (e.g. not modern agricultural or factory buildings); not of substandard quality and /or incongruous appearance; and have been used for their intended

purpose for a significant period of time. Particularly close scrutiny will be given to proposals relating to those buildings less than 10 years old, especially where there has been no change in activity on the unit.

c) the conversion of buildings that are too small or are inappropriately located to provide appropriate standards of space and amenity for conversions to permanent residential accommodation but are suitable for tourist accommodation.

Where conversions to tourism accommodation are allowed in the exceptional circumstances set out in criteria a) to c) above then the occupancy of the building will be restricted in perpetuity to short stay tourist accommodation.

All proposals will be considered against other plan policies and should integrate with their surroundings, in terms of design and layout and how the proposal will function.

Policy T3 – Golf Courses

Development proposals for golf courses, golf driving ranges and associated facilities including buildings, will be permitted subject to detailed planning considerations. All proposals must be accompanied by a landscape impact assessment and ecological appraisal. Clubhouses and associated facilities should re-use or adapt existing buildings where possible. If a new building is required it should be limited in scale, suitably located and designed and meet the criteria set out in Policy LC1. Buildings not genuinely ancillary to golf uses will not be permitted, although consideration may be given to proposals to provide visitor accommodation that support the tourist economy, subject to detailed planning considerations

Other Key LDP Tourism Related Policies

Policy S8 – Enterprise and Economy

Development proposals that seek to deliver the Council's vision for sustainable economic growth will be permitted, particularly where they enable:

- a) the continued development of existing key economic sectors, including tourism;
- b) the diversification of the business base within Monmouthshire, particularly the provision of green and low carbon technologies and knowledge intensive /high technology enterprises;
- c) the development of countywide faster and more accessible ICT and broadband infrastructure.

All proposals will be subject to detailed planning considerations, which include the protection of the natural and built heritage which itself is an important resource bringing benefits for the economy, tourism and well-being.

Policy S10 – Rural Enterprise

Development to enable the diversification of the rural economy will be permitted outside settlement development boundaries where it is of a scale and type compatible with the surrounding area and will cause no unacceptable harm to the surrounding landscape, historic and cultural heritage, biodiversity or local amenity value. Development must re-use or adapt existing buildings where possible. The exceptional circumstances in which new buildings may be permitted outside settlement boundaries to assist in the diversification of the rural economy are set out in Policies RE1, RE3, RE6, T2 and T3.

Policy RE3 – Agricultural Diversification

Development proposals which make a positive contribution to agriculture or its diversification will be permitted where the new use or building meets the following criteria:

- a) the proposed non-agricultural development is run in conjunction with, and is complementary to, the agricultural activities of the enterprise;
- b) the proposal is supported by an appropriate business case which demonstrates the link to existing business activity and the benefits of the scheme in terms of sustaining employment / the rural economy;
- c) in relation to new build, the applicant must demonstrate that there are no existing buildings suitable for conversion / re-use in preference to new build;
- d) with regard to diversification proposals for visitor accommodation, new build will only be permitted where it consists of the substantial rebuild of a building within the curtilage of an existing and occupied farm property, as specified in Policy T2;
- e) where rebuild is permitted under criteria c) and d) any rebuilding work should respect or be in sympathy with the local and traditional characteristics of the building;
- f) proposals for new built development meet the detailed criteria set out in Policy LC1;
- g) proposals for renewable energy schemes meet the criteria set out in Policy SD1

APPENDIX B

Guidance for Assessing Specific Types of Glamping Accommodation: Key Policy Considerations

Guidance for Assessing Specific Types of Glamping Accommodation: Key Policy Considerations

The following table sets out key policy considerations for assessing specific types of glamping accommodation – yurts, tepees, bell tents, wooden pods/tents, shepherd’s huts and tree houses. These types of glamping facilities are included as they have becoming increasingly popular in recent years and are likely to continue to be so. Should proposals for other types of sustainable visitor accommodation/glamping accommodation come forward these will also be assessed in accordance with the policy considerations, as appropriate, set out below. As stated in Section 4, the starting point for considering proposals for sustainable forms of visitor accommodation will be Strategic Policy S11 – Visitor Economy.

Type of Glamping Accommodation	Key LDP Policies					Comments
	S11	T1	T2	RE3(d)	Other Relevant Policies	
Yurts Tepees Bell Tents Page 82	Supports proposals for yurts, tepees and bell tents where they are considered to constitute sustainable tourism accommodation and of an appropriate scale, subject to other relevant policy considerations including landscape impact (policies LC1 and LC5), highway safety (policy MV1) and flood risk (Policy SD3).	This policy would apply/offer support where yurts, tepees and bell tents are considered to constitute a tented camping site i.e. units are not permanent, the upper parts made from material which could be easily removed. Where relevant, consideration must be given to the criteria set out in T1. However, where proposals for yurts, tepees and bell tents include the provision of more permanent type structures often associated with these forms of accommodation such as	This policy is not applicable to proposals for yurts, tepees and bell tents as these types of accommodation do not constitute new build development as referred to in Policy T2.	Criterion d) of Policy RE3 is applicable and offers support for yurts, tepees and bell tents where proposals are linked to agricultural diversification schemes.	Consideration will need to be given to a proposal’s compliance with other relevant LDP policies, including landscape (LC1/LC5), highways (MV1), natural environment (NE1), flood risk (SD3) etc. Relevant policies are likely to vary on a case by case basis depending on site context and proposal. Applicants are advised to engage in the Council’s pre-planning application advice service to determine which key LDP policies apply (see section 5).	Proposals for yurts, tepees and bell tents should be of an appropriate scale. The scale of the proposal will therefore be a key consideration in its assessment against the policy framework. An increase in the scale of a proposal could result in potential non-compliance with LDP policies, including for example Policy S11 in terms of whether it would constitute sustainable tourism accommodation, and Policy LC5 in terms of impact on landscape character. Similarly the cumulative impacts of a proposal will be an important consideration in assessing proposals for yurts, tepees and bell tents.

