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MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 5th
June, 2018 at 2.00 pm**

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

County Councillors: J. Becker, L. Brown, A. Davies, D. Dovey,
D. Evans, M. Feakins, R. Harris, P. Murphy, M. Powell and A. Webb

OFFICERS IN ATTENDANCE:

Mark Hand	Head of Planning, Housing and Place-Shaping
Philip Thomas	Development Services Manager
Paula Clarke	Development Management Area Team Manager
Craig O'Connor	Development Management Area Team Manager
Andrew Jones	Development Management Area Team Manager
Jim Keech	Tree Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors: D. Blakebrough, J. Higginson and G. Howard

County Councillor J. Becker left the meeting following determination of Tree Preservation Order MCC273.

1. Election of Chair

We elected County Councillor R. Edwards as Chair.

2. Appointment of Vice-Chair

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

3. Declarations of Interest

There were no declarations of interest made by Members.

4. Confirmation of Minutes

The minutes of the Planning Committee meeting held on 1st May 2018 were confirmed and signed by the Chair.

The Development Services Manager introduced a new member of staff, Joanne White, to the Planning Committee. Joanne will be a senior officer within the Planning Department covering another officer's post who is on secondment.

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The Chair informed the Planning Committee that today would be Paula Clarke's last Planning Committee meeting before retiring from Monmouthshire County Council. On behalf of the Planning Committee, the Chair thanked Paula for her support and work undertaken during her local government service. The Head of Planning, Housing and Place Shaping, on behalf of officers, expressed his gratitude to Paula for her hard work and dedication to duty.

5. APPLICATION DC/2017/01359 - CONVERSION OF A FORMER AGRICULTURAL BUILDING INTO AN OFFICE; RETENTION AND COMPLETION OF A TRACKWAY. SYCAMORE FARM, LLANDENNY ROAD, LLANDENNY, NP26 3DB

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

A third reason for refusal, not highlighted within the report, was identified by the Development Management Area Manager which related to the track which would be unjustified development in the open countryside and would create visual harm, as the track would only serve the proposed building.

The Development Management Area Manager informed the Committee that since the Planning Committee agenda had been despatched, Magor with Undy Community Council had responded to the Planning Department recommending that the application be refused, as the application does not comply with Planning Policy.

The Chair exercised her discretion and allowed the applicant to address the Planning Committee. In doing so, the applicant outlined the following points:

- David James has recently merged with Newland Rennie and the intention is to create an office for 10 members of staff at this site.
- This is a triangular parcel of land which lies on the northern fringe of the Site of Special Scientific Interest (SSSI). The site is close to the railway line. To the east there is the M4 safeguarded route and to the north the brewery houses. The protected employment sites lie to the north and to the south. This site is isolated from the open countryside.
- The landscape officer had confirmed that there was little significant impact upon the landscape.
- The design of the building is contemporary, it retains its original shape and will incorporate environmental friendly aspects.
- With regard to the issue of conversion, there was very little material used in the construction of the original building. There is a steel frame, a curved roof and some bracing. These original features will be maintained where possible. However, materials will need to be added to create the office environment.

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- The applicant considers that Monmouthshire County Council has previously allowed the conversion of Dutch barns.
- Porosity tests have been undertaken and the applicant is content to work with officers to address any concerns regarding drainage issues at this location.
- The applicant therefore asked the Committee to consider approval of the application.

Having considered the report of the application and the views expressed by the applicant, the Committee considered that the application is contrary to Planning Policy, as it would be regarded as a new build in the countryside. Also, there are employment sites either side of the site that the applicant could consider using as office space.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2017/01359 be refused for the two reasons, as outlined in the report and for a third reason, not highlighted within the report, which related to the track which would be unjustified development in the open countryside and would create visual harm, as the track would only serve the proposed building.

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

For refusal	-	11
Against refusal	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DC/2017/01359 be refused for the two reasons, as outlined in the report and for a third reason, not highlighted within the report, which related to the track which would be unjustified development in the open countryside and would create visual harm, as the track would only serve the proposed building.

