

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the Planning Committee held in the Council Chamber, County Hall, Usk on Tuesday 4<sup>th</sup> August 2015 at 2.00 p.m.

**PRESENT:** County Councillor R. Edwards (Chairman)

County Councillors: P.R. Clarke, D.L.S. Dovey, D.L. Edwards, D.J. Evans, R.G. Harris, R.J. Higginson, R.J.C. Hayward, P. Murphy, M. Powell, P. Watts, A.E. Webb and A.M. Wintle.

County Councillors P.S. Farley and S. White attended the meeting by invitation of the Chairman.

#### **OFFICERS IN ATTENDANCE:**

Mr. M. Hand	-	Head of Planning
Mr. P. Thomas	-	Development Control Manager
Mrs. P. Clarke	-	Planning Control Manager
Ms. S. Wiggam	-	Senior Strategy & Policy Officer
Mr. M. Davies	-	Traffic and Development Manager
Ms. J. Draper	-	Development Control Officer
Mr. R. Tranter	-	Head of Legal Services
Mr. R. Williams	-	Democratic Services Officer

County Councillor D.L. Edwards left the meeting after consideration of Application DC/2013/00456 and did not return.

#### **APOLOGIES FOR ABSENCE**

1.- Apologies for absence were received from County Councillors D. Blakebrough, B. Strong and F. Taylor.

#### **DECLARATIONS OF INTEREST**

2.- Declarations of interest are identified under the relevant minute.

#### **MINUTES**

3.- The minutes of the Planning Committee meeting held on 2<sup>nd</sup> June 2015 were confirmed and signed by the Chairman subject to the following amendment:

Application DC/2015/00582 – County Councillor R. Edwards declared a personal and prejudicial interest under the Members' Code of Conduct, as she is the owner of the property. She left the meeting taking no part in the discussion or voting thereon.

#### **PLANNING APPLICATIONS**

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

4. - Planning applications considered at the meeting were dealt with in the following order:

DC/2010/00969, DC/2013/00871, DC/2015/00226, DC/2014/00412, DC/2015/00494, DC/2015/00617, DC/2011/00607, DC/2012/00613, DC/2013/00456, DC/2015/00600, DC/2015/00632.

We received the report presented by the Head of Planning, the Development Control Manager and the Planning Control Manager and resolved that the following application be approved subject to the conditions outlined in the report:

**Application DC/2015/00632†\* - Proposed New Dwelling on Land Adjoining 'Westgate' Relating to Previous Approval DC/2013/00836. Land Adjoining 'Westgate' St Maughan's NP25 5QF**

We resolved that the following application be refused for the reasons outlined in the report:

**Application DC/2015/00600\* - Replacement Dwelling of Size Commensurate With Approved Reinstated Dwelling (Planning Approval DC/2012/00760). Old Shop Cottage, Star Hill, Llanishen, Chepstow NP16 6NT**

**Notes**

† Denotes that objections were made to these applications.

\* Denotes that late correspondence was received in respect of these applications.

The following applications were considered where debate ensued.

(a) **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. Maur, Beaufort Square Chepstow**

We resolved to defer consideration of application DC/2010/00969 to a future Planning Committee meeting to enable a decision on the developer's rights of access over the public car park to be clarified.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

**(b) Application DC/2013/00871†\* - Costa Coffee Unit, Westgate. Land off Merthyr Road, Llanfoist**

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

The Development Control Manager informed the Planning Committee that consideration of the application had been deferred at the Planning Committee meeting on 7<sup>th</sup> July 2015 in order for the Brecon Beacons National Park Authority and Torfaen County Borough Council (in relation to the Blaenavon World Heritage Site) to be formally consulted on the amended design for the proposed Costa Coffee unit.

Mr. P. Hannay, objecting to the application, attended the meeting by invitation of the Chairman and outlined the following points:

- The application was considered to be flawed with disconnected fragments, disconnected from each other and from the site in its wider natural setting.
- Not a single application on this site has presented accurate three dimensional visualisations of buildings in relation to each other and in their wider landscape setting with the proposed landscape additions.
- The character debate should be widened to include the larger landscape and vista qualities of the valley in which the site sits. The Brecon Beacons National Park has requested a full landscaping proposal for the site.
- There were substantial landscaping additions to the site proposed.
- Two years ago in section 5.5 of an officer report, new woodland was proposed but has not been provided.
- Reducing the site levels without the woodland is a useless gesture.
- The applicant considers that screening would make the business commercially unviable.
- This site needs woodland on its northern and eastern edges.
- Brecon Beacons National Park advice should be heeded.
- Refusal of the application should be considered.