Type of Glamping Accommodation	Key LDP Policies					Comments
	S11	T1	T2	RE3(d)	Other Relevant Policies	
		wooden decking, policy T1 would be less applicable as proposals would no longer be akin to a tented camping site as referred to in T1.				Consideration should also be given to supporting infrastructure associated with a proposal, including amenity blocks, the degree of permanency of the units and occupancy restrictions. Guidance on these matters is set in Section 4 of this SPG (paragraphs 4.18-4.22).
Wooden Pods/ Tents	Supports proposals for wooden pods/tents where they are considered to constitute sustainable tourism accommodation and are of an appropriate scale, subject to other relevant policy considerations including landscape impact (policies LC1 and LC5), highway safety (policy MV1) and flood risk (Policy SD3).	Policy T1 is not applicable to proposals for wooden pods/tents as they are not a touring facility and not classified as a 'tent' (tented camping site) as referred to in Policy T1 given the greater degree of permanency of the structures.	Policy T2 is not applicable to proposals for wooden pods/tents as these types of accommodation do not constitute new build development as referred to in Policy T2.	Criterion d) of Policy RE3 is applicable and offers support for wooden pods/tents where proposals are linked to agricultural diversification schemes (as wooden pods/huts are not new build structures).	Consideration will need to be given to a proposal's compliance with other relevant LDP policies, including landscape (LC1/LC5), highways (MV1), natural environment (NE1), flood risk (SD3) etc. Relevant policies are likely to vary on a case by case basis depending on site context and proposal. Applicants are advised to engage in the Council's pre-planning application advice	Proposals for wooden pods/tents should be of an appropriate scale. The scale of the proposal will therefore be a key consideration in its assessment against the policy framework. An increase in the scale of a proposal could result in potential non-compliance with LDP policies, including for example Policy S11 in terms of whether it would constitute sustainable tourism accommodation, and Policy LC5 in terms of impact on landscape character. Similarly the cumulative impacts of a proposal will be an important consideration in

Type of Glamping Accommodation	Key LDP Policies					Comments
	S11	T1	T2	RE3(d)	Other Relevant Policies	
					service to determine which key LDP policies apply (see section 5).	<p>assessing proposals for wooden pods/tents.</p> <p>Consideration should also be given to supporting infrastructure associated with a proposal, including amenity blocks, the degree of permanency of the units and occupancy restrictions. Guidance on these matters is set in Section 4 of this SPG (paragraphs 4.18-4.22).</p>
Shepherd's Huts	Supports proposals for shepherd's huts where they are considered to constitute sustainable tourism accommodation, and are of an appropriate scale, subject to other relevant policy considerations including landscape impact (policies LC1 and LC5), highway safety (policy MV1) and flood risk (Policy SD3).	Policy T1 is not applicable to proposals for shepherd's huts as this type of accommodation would not fall within the scope of policy T1 as are not typically considered to constitute a 'touring' facility as referred to in the policy.	Policy T2 is not applicable to proposals for shepherd's huts as this type of accommodation does not constitute new build development as referred to in Policy T2.	Criterion d) of Policy RE3 is applicable and offers support for shepherd's huts where proposals are linked to agricultural diversification schemes (as shepherd's huts are not new build structures)	<p>Consideration will need to be given to a proposal's compliance with other relevant LDP policies, including landscape (LC1/LC5), highways (MV1), natural environment (NE1), flood risk (SD3) etc.</p> <p>Relevant policies are likely to vary on a case by case basis depending on site context and proposal. Applicants are advised</p>	Proposals for shepherd's huts should be of an appropriate scale. The scale of the proposal will therefore be a key consideration in its assessment against the policy framework. An increase in the scale of a proposal could result in potential non-compliance with LDP policies, including for example Policy S11 in terms of whether it would constitute sustainable tourism accommodation, and Policy LC5 in terms of impact on landscape character.

Type of Glamping Accommodation	Key LDP Policies					Comments
	S11	T1	T2	RE3(d)	Other Relevant Policies	
					to engage in the Council's pre-planning application advice service to determine which key LDP policies apply (see section 5).	Similarly the cumulative impacts of a proposal will be an important consideration in assessing proposals for shepherd's huts. Consideration should also be given to supporting infrastructure associated with a proposal, including amenity blocks, the degree of permanency of the units and occupancy restrictions. Guidance on these matters is set in Section 4 of this SPG (paragraphs 4.18-4.22).
Tree Houses	May offer support for proposals for tree houses where they are considered to constitute sustainable tourism accommodation by virtue of scale, innovative design etc., subject to other relevant policy considerations including landscape impact (policies LC1 and LC5) and highway safety (policy MV1).	Policy T1 is not applicable to proposals for tree houses as this type of accommodation would not fall within the scope of policy T1 as are not a tented or touring facility.	Tree houses outside settlement boundaries would be contrary to Policy T2 as the policy does not support proposals for new build permanent/self-catering accommodation outside settlement boundaries (unless ancillary to established medium/large hotels).	This policy does not offer support for tree houses linked to agricultural diversification schemes as tree houses are considered to be new build development.	Consideration will need to be given to a proposal's compliance with other relevant LDP policies, including landscape (LC1/LC5), highways (MV1), natural environment (NE1), flood risk (SD3) etc. Relevant policies are likely to vary on a case by case basis	Tree houses are permanent structures and are considered to be operational development. Proposals for tree houses must be of an appropriate scale. The scale of the proposal will therefore be a key consideration in its assessment against the policy framework. An increase in the scale of a proposal could result in potential non-compliance with LDP policies, including for example Policy S11

