

Public Document Pack

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 1st
October, 2019 at 2.00 pm**

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

County Councillors: L. Brown, A. Davies, D. Dovey, A. Easson,
D. Evans, M. Feakins, J. Higginson, G. Howard, P. Murphy,
M. Powell and S. Woodhouse

County Councillor D. Evans left the meeting following determination of application DC/2017/01248 and did not return.

County Councillor P. Murphy left the meeting following determination of application DM/2018/01071 and did not return.

County Councillor J. Higginson left the meeting following determination of application DM/2019/01149 and did not return.

OFFICERS IN ATTENDANCE:

Mark Hand	Head of Place-making, Housing, Highways and Flood
Philip Thomas	Development Services Manager
Craig O'Connor	Development Management Area Team Manager
Andrew Jones	Development Management Area Team Manager
Ian Bakewell	Housing & Regeneration Manager
Jim Keech	Tree Officer
Matthew Phillips	Head of Law/ Monitoring Officer
Denzil – John Turbervill	Commercial Solicitor
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors R. Harris and A. Webb

1. Declarations of Interest

County Councillor P. Clarke declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2019/00351 as he is a Director of Glen-yr-Afon House Hotel and the Three Salmons Hotel. Both companies hold wedding receptions. He left the meeting taking no part in the discussion or voting thereon.

County Councillor A. Davies declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2019/00595, as he is a friend of an objector to the application. He left the meeting taking no part in the discussion or voting thereon.

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County Councillor A. Easson declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2019/00595, as he knows the applicant. He left the meeting taking no part in the discussion or voting thereon.

County Councillor D. Evans declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of applications DM/2019/00595 and DM/2019/00900 as he is a member of Monmouthshire Housing Association and a tenant. He left the meeting taking no part in the discussions or voting thereon.

County Councillor R. J. Higginson declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2019/00900 due to the involvement of a family friend. He left the meeting taking no part in the discussion or voting thereon.

County Councillor P. Murphy declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of applications DM/2019/00595 and DM/2019/00796. DM/2019/00595 - Close to neighbours. DM/2019/00796 - The applicant employs his son. He left the meeting taking no part in the discussion or voting thereon.

2. Confirmation of the Minutes

The minutes of the Planning Committee meeting held on 3rd September 2019 were confirmed and signed by the Chair subject to the following amendment:

Application DM/2019/00346

Bullet point 4 be amended to read:

The local Member asked that if the Committee was minded to grant consent, that it considers removing permitted development rights for extensions.

The Head of Placemaking, Housing, Highways and Flood informed the Committee that there was a need to amend the Planning Committee minutes of the meeting held on 2nd April 2019, as follows:

The Planning Committee considered application DM/2018/02040 for the extension of the car park at County Hall, Usk on 2nd April 2019. The Committee considered the report with 9 conditions and late correspondence with an additional 4 conditions, in addition to two conditions that were verbally reported relating to electric vehicle charging points, to be installed within 12 months of first use of the car park, and provision of cycle stands. The application was approved subject to those conditions. However, while referring to the additional conditions, the minutes refer to only 13 conditions.

It was agreed that the minutes be corrected to refer to all 15 conditions.

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3. Application DM/2019/00351 - Change of use to incorporate mixed use of self catering/serviced accommodation and use as an events and wedding venue. Woodbank, Glen Usk Road, Llanhennock, Monmouthshire

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

Councillor I. Williams, representing Llanhennock Community Council, attended the meeting by invitation of the Chair and outlined the following points:

- The Community Council has concerns regarding the recommendation outlined in the report and consider it to be unsound.
- The existing operation is for a private holiday let for up to 20 guests. This is changing into a wedding venue for up to 100 guests. This is a significant increase in numbers which will exacerbate noise levels.
- The main issues are proposed developments and highways considerations. Policies MV1 and Policy EP1 and amenity and Environment Protection.
- With regard to the highways in the area, many are single track roads located within the countryside and are not easily navigable. Means of access is therefore a significant issue. There are no proposals being put forward to amend the existing access. The current access does not accord with the current design standards.
- Visibility is below current standards for rural roads subject to a national speed limit. Visibility to the left is only 13 metres. The number of additional vehicles accessing this road will exacerbate road safety concerns.
- Local residents have expressed concern regarding the noise being generated. This will be exacerbated if the application is approved. Excessive noise cannot be enforceable via conditions. Therefore, the Community Council considers that the application should be refused.