Mr. P. Downes, the applicant's agent, attended the meeting by invitation of the Chairman and outlined the following points:

- This is a reserved matters planning application.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

- Outlined the economic importance of the site to the town.
- The site is located in an area of beauty but is bounded by a refuse depot and Watkins Yard and located in an area where there are overhead pylons.
- The application will enhance the surrounding area.
- Issues relating to seating and lighting may be addressed via conditions.
- This site is an important area for visitors and will provide local employment.

Members considered that the development was much needed for the Abergavenny area, and would be a good facility for visitors and passing trade. It was noted that the design was much improved. However, some concern was expressed regarding external materials, landscaping and lighting and the location of the entrance to the building.

Having considered the report and the views expressed, it was proposed by County Councillor D.L. Edwards and seconded by County Councillor M. Powell that application DC/2013/00871 be approved subject to the conditions, as outlined in the report with additional conditions covering external materials, landscaping and lighting and the relocation of the entrance to the building to face towards the Hotel.

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

In favour of the proposal	-	12
Against the proposal	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2013/00871 be approved subject to the conditions, as outlined in the report with additional conditions covering external materials, landscaping and lighting and the relocation of the entrance to the building to face towards the Hotel.

(c) **Application DC/2015/00226†\* - Construct A New Access Road and Footpath Improvements. Land at Wonastow Road, Monmouth**

County Councillor R.M. Edwards declared a personal and prejudicial interest in this application under the Members' Code of Conduct as she is the tenant of the adjoining application site farming the land. She left the meeting taking no part in the discussion or voting thereon.

County Councillor S. White declared a personal interest in this application under the Members' Code of Conduct as she farms the next site.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

We considered the report of the application which was recommended for approval subject to the 10 conditions, as outlined in the report.

The local Member for Overmonnow, attending the meeting by invitation, outlined the following points on behalf of local residents:

- Concern was expressed that the enclosed boxed culvert will require regular maintenance in order to prevent flooding.
- Concern was also expressed regarding the effect on the local wildlife.
- The footpath would be better located on the other side of Wonastow Road.

Mr. S. Wilson, representing Monmouth Town Council, attended the meeting by invitation of the Chairman and outlined the following points which supported refusal of the application:

- There was a potential increase in flooding. Most of Monmouth was located on the flood plain.
- The area has a high water table.
- If the drain on Wonastow Road was enclosed it could easily become blocked which would lead to flooding.
- It would be more appropriate to locate the footpath on the other side of Wonastow Road.
- The site should be viewed as a whole rather than as piecemeal planning applications.
- The Town Council requested deferral of the application to ascertain whether it might be feasible to relocate the footpath and to consider all planning applications for this site as a whole rather than individually.

The applicant's agent, Mr. D. Parker, attended the meeting by invitation of the Chairman and outlined the following points:

- The position of the access road is per the outline planning permission.
- Significantly more landscaping is now available along the access road.
- The design of the Wonastow Road ditch is such that when the water capacity exceeds the ditch, the water runs over onto the road. The design of the culvert enables that to happen. Railings at the end of the culvert prevents debris from blocking the culvert. In terms of maintenance, an agreement has been reached for a commuted sum as part of this application for ongoing maintenance.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

- The netting that was put onto the hedgerows to prevent birds going into the hedgerow during the breeding season had been successful.
- The footpath is located along the northern side of Wonastow Road as this was agreed as the most appropriate deliverable location. The south side of Wonastow Road cannot be delivered to provide the footpath on safety grounds.
- It has to be a piecemeal approach as this is a large strategic site.
- The overall drainage strategy approach has been approved twice by Natural Resources Wales. Therefore, an overall strategy for the site has been achieved.
- The access will serve the residential and commercial aspect of the site.
- Two local businesses want to get on to the site to safeguard existing jobs and expand new employment. The applicant's agent is working with these businesses.