Type of Glamping Accommodation	Key LDP Policies					Comments
	S11	T1	T2	RE3(d)	Other Relevant Policies	
Page 86			However, this could be balanced against other LDP policies e.g. S11, S8, to allow such development where a tree house is considered to constitute sustainable, low impact tourist accommodation given its scale, innovative design etc. This would need to be considered on a case by case basis.		depending on site context and proposal. Applicants are advised to engage in the Council's pre-planning application advice service to determine which key LDP policies apply (see section 5).	<p>in terms of whether it would constitute sustainable tourism accommodation, and Policy LC5 in terms of impact on landscape character.</p> <p>Similarly the cumulative impacts of a proposal will be an important consideration in assessing proposals for tree houses.</p> <p>Consideration should also be given to supporting infrastructure associated with a proposal, including amenity blocks, and occupancy restrictions. Guidance on these matters is set in Section 4 of this SPG (paragraphs 4.18-4.22).</p>

APPENDIX C

Example Planning Conditions

Planning Conditions

Planning Applications are often granted approval subject to planning conditions. Conditions are sometimes required in order to enhance the quality of developments but are also important in enabling developments to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. Any conditions used need to be fair, reasonable and practicable. Conditions must be relevant to the proposed development and be enforceable.

The following is a list of example planning conditions that may apply to planning permissions for glamping proposals. This list is not exhaustive and conditions may be devised or adapted to suit a particular circumstance.

Type of accommodation permitted

Condition: None of the *insert type of glamping site* hereby permitted shall be replaced by any other structure(s) or glamping accommodation differing from the approved details, unless and until details of the size, design and colour of such replacements have first been approved in writing by the Local Planning Authority.

Reason: To ensure compliance with the approved plans, for the avoidance of doubt and to safeguard the amenities of the area.

Siting

Condition: The *glamping site* shall be carried out in accordance with the layout and specification shown on the approved plans only.

Reason: To ensure compliance with the approved plans in the interests of the wider landscape and visual [and residential] amenity.

Restriction of use to holiday accommodation

Condition: The *glamping site* shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. The *glamping site* shall remain as holiday accommodation in perpetuity.

Reason To ensure the *glamping site* is occupied as holiday accommodation only. The *glamping site* is unsuitable for general residential accommodation because of *its temporary nature* and *its location in the open countryside*, and the policy support for glamping is due to the economic benefits secured.

Occupancy

Condition: An up to date register containing details of the names, main home address, dates of arrival and departure of occupants using the *insert type of glamping site* shall be made available for inspection by the Local Planning Authority upon request.

Reason: To ensure the *glamping site* is occupied as holiday accommodation only. The *glamping site* is unsuitable for general residential accommodation because of *its temporary nature* and *its location in the open countryside*, and the policy support for glamping is due to the economic benefits secured.

Seasonal Occupancy

Condition: No *type of glamping site* shall remain on site between 30th September in any one year and 1st March in the succeeding year.

Reason: To safeguard the landscape amenities of the area.

As stated in paragraph 4.18, with regard to seasonal occupancy, consideration should also be given to the importance of maintaining a balance between the need to protect the landscape/environment and to avoid negative effects on the local economy due to the seasonal nature of tourism. This will need to be considered on a case by case basis. Where there is no/very limited landscape harm caused, the economic benefits of providing year-round (or extended) tourism accommodation will be considered favourably.

Number of units

Condition: There shall be no more than *insert number and type of glamping accommodation* and *insert number of ancillary structures* on the site at any one time.

Reason: To safeguard the landscape amenities of the area and to ensure compliance with the approved plans.

Additional conditions may be necessary, for example in relation to drainage, lighting, access and landscaping. These will be determined on a site by site basis.

APPENDIX D

Sources of Advice

For tourism planning policy advice please contact:

Planning Policy Team

County Hall
Rhadyr
Usk
NP15 1GA
Tel: 01633 644429
Email: planningpolicy@monmouthshire.gov.uk

For advice on sustainable tourism accommodation proposals please contact:

Development Management

County Hall
Rhadyr
Usk
NP15 1GA
Tel: 01633 644800
Email: planning@monmouthshire.gov.uk

For general tourism advice please contact:

Nicola Edwards
Strategic Food and Tourism Manager
County Hall
Rhadyr
Usk
NP15 1GA
Tel: 01633 644847
Email: nicolaedwards@monmouthshire.gov.uk

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Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer completing the evaluation Mark Hand</p> <p>Phone no: 01633 644803 E-mail: markhand@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>The Local Development Plan (LDP), adopted on 27 February 2014, sets out the Council’s vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021. Supplementary Planning Guidance (SPG) sets out detailed guidance on the way in which the policies of the LDP will be interpreted and implemented. The Draft Sustainable Tourism Accommodation provides clarity on the interpretation and implementation of the existing LDP policy framework in relation to proposals for sustainable forms of visitor accommodation.</p>
<p>Name of Service</p> <p>Planning (Planning Policy)</p>	<p>Date Future Generations Evaluation form completed</p> <p>27/01/2017</p>



1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.



Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: The Draft SPG seeks to support sustainable forms of tourism accommodation which will assist in supporting the County’s visitor economy – essential to the well-being and enjoyment of local communities and residents.</p> <p>Negative: None.</p>	<p>Better contribute to positive impacts: Ensure that the relevant LDP policies, as set out in the SPG, are accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.</p>


Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Positive: Potential for proposals to protect /enhance landscape etc. in accordance with LDP policy framework.</p> <p>Negative: Potential for some negative environmental impacts, however, given the temporary nature of most forms of glamping the scope for this is limited.</p>	<p>Mitigate Negative Impacts: It will be ensured that biodiversity, landscape interests etc. are appropriately considered in assessing any planning application and that good standards of design, landscaping etc. are achieved.</p>
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: Enabling appropriate sustainable visitor accommodation can have a positive influence on health and well-being (encouraging/creating sustainable tourism opportunities in attractive environments).</p> <p>Negative: None.</p>	<p>Better contribute to positive impacts: Ensure that the relevant LDP policies, as set out in the SPG, are accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.</p>
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Positive: The Draft SPG seeks to support sustainable forms of tourism accommodation which will assist in supporting the County's visitor economy – essential to the well-being and enjoyment of local communities and residents.</p> <p>Negative: None.</p>	<p>Better contribute to positive impacts: Ensure that the relevant LDP policies, as set out in the SPG, are accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.</p>
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>Positive: The Draft SPG supports the implementation of tourism related policies of the LDP, which has been subject to a Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) to ensure that social, economic and environmental objectives are met, thereby contributing to sustainable development and global well-being.</p> <p>Negative: None.</p>	<p>Better contribute to positive impacts: Ensure that any LDP review/revision is subject to appropriate SA/SEA testing.</p>
<p>A Wales of vibrant culture and thriving Welsh language</p>	<p>Positive: The Draft SPG has a positive general impact on culture, heritage and language,</p>	<p>Better contribute to positive impacts: Ensure that the relevant LDP policies, as set out in the SPG, are</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	<p>encouraging/enabling sustainable tourism accommodation will assist in supporting the visitor economy including the County's historic town centres and heritage/cultural assets.</p> <p>Negative: None.</p>	accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.
<p>A more equal Wales People can fulfil their potential no matter what their background or circumstances</p>	<p>Positive: The Draft SPG should bring positive benefits to Monmouthshire's residents through enabling the provision of sustainable visitor accommodation. This will assist in supporting the visitor economy which essential to the well-being and enjoyment of local communities and residents.</p> <p>Negative: None.</p>	Better contribute to positive impacts: Ensure that the relevant LDP policies, as set out in the SPG, are accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Balancing short term need with long term and planning for the future</p>	<p><i>We are required to look beyond the usual short term timescales for financial planning and political cycles and instead plan with the longer term in mind (i.e. 20+ years)</i></p> <p>The LDP covers the period 2011-21. The Draft SPG supports the implementation of the LDP. By its nature, therefore, it cannot look beyond this period but the SA/SEA of the LDP would have ensured consideration of the impact on future generations.</p> <p>The LDP tourism policy framework seeks to support and enable sustainable forms of tourism development while at the same time ensuring that the natural and built environment, key drivers of the visitor economy, are preserved and enhanced for future generations.</p>	<p>Ensure that the relevant LDP policies, as set out in the SPG, are accurately interpreted and implemented, and that their effectiveness is monitored on an annual basis.</p> <p>The LDP and its policies have been subject to SA/SEA. Any LDP review/revision will be subject to SA/SEA.</p> <p>LDP AMRs will provide both an annual evaluation of plan performance, including tourism policy, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for LDP review/revision.</p>
 <p>Working together with other partners to deliver objectives</p>	<p>The Draft SPG has been produced in liaison with the Council's Tourism Officer and following discussion regarding the emerging revised Destination Management Plan. It will be subject to internal (including Development Management officers) and external consultation. Public consultation will be targeted to those who are considered to have a specific interest in the topic but also including all town and community councils and notices in the press. The consultation will also been publicised via our Twitter account @MCCPlanning.</p>	<p>The Draft SPG supports LDP tourism policies. The LDP was subject to extensive community and stakeholder engagement and consultation throughout the plan preparation process. This provided those interested parties with the opportunity to make representations on the policy framework to the Council and to an independent inspector who examined the LDP.</p> <p>LDP AMRs will provide both an annual evaluation of plan performance, including tourism policy, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for LDP review/revision. Any review/revision of the LDP will be taken forward through extensive community and stakeholder engagement, expanding on the methods used previously.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Involvement Involving those with an interest and seeking their views</p>	<p><i>Who are the stakeholders who will be affected by your proposal? Have they been involved?</i></p> <p>The Draft SPG has been produced in liaison with the Council’s Tourism Officer and following discussion regarding the emerging revised Destination Management Plan. It will be subject to internal (including Development Management officers) and external consultation. Public consultation will be targeted to those who are considered to have a specific interest in the topic but also including all town and community councils and notices in the press. The consultation will also been publicised via our Twitter account @MCCPlanning.</p>	<p>The Draft SPG supports LDP tourism policies. The LDP was subject to extensive community and stakeholder engagement and consultation throughout the plan preparation process. This provided those interested parties with the opportunity to make representations on the policy framework to the Council and to an independent inspector who examined the LDP.</p> <p>LDP AMRs will provide both an annual evaluation of plan performance, including retail policy, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for LDP review/revision. Any review/revision of the LDP will be taken forward through extensive stakeholder engagement, expanding on the methods used previously.</p>
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>The requirement for this Draft SPG has arisen from some concern over the extent to which the LDP tourism policy framework is supportive of sustainable forms of visitor accommodation, including ‘glamping’. The Council seeks to support and adopt a positive approach to sustainable forms of visitor accommodation. This is reflected in the LDP policy framework which is supportive of such proposals providing that this is not at the expense of natural and built environment, which in themselves are key drivers of the County’s visitor economy.</p> <p>The Draft SPG therefore provides certainty and clarity for applicants, officers and Members in the interpretation and implementation of the existing LDP policy framework in relation to proposals for sustainable forms of visitor accommodation.</p>	<p>The future adoption and implementation of this Draft SPG will support and enable the provision of sustainable forms of visitor accommodation in the County. This will assist in supporting the County’s visitor economy which is essential to the well-being and enjoyment of local communities and residents.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	<p><i>There is space to describe impacts on people, economy and environment under the Wellbeing Goals above, so instead focus here on how you will better integrate them and balance any competing impacts</i></p> <p>The Draft SPG supports the implementation of the LDP which has been subject to a SA/SEA that balances the impacts on social, economic and environmental factors.</p>	<p>The AMRs will examine the impacts of the LDP over the longer term and evidence the emergence of any trends at different spatial scales. Delivering sustainable development (social, economic and environmental) is central to the LDP. Continue to monitor indicators, including tourism policy indicators and targets, to inform future AMRs.</p> <p>Any review/revision of the LDP will be subject to a SA/SEA that balances the impacts on social, economic and environment factors.</p>