6. APPLICATION DC/2018/00137 - TO USE THE AREA FOR PARKING COACHES, BUSES AND MINI-BUSES. THE AREA WILL BE FENCED FOR SECURITY AND WILL HAVE A STORAGE FACILITY FOR ANCILLARY EQUIPMENT ASSOCIATED WITH THE VEHICLES' OPERATION. INNOVATION HOUSE CAR PARK, WALES 1 BUSINESS PARK, MAGOR, NP26 3DG

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

In doing so, the following points were noted:

- Toilet facilities, as well as eating facilities, will be available for drivers to use within Innovation House when the site is in operation. Concern was expressed that if the ownership of Innovation House changed in the future, the toilet facilities there may no longer be available for staff to use. However, it was noted that the

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majority of the coaches will be used locally for school runs so there is likely to be less need for toilet facilities for drivers. The Head of Planning, Housing and Place shaping informed the Committee that this is an operational matter and not a planning consideration. If facilities are no longer adequate or available in the future, the matter would need to be reviewed at that point. The Committee noted the concerns raised in respect of the toilet facilities.

- The Hotel nearby had been consulted with regard to the application but had not commented.
- As there are fewer staff located in the Wales 1 Business Park, the need to use the overflow car park has significantly diminished. Parking provision at Innovation House is now sufficient to house staff vehicles.

It was proposed by County Councillor A. Davies and seconded by County Councillor A. Webb that application DC/2018/00137 be approved subject to the three conditions, as outlined in the report and subject to an additional condition requiring the proposed storage container to be painted a dark green colour, which had been agreed by the applicant.

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

For approval	-	10
Against approval	-	0
Abstentions	-	2

The proposition was carried.

We resolved that application DC/2018/00137 be approved subject to the three conditions, as outlined in the report and subject to an additional condition requiring the proposed storage container to be painted a dark green colour, which had been agreed by the applicant.

7. APPLICATION DM/2018/00565 - MODIFICATION OF CONDITION 3 (PERMANENCY) ON DC/2015/01136. GLAMPING PODS WITH UTILITIES AND SERVICE BLOCK. FAIR OAK RUMBLE STREET MONKSWOOD USK MONMOUTHSHIRE

We considered the report of the application, and late correspondence, which was recommended for approval subject to the 13 conditions, as outlined in the report.

Planning permission had been granted in July 2016 for 10 glamping pods in addition to a utilities and services block. The application had been subject to a number of planning conditions including the following (originally listed as No 3):

The site shall not be used for the approved use between 30th September in any one year and 1st March in the succeeding year. During this time all pods shall be stored on the car parking area identified on drawing 2016/0805/99/01 (May 2016).

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Permission is now sought to modify the wording of the above condition by removing the sentence which would in effect allow the glamping pods to remain in situ all year round.

The local Member for Llanbadoc was unable to attend the meeting. However, the Chair informed the Committee that the local Member's main concern was that the site might remain open all year round. However, it was noted that the site would remain closed during the winter months.

The Committee expressed its support for the application in that, from a practical point of view, it would be better if the glamping pods remained in situ.

It was therefore proposed by County Councillor P. Murphy and seconded by County Councillor A. Davies that application DM/2018/00565 be approved subject to the 13 conditions, as outlined in the report.

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

For approval	-	12
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2018/00565 be approved subject to the 13 conditions, as outlined in the report.

8. Confirmation Report for Tree Preservation Order) MCC273 - Woolpitch Wood, Bayfield, Chepstow 2017

We received a report to consider the confirmation of provisional Tree Preservation Order number MCC273 (2017) without modification.

Members were informed that the woodland to which this tree preservation order (TPO) relates is growing on land in the ownership of Persimmon Homes, Cardiff. Persimmon were one of the original developers of Bayfields, Chepstow.

The intention was for this land and its trees to be transferred to Monmouthshire County Council and maintained thereafter at the Council's expense. Persimmon Homes was required to pay the Council a sum of money equivalent to twenty years the annual cost of maintenance in the form of a commuted sum. It is understood that Persimmon Homes has refused to comply with this requirement and therefore the land remains in its ownership.