Some Members expressed concern regarding the additional water run-off and the potential to exacerbate flooding in the area. There was a need to slow down the water coming into the system. It was considered that before considering this application, the drainage issues relating to the Drewen Farm Site needed to be identified. However, this information was not currently available. Therefore, a piecemeal approach was not appropriate for this site. If the ditch on Wonastow Road was culverted there was potential for water to back up and flood the road. The road was elevated and forms a bund on the eastern section which will direct water onto Wonastow Road. As the site already has existing flooding issues, it was considered by some Members that the application should be deferred to consider all potential issues and to obtain details of the flood risk consequences.

The Traffic and Development Manager informed the Committee that trash screens will collect debris. A Section 278 Agreement will be agreed in which a long term maintenance programme will be established. Swales would be provided in which excess water will be held before connecting into the existing highway network, promoting sustainable measures to manage the drainage issues.

Having considered the application and the views expressed, it was proposed by County Councillor Hayward and seconded by County Councillor A.M. Wintle that consideration of application DC/2015/00226 be deferred to a future Planning Committee meeting to consider all potential issues and to obtain details of the flood risk consequences.

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

For deferral                    -            3

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

Against deferral - 9  
Abstentions - 0

The proposition was not carried.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor R.G. Harris that application DC/2015/00226 be approved subject to the 10 conditions, as outlined in the report.

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

For approval - 9  
Against approval - 2  
Abstentions - 1

The proposition was carried.

We resolved that application DC/2015/00226 be approved subject to the 10 conditions, as outlined in the report.

(d) **Application DC/2014/00412+\* - Construction of A Car Park with 91 Standard Bays and 4 Disabled Bays on an Existing Field Site. Field Adjacent to Rockfield Road, Opposite Fire Station, Monmouth**

County Councillor A.M. Wintle declared a personal interest in this application under the Members' Code of Conduct as he is a member of the Skateboard Park Committee.

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

Mr. D. Cummings, Chairman of the Monmouth and District Chamber of Trade and Commerce, speaking as a supporter of the application, attended the meeting by invitation of the Chairman and outlined the following points:

- The Monmouth and District Chamber of Trade and Commerce had lobbied the County Council for some time for the creation of a free car park close to the town centre.
- A new car park will free up space in the Cattle Market Car Park.
- Pleased to see that the Council has provided lighting.
- Pleased that the revised plans do not feature a pay and display machine.
- The Chamber of Trade and Commerce will encourage businesses to park in the proposed car park.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

- It would not be conducive to remove the barrier which would encourage lorries to park in the car park.

The local Member for Drybridge, also a Planning Committee Member, expressed his support for the application. However, he expressed concern that access to the skatepark needed to be wide enough to allow emergency service vehicles access to the site.

Members expressed their support for low level lighting.

Having considered the report and the views expressed, it was proposed by County Councillor A.M. Wintle and seconded by County Councillor R.J.C. Hayward that application DC/2014/00412 be approved subject to the conditions, as outlined in the report.

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

For approval	-	13
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2014/00412 be approved subject to the conditions, as outlined in the report.

(e) **Application DC/2015/00494†\* - Agricultural Building with Photovoltaic Solar Panels to South Facing Roof. Land at Onen, Adjacent to B4233, NP25 5EN**

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

Mr. C. Ellaway, objecting to the application and speaking on behalf of local residents, attended the meeting by invitation of the Chairman and outlined the following points:

- Expressed concern that the building was too large and would create a detrimental impact on the surrounding area.
- The development would dominate the Trothy Valley and would provide uninterrupted views to a number of existing properties.
- The application, if approved, would create a negative environmental impact to the area.
- The footprint of the building was likely to double in size.



**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

- The land sits at the extremity of the site raising questions as to whether the agricultural building would be secondary to the photovoltaic panels.
- In recent years, solar generation companies have regarded this site as a potential solar array site
- A privately owned property near to the proposed development had expressed concerns regarding the size of the development and its location within the countryside.
- Natural Resources Wales had classed this area as a visual and sensory aspect area and an historic landscape area as being outstanding.
- Requested that the Planning Committee consider refusing the application based on its current design.