Caroline Thomas, representing objectors to the application, attended the meeting by invitation of the Chair and outlined the following points:

- The community of Llanhennock strongly objects to the application.
- The two major concerns are road safety and noise levels.
- Llanhennock is a small rural village with narrow and largely single track lanes. There are numerous blind spots and limited places to pass, which to drivers unfamiliar with the area could present a dangerous situation.
- There are seven farms along Woodbank whereby livestock, tractors and machinery are regularly moved from one field to another. The report of the

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application identifies that the lane is substandard and the access is inadequate. Despite this, the Highways department has supported the proposal. However, residents are concerned that drivers who are unfamiliar with the blind spots and passing places will create an unsafe area to drive and have a negative implication on the road safety for the area.

- Woodbank is in close proximity to a number of residential properties. With 20 guests, excessive noise has been experienced by local residents in the past. Currently, the conditions proposed allow for events to run from 8.00am to 1.30am seven days per week with the option to apply for permission to erect marquees or other temporary structures within the grounds catering for up to 100 guests per event. The Environmental Health Department had indicated that there was potential for music levels to be generated at the proposed location which could cause substantial disturbance to residents living in the locality and had therefore objected to the application. However, this had been revoked when the noise report commissioned by the applicant was submitted.
- However, the noise report had been based on the change of use with the introduction of the ability to sell alcohol on the site. The house proposed to continue in the same manner as it had done over the previous five years. Residents living next to Woodbank consider that a wedding venue for up to 100 guests would be considerably different to what is currently allowed and will cause significant noise.
- The noise consultant has stated that peak anticipated use from the house would not have the potential to significantly increase noise levels at the closest locations. However, the objectors disputed this. Recently there had been two events that had caused significant disturbance which could be heard one kilometre away for one of the events. Therefore, a wedding event for 100 people that is only 100 metres away would be much worse.
- There is a conflict between national and local planning policies.

The applicant's agent, Mr. R. Williams, attended the meeting by invitation of the Chair and outlined the following points:

- The development accords with the Local Development Plan and with policies S8, S10 and S11 that relate to rural enterprise which accords with Planning Policy Wales.
- The development will contribute to a healthy diverse economy within Monmouthshire, which is outlined in the report of the application.
- The proposed development has economic benefit for the County and will create 10 full time jobs providing a five star hospitality facility in Monmouthshire. The development will also provide quality accommodation to support the international convention centre.

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- The proposed use of the building is a natural extension to the current tourism use of the property that is used as a high quality holiday accommodation.
- The concerns of Llanhennock Community Council and local residents are acknowledged based on highway and noise matters.
- A speed survey has established that the average speed limit along the road is 27.7mph. Daily average traffic movements equates to 141 vehicles.
- The proposed development will not lead to deterioration in highways safety and capacity. The access is deemed acceptable in terms of forward visibility for vehicles leaving and entering the site considering the existing number, frequency, type and speed of vehicles using the local road.
- The potential impact of noise from the proposed development has been fully assessed. A noise management plan has been proposed as part of the application and has been accepted by the Authority's Environmental Health Department.
- The conditions proposed in the report deal with the noise management plan which are acceptable to the applicant. These conditions replicate and compliment those included on the premises licence to hold events subject to this application.
- All decisions are a matter of balance and key material planning consideration. Both planning policy and technical considerations and mitigation plans strongly favour the grant of planning permission.
- The applicant's agent therefore requested that the application be approved.

Having considered the report of the application and the views expressed, the following points were noted:

- Concern was expressed that there might be insufficient parking provision at the proposed venue for the anticipated number of vehicles likely to be attending an event, as well as potentially not being enough parking provision for staff also attending.
- Concern was also expressed regarding the lack of noise receptors outside of the boundary to the site and whether the amenity of the neighbours was being adequately protected.
- Permission for the licence for the premises had been granted earlier in the year.
- The applicant had recognised that there was a need for an overspill carpark for 30 vehicles. However, this had not been accepted on ecological grounds. There might be a negative effect to residents amenity should some vehicles be required to park on the lane due to insufficient parking provision.