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	None	None	N/A
Disability	None	None	N/A
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sexual Orientation	None	None	N/A
Welsh Language	None	None	N/A

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	None	None	N/A
Corporate Parenting	None	None	N/A

5. What evidence and data has informed the development of your proposal?

- Monmouthshire Local Development Plan (2011-2021).
- Monmouthshire Local Development Plan Annual Monitoring Reports (2014-15, 2015-6)
- STEAM, 2015

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

This section should give the key issues arising from the evaluation which will be included in the Committee report template.

Positive: The Draft SPG seeks to support sustainable forms of tourism accommodation providing that this is not at the expense of the County's natural and built environment. This will assist in supporting the County's visitor economy which is essential to the well-being of local communities and residents throughout Monmouthshire. This positive approach to sustainable tourism accommodation is vital if Monmouthshire is to fully realise its potential as a high quality and competitive visitor destination.

Future: Ensure that LDP tourism policies are accurately interpreted and implemented fully through use of this Draft SPG, measuring the effectiveness of the relevant policies on an annual basis in the LDP AMR.

Negative: Potential for some negative sustainability impacts in countryside locations for example landscape impacts and increased car use. However, given the temporary nature of most forms of glamping accommodation the scope for such negative impacts is limited and will be carefully considered against the LDP policy framework.

Future: LDP AMRs will provide both an annual evaluation of plan performance, including tourism policy, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for LDP review/revision.

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Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
Public consultation on the draft SPG, with appropriate amendments in response prior to proceeding to adoption	For approximately 6 weeks following approval of the draft SPG.	Head of Planning, Housing & Place-shaping	

8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Impacts will be evaluated on a regular basis in the required LDP Annual Monitoring Report. This AMR will be reported for political decision prior to submitting to the Welsh Government by 31 October 2017 and will be publicly available on the MCC website.
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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 06/02/17

gan Joanne Burston BSc MA MRTPI
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 17.02.2017

Appeal Decision

Site visit made on 06/02/17

by Joanne Burston BSc MA MRTPI
an Inspector appointed by the Welsh Ministers
Date: 17.02.2017

Appeal Ref: APP/E6840/D/17/3167426

Site address: 1 Chapel Road, Abergavenny NP7 7DN

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 Miss Kelly Evans against the decision of Monmouthshire County Council.
 - The application Ref DC/2016/01194, dated 16 October 2016, was refused by notice dated 15 December 2016.
 - The development proposed is the conversion of loft space above existing garage to create a home gym and office, including the installation of two dormer roof windows.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WCFG Act and I consider that this decision is consistent with the sustainable development principle as required by section 8 of the WCFG Act.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the Abergavenny Conservation Area having particular regard to the statutory test to pay special attention to the desirability of preserving or enhancing its character or appearance.

Reasons

4. The site lies within the Abergavenny Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
 5. The Abergavenny Conservation Area covers a large area, comprising the historic core town centre, Victorian/Edwardian Monmouth Road entrance, the 19th century high
-

density development to the immediate north of the town centre, Castle Meadows, and the 19th and early 20th century development to the northern suburbs. The appeal site is situated in the 'Brecon Road' character area, which is one of the principal routes from and to the town. The line of the street is well defined by boundary treatments, walls and railings or built form. This provides good enclosure for most of the street. Furthermore, this part of the Conservation Area is noted for its diverse use and survival of traditional materials.

6. The garage, which is the subject of this appeal, is located on a prominent corner plot on the junction of Brecon Road and Chapel Road. However, a boundary fence and a tall mature conifer hedge screen the majority of it from public view. Nevertheless, the roof of the garage is visible from the public highway and many surrounding properties.
7. The proposed development includes two dormer windows, located on the roof plane facing Brecon Road. From the drawings before me the dormers would have a flat roof, box like construction, clad in mahogany effect UPVC shiplap cladding. They would occupy a significant proportion of the roof slope on which they are proposed to be located leaving little of the original roof visible above or below it. Moreover their box-like form would be neither sympathetic nor subsidiary to the modest scale and appearance of the existing garage.
8. From public viewpoints the garage would adopt an ungainly appearance brought about as a result of the scale, bulk and design of the proposed dormer windows. The garage would become a bold feature in the street scene, rather than its current status as a subservient building in a garden.
9. Overall the proposal would not be conducive to preserving or enhancing the character and appearance or the important local aesthetic of the Brecon Road character area as described above. In consequence it would fail to preserve the character or appearance of the Abergavenny Conservation Area.
10. I appreciate that there are other dormer extensions within the local area but I am not aware of their full background. In any event, their existence does not provide justification for further harm to the Conservation Area.
11. Although I sympathize with the appellant's situation and her need for additional accommodation, personal circumstances are rarely such that they outweigh more general planning considerations and it is likely that the development would remain long after the current personal circumstances cease to be material.
12. To conclude on this main issue, the proposal would be contrary to Policies HE1 and DES1 of the Monmouthshire Local Development Plan. These seek, amongst other matters, to ensure that development is of high quality design which respects local character and preserves or enhances the character or appearance of the Conservation Area.