The applicant's agent, Mr. Jones. Attending the meeting by invitation of the Chairman, outlined the following points:

- The one key issue in respect of the application is the visual impact.
- The design and location of the development has been chosen to minimise the visual impact.
- It is located near to existing high hedges. As a back drop there is a mature woodland.
- The ridge height of the building is intended to not go substantially above the height of the existing road hedge.
- Therefore, the application is designed to minimise the visual impact.
- The development will not create a detrimental impact to surrounding properties as there are much larger buildings near to the site that are similar in design and outlook.
- The applicant empathises with the local views expressed and would be willing to meet with the Community Council and local groups.

Having received the report and the views expressed, it was considered that the application would be a substantial addition to the area. It was therefore proposed by County Councillor D.J. Evans and seconded by County Councillor R.J. Higginson that application DC/2015/00494 be approved subject to the conditions, as outlined in the report.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

**(f) Application DC/2015/00617†\* - Conversion of Garage into Single Consulting Room Veterinary Surgery. 46 Chepstow Road, Caldicot. NP26 4HZ**

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

Mr. P. Gilby, objecting to the application, attended the meeting by invitation of the Chairman and outlined the following points:

- Since the Asda store was completed the volume of traffic has increased significantly. The combination of the modified junction at Woodstock Way and Chepstow Road and the driveway at 46 Chepstow Road will add to the traffic problems if this application is approved.
- The position of the driveway is directly opposite the junction with Castle Lea Road where residents are experiencing long delays when attempting to access onto Chepstow Road by car or as pedestrians.
- Objections to the application are as follows:
  - The property should not be changed from residential to business use due to its proximity to the junction with Castle Lea Road as there would be increased traffic delays over time, creating a traffic hazard.
  - There is already a Veterinary Surgery in Caldicot.
  - Contradiction of travel plans / business hours – a report has indicated that one car will arrive and leave every 15 minutes resulting in 62 business movements in a day.
  - Traffic impact pre and post Asda – implies the report was produced before the Asda development. It was considered that this report was now out of date. Therefore an on-site survey (post Asda) was essential.
  - Only one planning notice relating to the application was erected on site, with no notices being erected in Castle Lea Road. Therefore, citizens had not received adequate notification of the application.
- A request was made for the application to be deferred in order for a traffic census survey to be undertaken during business hours.

The applicant, Mr. G. Marlow, attended the meeting by invitation of the Chairman and outlined the following points:

- The Veterinary firm was established in 1985 and was a local family firm employing 15 people.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

- The firm has invested in a new purpose built surgery along similar lines to their Magor branch.
- There have been no neighbour complaints received in 30 years of veterinary practice.
- Due to demand, there was a need for this new veterinary surgery in Caldicot.
- A low key throughput of clients was anticipated.

The local Member for Severn, also a Planning Committee Member, stated that additional traffic problems would not be generated if the application was approved. The majority of people attending the surgery would be local people and would most likely walk to the surgery.

The majority of the Planning Committee were in agreement with the local Member and expressed their support for the application.

One Member expressed concern that due to the existing traffic issues, it might be appropriate for the surgery to adhere to an appointment only policy. However, it was noted that it would be difficult for the surgery to operate in this way due to the nature of the business.

It was therefore proposed by County Councillor R.J. Higginson and seconded by County Councillor P. Watts that application DC/2015/00617 be approved subject to the seven conditions, as outlined in the report.

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

For approval	-	12
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DC/2015/00617 be approved subject to the seven conditions, as outlined in the report.

- (g) **Application DC/2011/00607†\* - Demolition of Existing Buildings and Re-Development of Site with 46 Dwellings (Including 9 Affordable Units), Associated Highway Works, Landscaping And Car Park (Outline Application With Access Considered At This Outline Stage).  
Old Shipyard, Sudbrook**

We considered the report of the application which recommended that the terms of the Section 106 agreement be altered, as set out in the report.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

In response to a Member's question, the Head of Planning stated that the application was for 46 homes in total, five of which would be affordable homes. With regard to the highways matters in respect of the proposed site, the relatively small number of proposed houses would not generate any significant changes to the site in terms of highways issues.