Over the years, a number of trees on this land have, for various reasons, been pruned or removed. There have been numerous complaints from concerned residents that the visual appeal of the woodland was being eroded.

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During November 2017, officers from the Council's Landscape Unit held a site meeting with residents and the local Member to discuss the future of this plot of land. In view of the fact that Persimmon Homes had little or no interest in the trees, it was perceived that they would have little interest in retaining them either and would, in all probability, take no action if trees were removed. There is also the possibility that this land is being retained in order to pursue infill development at a later date. Consequently, officers considered that the making of a TPO would be expedient.

In 2014, Natural Resources Wales (NRW) produced the world's first study into urban tree canopy cover. The report assessed the square meterage of canopy spread within each town's total area in order to arrive at a percentage. Monmouthshire, despite being perceived as a "green" county fell below the national average for urban tree coverage.

Taking into account the factors identified plus the statutory duty placed upon local planning authorities under the Town and Country Planning Act 1990 to protect trees, a TPO was prepared and served upon the landowner. In line with the legislation copies of the TPO were also sent to residents whose properties shared a common boundary with the woodland.

Three letters of objection to the TPO had been received.

Having considered the report, the following points were noted:

- In response to a question raised by the local Member, the Head of Legal Services informed the Committee that Persimmon Homes would have entered into a Section 106 Agreement with Monmouthshire County Council regarding this site. One of the intentions within the agreement was that Persimmon Homes would transfer that piece of land to the Authority and, in doing so, would grant the Authority a commuted sum. However, Persimmon Homes has not done this. The Authority could write to Persimmon Homes to ascertain its intentions regarding this piece of land, if this matter has not already been undertaken. The final solution would be that the Authority could commence litigation against Persimmon Homes.
- A Section 215 unsightly land notice could be served on Persimmon Homes with a view to the landowners having to maintain and keep the site in a tidy condition. Members supported the implementation of this notice.
- As a group of trees on the site, they make a very pleasing visual aspect and benefit the area ecologically.
- The TPO will allow for maintenance of the trees to be undertaken in a professional manner.
- Concern was expressed that Persimmon Homes had not paid the Authority the commuted sum.

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- It was noted that Persimmon Homes was not in breach of a legal requirement yet. However, it would be beneficial if the land came into the ownership of the Authority, as it would have control over the land in the future. The Head of Planning, Housing and Place Shaping could liaise with the landowner again regarding ownership of the land.

It was proposed by County Councillor M. Feakins and seconded by County Councillor A. Webb that Tree Preservation Order number MCC273 (2017) be confirmed without modification and that a Section 215 unsightly land notice be served on Persimmon Homes with a view to the landowners having to maintain and keep the site in a tidy condition.

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

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

The proposition was carried.

We resolved that Tree Preservation Order number MCC273 (2017) be confirmed without modification and that a Section 215 unsightly land notice be served on Persimmon Homes with a view to the landowners having to maintain and keep the site in a tidy condition.

8.1. Appeal decision - 40A Main Road, Portskewett

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 26th April 2018. Site: 40A Main Road, Portskewett.

The appeal had been allowed and planning permission granted for the erection of a two storey annexe at 40A Main Road, Portskewett, NP26 5SA in accordance with the terms of the application, Ref: DC/2017/00651, dated 30 May 2017, subject to the following conditions:

- 1) The development shall begin no 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: 162403 Rev 5 Proposed Site Plan; 162402 Rev 5 Proposed Block Plan; 162401 Rev 3 Location Plan; and 162404 Rev 8 Proposed Plans, Elevations and Sections.
- 3) The annexe accommodation hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 40A Main Road, Portskewett, NP26 5SA.

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- 4) Before the development hereby permitted is brought into use, the first floor window located in the west elevation and the stairway first floor window in the east elevation shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The windows shall be permanently retained in that condition thereafter.

8.2. Appeal decision - 2, Woodland View, Rogiet, Caldicot

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 26th March 2018. Site: 2 Woodland View, Rogiet, Caldicot.

The appeal had been dismissed.

9. Appeals received - 28th March to 23rd May 2018

We noted the new appeals received between 28th March and 23rd May 2018.

The meeting ended at 3.15 pm.