Overall Conclusion

13. I have considered all other matters raised but none outweigh the conclusions I have reached and the appeal is dismissed.

Joanne Burston

INSPECTOR

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 23/12/16

gan **Joanne Burston BSc MA MRTPI**
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: **01.02.2017**

Appeal Decision

Site visit made on 23/12/16

by **Joanne Burston BSc MA MRTPI**
an Inspector appointed by the Welsh Ministers
Date: **01.02.2017**

Appeal Ref: APP/E6840/D/16/3164934

Site address: Highway Barn, Common Road, Mitchel Troy NP25 4JB

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 Stuart Maidment against the decision of Monmouthshire County Council.
- The application Ref DC/2016/00917, dated 02 August 2016, was refused by notice dated 22 September 2016.
- The development proposed is a single storey lean-to extension on the western (rear) elevation.

Decision

1. The appeal is allowed and planning permission is granted for a single storey lean-to extension on the western (rear) elevation at Highway Barn, Common Road, Mitchel Troy NP25 4JB in accordance with the terms of the application, Ref DC/2016/00917, dated 02 August 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development shall begin not later than five years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans and documents: 01 (Location and site plan); 02 (Existing elevations and plans); 03 (Proposed elevations and plans); 04 (Existing isometric drawing); 05 (Existing isometric drawing); 06 (Existing isometric drawing); 07 (Existing isometric drawing); 08 (Proposed isometric drawing); 09 (Proposed isometric drawing); 10 (Proposed isometric drawing); and 11 (Proposed isometric drawing).
 - 3) The Oak trees shall be protected in accordance with the recommendations laid down in Section 6 of the BS 5837 Survey and Arboricultural Method Statement prepared by Broadway Tree Consultancy dated July 2016.

Procedural Matter

2. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this decision, I have taken into account the ways of working set out

at section 5 of the WCFG Act and I consider that this decision is consistent with the sustainable development principle as required by section 8 of the WCFG Act.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the host property and the surrounding Wye Valley Area of Outstanding Natural Beauty (AONB).

Reasons

4. The development proposed is a single storey rear extension to a converted barn situated on a small raised plateau above the rural settlement of Mitchel Troy Common, in the Wye Valley AONB. The barn is a small well-formed building retaining much of its previous agricultural form through a sympathetic conversion.
5. The dwelling, which fronts a quiet single track access lane, is surrounded by undulating fields and small pockets of woodland. There are also a number of designated public rights of way within close proximity of the appeal site. Despite the barn conversion being situated on reasonably high ground, it is not a prominent feature in the landscape and there are only glimpsed views of the rear elevation from the public domain.
6. In order to protect the special qualities of the countryside Monmouthshire Local Development Plan 2014 (LDP) Policy H4 broadly requires that only modest extensions should be allowed to rural properties and that development should respect the rural character and design of the host building, especially if located in the AONB. To support his case the appellant has brought to my attention Supplementary Planning Guidance titled '*Replacement Dwellings in the Open Countryside and Extensions of Rural Dwellings in the Countryside*' (SPG). However, as established in paragraph 2.7 of the SPG, the guidance is not relevant to extensions to dwellings that have been converted from other buildings, such as barns. In such cases the criteria set out in LDP Policy H4 would continue to apply.
7. The proportions, height, size and scale of the proposal respects that of the host property. Consequently it would appear as a subordinate addition to the barn. The design of the extension and the size and details of fenestration would reflect that of the barn and the plans indicate that it would utilise materials to match those on the existing buildings. Overall, the proposed extension respects the simple design of the converted barn and would blend satisfactorily into the rural AONB landscape.
8. I acknowledge that the barn conversion already benefits from a planning permission¹ for an extension, which has now been implemented. Nevertheless, even when this extension is considered alongside that proposed they would not be excessive. In my opinion they would be appropriately scaled modest additions that would continue the strength of the stonework and detailing found in the original barn, would not detract from the barns linear form and would not add an unacceptable amount of mass. Therefore, the cumulative effect of the extensions would not significantly affect the charm, character and setting of the existing building.

¹ Planning permission ref DC/2007/00563

9. I also note that a previous appeal² for an extension at the appeal site was dismissed. However, that extension was a curved single storey design, with basement, situated on the principle elevation of the barn. In that case the Inspector stated that it would overwhelm the host dwelling and would result in the loss of the traditional character and appearance of the former agricultural building. Accordingly the circumstances of the previous appeal are not directly comparable with those that apply in this appeal. I have in any case reached my own conclusions on the appeal proposal on the basis of the evidence before me.
10. I therefore conclude that the proposal would not harm the character and appearance of the area, and it would preserve the special landscape character, heritage and distinctiveness of the AONB. As such it would not conflict with the LDP Policies S13, S17, H4, LC4, DES1 and EP1 which seek to ensure that development conserves and enhances the landscape of the Wye Valley Area of Outstanding Natural Beauty (AONB), is of a high standard of design and respects the rural character and distinctiveness of the area.