Some Members expressed concern regarding the Section 106 funding and that a negotiated reduction in the number of houses would result in a reduction in Section 106 funding being received. The developer was therefore receiving a subsidy and it was felt that we as an authority were interfering with a commercial decision.

Other Members stated that there was existing traffic movements along this route and did not consider that this development would exacerbate traffic movements at this site. It was noted that outline planning permission had already been approved by the Planning Committee for this development.

The Senior Strategy & Policy Officer confirmed that it was necessary to reduce the number of affordable homes at this site in order to bring forward the development of this site.

Having considered the application and the views expressed, it was proposed by County Councillor D.L. Edwards and seconded by County Councillor P. Murphy that the terms of the Section 106 agreement in respect of application DC/2011/00607 be altered, as set out in the report.

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

In favour of the proposal	-	10
Against the proposal	-	3
Abstentions	-	0

The proposition was carried.

We resolved that the terms of the Section 106 agreement in respect of application DC/2011/00607 be altered, as set out in the report.

- (h) **Application DC/2012/00613†\* - Retention of Change of Use to allow for the Storage of Builders Materials, Construction Machinery and Equipment, Including Metal Storage Containers and Retention of Security Gates. Land Adjacent to New Barn Workshops, Tintern Road, St Arvans**

County Councillor A. Webb declared a personal and prejudicial interest under the Members' Code of Conduct as she had previously declared such an interest in respect of this site at a previous Planning Committee Meeting. She therefore left the meeting taking no part in the discussion or voting thereon.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

We considered the report of the application which was presented for refusal for the reasons, as outlined in the report.

In noting the detail of the application, the Development Control Manager informed the Committee that the application had been remitted back to Council to be re-determined following the decision of the High Court to quash the planning permission granted on 4<sup>th</sup> October 2013.

The Development Control Manager referred to the late correspondence in which the applicant had requested the Planning Committee to defer consideration of the application to a future Planning Committee meeting to allow the applicant to give further consideration in respect of the application. However, it was noted that there was no policy framework to maintain a builders' yard at this site under the Local Development Plan.

Having considered the application and the views expressed, it was proposed by County Councillor R.J.C. Hayward and seconded by County Councillor D.J. Evans that application DC/2012/00613 be refused for the reasons as outlined in the report.

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

For refusal	-	12
Against refusal	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2012/00613 be refused for the reasons as outlined in the report.

- (i) **Application DC/2013/00456†\* - Change of Use to the Storage and Repair of Light Motor Vehicles; Storage and Repair of up to two HGV Motor Vehicles and a Trailer; Retention of Vehicle Washing Area and Ancillary Parking. Land Including New Barn Workshops, Tintern Road, St. Arvans**

County Councillor A. Webb declared a personal and prejudicial interest under the Members' Code of Conduct as she had previously declared such an interest in respect of this site at a previous Planning Committee Meeting. She therefore left the meeting taking no part in the discussion or voting thereon.

We considered the report of the application which was presented for refusal for the reason outlined in the report.

In noting the detail of the application, the Development Control Manager informed the Committee that the application had been remitted back to Council to be re-determined following the decision of the High Court to quash the planning permission granted on 4<sup>th</sup> October 2013.

**Minutes of the Planning Committee  
dated 4<sup>th</sup> August 2015 continued**

The Development Control Manager referred to the late correspondence in which the applicant had requested the Planning Committee to defer consideration of the application to a future Planning Committee meeting to allow the applicant to give further consideration in respect of the application.

Having considered the applicant's request, it was proposed by County Councillor R.G. Harris and seconded by County Councillor R.J.C. Hayward that consideration of application DC/2013/00456 be deferred to enable the applicant to consider additional green infrastructure mitigation including the removal of the adjacent builders yard area and that the amended application be re-submitted for consideration by the October 2015 Planning Committee.

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

For deferral	-	13
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that consideration of application DC/2013/00456 be deferred to enable the applicant to consider additional green infrastructure mitigation including the removal of the adjacent builders yard area and that the amended application be re-submitted for consideration by the October 2015 Planning Committee.

**The meeting ended at 5.31p.m.**