Conditions

11. In addition to the standard conditions which impose a time limit on the commencement of development and direct that development takes place in accordance with the approved plans, the Council has suggested a further condition in the event the appeal succeeds.
12. In the interests of preserving the character of the surrounding area, I have imposed a condition to protect the oak trees in accordance with the recommendations laid down in Section 6 of the BS 5837 Survey and Arboricultural Method Statement prepared by Broadway Tree Consultancy dated July 2016.

Conclusion

13. For the reasons given and having regard to all matters raised, I conclude that the appeal should be allowed subject to the conditions as set out above.

Joanne Burston

INSPECTOR

² Appeal decision ref APP/E6840/A/15/3133005

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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 12/01/17

gan Clive Nield BSc(Hon), CEng,
MICE, MCIWEM, C.WEM

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 17.02.2017

Appeal Decision

Site visit made on 12/01/17

by Clive Nield BSc(Hon), CEng, MICE,
MCIWEM, C.WEM

an Inspector appointed by the Welsh Ministers

Date: 17.02.2017

Appeal Ref: APP/E6840/C/16/3163182

Site address: Land at The Old Stable, Union Road East, rear of 150 St Helens Road, Abergavenny, NP7 5UU

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

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr John Carlsen against an enforcement notice issued by Monmouthshire County Council.
- The enforcement notice, reference E16/027, was issued on 30 September 2016.
- The breach of planning control as alleged in the notice is, without planning permission, the conversion of a building to a dwelling.
- The requirements of the notice are to convert the building in accordance with approved plan 13/109 02 and in compliance with condition 5 of planning consent DC/2014/00041 and subsequent Non Material Amendment reference DC/2016/00764. The doors and windows should be changed to painted timber.
- The period for compliance with the requirements is 3 calendar months.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (c) and (g) of the Town and Country Planning Act 1990 as amended. The application for planning permission deemed to have been made under section 177(5) of the Act as amended also falls to be considered.

Decision

1. The appeal is allowed on ground (g), and the enforcement notice is varied: by the insertion of "or stained" in the second part of the requirement in Schedule 4 of the notice so that it reads "The windows and doors should be changed to painted or stained timber"; and by the deletion of 3 calendar months and the substitution of 6 calendar months as the time for compliance specified in Schedule 4 of the notice. Subject to these variations the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Background Matters

2. The appeal relates to a former 2 storey stables building (originally built as a small brewery) for which planning permission was granted in August 2014 for change of use to residential accommodation. Condition 5 of that permission specified: *"Notwithstanding the approved plans, the brick finish on the south elevation shall be retained as existing and retained as such in perpetuity."* The permission for a minor

amendment to the scheme was granted on 20 September 2016 and referred to the retention of replacement brickwork, additional cladding and works to an original painted advertisement, and to revision of plan 13/109 02 with the "*addition of cladding on the north (rear) elevation*".

3. The enforcement action has been taken to address the addition of timber cladding on part of the southern elevation and the use of upvc doors and windows rather than the "*painted or stained timber frames*" specified on the approved plans.

Appeal under Ground (c)

4. This ground of appeal is that there has not been a breach of planning control, and Mr Carlsen submits that, although timber framed doors and windows were specified on the approved plans, no condition was applied to specify the design or type of window or door. He further refers to the Hart Aggregates judgement (*R (oao Hart Aggregates Ltd) v Hartlepool BC [2005] EWHC 840 (Admin)*), which he says states that there is no scope for implied conditions in planning permissions. Whilst that is a well-established principle, it does not emanate from the Hart Aggregates judgement, which was concerned with defining the commencement of a planning permission and the application of conditions precedent. It provides no help in this case.
5. The issue in this case is whether the materials to be used for windows and doors have to be specified by means of appropriate conditions or whether they are adequately defined by means of the approved plans. The August 2014 planning permission and the September 2016 non-material amendment approval both stated that "*the Local Planning Authority hereby permits the following development in accordance with the plans and application submitted to the Council, subject to any conditions*", and the approved plans were specified in both permissions. Although the approved plans were not specified in a condition, as nowadays advised as good practice in Welsh Government Circular 016/2014, The Use of Planning Conditions for Development Management, the plans were clearly identified and there was no doubt what development was being approved.
6. The 2014 planning permission predated WG Circular 016/2014, and the previous Circular, Welsh Office Circular 35/95, The Use of Conditions in Planning Permissions, included no such advice on the use of a condition to identify the approved plans. Thus the 2014 permission followed good practice as it was at that time. In any case, even the 2014 Circular does not make the use of such a condition mandatory. It merely advises that a condition of this sort should be applied to make sure there is no doubt over what development should be built and to simplify the process of making minor amendments to planning permissions.
7. In this case, there was no doubt what development was granted permission, and the approved plan 13/109 02 clearly specified "*Windows and Doors: Painted or stained timber frames double glazed*". The development has not been built in accordance with this specification and so amounts to a breach of planning control. Contrary to the Appellant's assertions, it is not necessary to specify such design matters by means of condition, though it is often considered worth doing so for the avoidance of any doubt.
8. Turning to the second matter, Mr Carlsen acknowledges that cladding has been carried out to the southern elevation (in error) but says that this has now been partly removed, apart from a small area in the apex. He says he has submitted an application to the Council to vary condition 5 to allow retention of a small area similar to that permitted on the northern elevation. At the time of my site visit the timber-

clad area extended from eaves level to the apex of the roof, a considerably larger area than on the northern elevation. However, regardless of that, there is no dispute that cladding was applied to the southern elevation of the building in contravention of Condition 5 of the 2014 permission. Thus there was a breach of planning control in respect of that cladding.

9. I conclude that both the upvc windows and doors and the timber cladding on the southern elevation were not in accordance with the planning permission (and amendment) previously granted and so amount to breaches of planning control. The appeal under ground (c) fails on both matters.

Appeal under Ground (a) and Deemed Application for Planning Permission

10. I turn now to consider the ground (a) appeal and the deemed application for planning permission for the retention of the matters alleged in the notice, and the main issue in these considerations is the effect on the character and appearance of the Abergavenny Conservation Area, in which the property lies. For the avoidance of doubt, the Appellant's recent application to the Council for a minor amendment to the planning permission to allow some of the cladding on the southern elevation to be retained is not a matter that is before me in this appeal.
11. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions in Conservation Areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, and that legislation is supported by further advice in Welsh Office Circular 61/96, Planning and the Historic Environment: Historic Buildings and Conservation Areas. The Monmouthshire County Council Adopted Local Development Plan includes Policy HE1 which says that development in a Conservation Area should have regard to the Conservation Area Appraisal and should preserve or enhance the character or appearance of the area, and more general policies DES1 and EP1 provide support for high quality design which incorporates existing historical features and avoids unacceptable harm to built heritage interests.
12. In this case the appeal building is of some historical interest, and a photograph of it is included in the Conservation Area Appraisal and Management Proposals published by the Council in March 2016. The corresponding text describes the importance of the survival of original materials and features, including brickwork patterns and windows and doors, in this considerably altered part of the Conservation Area and says that, although the loss of original windows, doors and roof coverings has had a significant adverse effect on the character and appearance of the Conservation Area, the changes are reversible.
13. In that context, the sensitive conversion of the appeal building is of considerable importance to this part of the Conservation Area, and the design changes carried out have undoubtedly been detrimental. Mr Carlsen argues that the upvc windows have a wood-effect appearance that looks realistic from a distance and that many of the surrounding terraced houses have white or wood-effect upvc windows. I certainly observed the latter when I visited the site. However, the existence of upvc windows in other houses in the area does not justify their use at the appeal property, particularly on account of its unique character and history and the contribution it makes towards the character and appearance of this part of the Conservation Area.
14. Although the appearance of upvc windows and doors has improved considerably in recent years, they still appear out of place in this unique Conservation Area building

and are unacceptably harmful to its traditional character. Similarly the timber cladding of the southern elevation also detracts from that character by covering the traditional brickwork. The Conservation Area Appraisal identified the importance of retaining the traditional materials and features, and the use of upvc windows and doors and timber cladding is contrary to that aim.

15. Overall, I conclude that the upvc windows and doors and the timber cladding of the southern elevation are unacceptably harmful to the character of the appeal building, detract from its heritage importance and are detrimental to the character and appearance of this part of the Conservation Area. They fail to meet the statutory requirement to have regard to the character or appearance of the Conservation Area and are contrary to LDP policies HE1, DES1 and EP1.
16. For the reasons given above I conclude that the appeal on this ground should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

Appeal under Ground (g)

17. Finally, I turn to the ground (g) appeal, which is that the time given to comply with the notice is too short, and Mr Carlsen says that a longer period should be allowed as it will take some time for replacement timber-framed windows to be made and fitted. They are not of a standard size and will require bespoke joinery.
18. This is a reasonable argument, as specialised work of this nature can be subject to delays and longer lead-in periods, and 3 months is insufficient. Consequently, I consider 6 months would be a more reasonable period, and I am varying the notice accordingly, prior to upholding it. The appeal under ground (g) succeeds to that extent.

Overall Conclusion

19. As explained above, the appeal is unsuccessful on grounds (c) and (a) but succeeds on ground (g).
20. It is also appropriate at this point to address the requirements of the notice which include "*The windows and doors should be changed to painted timber.*" This is not consistent with the approved plans which specify that they be "*painted or stained timber frames*", and it would be unreasonable not to allow this. I shall use the powers transferred to me under Section 176(1) of the Act to vary the notice appropriately.
21. In considering this appeal I have taken into account the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this decision, I have taken into account the ways of working set out in section 5 of the WCFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WCFG Act.

Clive Nield

Inspector

APPEALS

Appeal Details

Local Reference:	DC/2016/00657	DOE Reference 2:	/17/3168865
DOE Reference 1:	E6840/A		
Appeal Type:	Written Representation		
Appeal Application Type:			
Reason For Appeal:	Against a Condition		
Appeal Received Date:	07-Feb-2017		
Appeal Description:	Erection of a double slatted wooden fence some 16m in length and 1.4m in height at the bottom of		
Site Address:	the garden and planting of new hedgerow of laurel outside the fence. Babington Close Trellech Monmouth. NP25 4SD		

Appeal Details

Local Reference:	DC/2015/01588	DOE Reference 2:	/173168423
DOE Reference 1:	E6840/A		
Appeal Type:	Written Representation		
Appeal Application Type:			
Reason For Appeal:	Against a Refusal		
Appeal Received Date:	02-Feb-2017		
Appeal Description:	Conversion with alterations and extensions to former gallery to provide 2 no. dwellings.		
Site Address:	The Old Smithy 34 Maryport Street Usk. NP15 1AE		

Appeal Details

Local Reference:	DC/2016/00843	DOE Reference 2:	/17/3169555
DOE Reference 1:	E6840/A		
Appeal Type:	Written Representation		
Appeal Application Type:			
Reason For Appeal:	Against a Refusal		
Appeal Received Date:	15-Feb-2017		
Appeal Description:	To erect a single storey dwelling.		
Site Address:	Willow Mead Ton Road Llangybi. NP15 1PA		