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- The conditions relating to hours of use for events and weddings could be limited to no later than 12:30am to coincide with the music condition.
- In response to a question raised regarding the existing septic tank, it was noted that this will also be used for the events centre.
- The Development Services Manager informed the Committee that 41 parking spaces would comply with parking guidelines for this venue.
- To alleviate parking provision concerns, an additional condition could be included to provide a staff travel plan for the development.

It was proposed by County Councillor J. Higginson and seconded by County Councillor A. Davies that application DM/2019/00351 be approved subject to the ten conditions as outlined in the report and subject to the following additional conditions:

- Provide a Travel Plan for the development.
- Hours of use for events and weddings to be limited to no later than 12:30am to coincide with the music condition.

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

In favour of the proposal	-	10
Against the proposal	-	1
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2019/00351 be approved subject to the ten conditions as outlined in the report and subject to the following additional conditions:

- Provide a Travel Plan for the development.
- Hours of use for events and weddings to be limited to no later than 12:30am to coincide with the music condition.

4. Application DM/2019/00595 - Change of use from a C3 dwelling house to C4 house in multiple occupation. 62 Chepstow Road, Caldicot, NP26 4HZ

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

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

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- It was considered that the County Council's Planning Department had failed to provide a general development procedure order for Caldicot School as per the 1995 Act.
- This impacts on the legislation contained in Monmouthshire County Council's Corporate Safeguarding Policy.
- Caldicot is a 21st Century School.
- The material consideration – Part 1 of the Housing Act 2004 is specifically concerned with dwelling houses with multiple occupation. The Local Authority has a statutory duty to ensure that there are no hazards and that the health and safety provision is correct. Also, it has a statutory duty to remedy any defects.
- The hazards on this site – Positioning of the dwelling in relation to the school. The splay is not up to standard with regard to access to Chepstow Road. This is a Grampian rights issue due to the land ownership. There is a lack of a footway and the gradient of the drive is not Disability Discrimination Act (DDA) compliant and fails the Equality Act.
- Parking provision is for 12 residents.
- The Application fails to meet criteria within the Wellbeing of Future Generations Act 2015. The application does not create a cohesive community.
- Under section 50 of the 2014 Act, all parts of the community should be included in any housing strategy being projected. It was considered that the Authority has failed in taking this matter forward.
- There were concerns regarding the report of the application regarding licensing of people and that the Authority cannot discriminate against anyone entering into this type of accommodation.

Victoria Hallet, representing objectors to the application, attended the meeting by invitation of the Chair and outlined the following points:

- The community is settled and peaceful but is vulnerable, as it comprises of elderly pensioners with health conditions and younger residents with disabilities.
- The application for C4 hostel use is strongly opposed by the local community. Over 70 written objections have been submitted as it was considered that a change in status would make the neighbourhood less secure and less peaceful.
- Shelter and the Big Issue provide evidence regarding the impact on the physical and mental health of people who are forced into temporary accommodation. Tension and conflict between tenants can lead to antisocial behaviour.

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- The application is for a large number of people to share one kitchen in inadequate facilities. The dwelling has inadequate fire and emergency safeguards, with no external fire escape. It does not provide access for disabled people.
- The dwelling will be located inside a neighbourhood where a number of vulnerable people already reside.
- The property is far from ideal and is not suitable for a C4 hostel and would harm the health and wellbeing of the community.
- The Council recognises the heightened risks of antisocial behaviour, nuisance and violence. Hence, the proposal for the installation of CCTV and a complaints hotline.
- C4 hostel status would turn 62 Chepstow Road into a property of uncertainty with residents never knowing who or how many people will be living in the dwelling should this status be granted. This will affect all neighbours' amenity.
- The vulnerabilities of local people living nearby will be exacerbated due to the lack of privacy that will exist.
- During the application process, residents have been given conflicting information with regard to how the dwelling will be used and by how many people resulting in confusion and uncertainty for local residents.
- Following approval of the application, the property could be sold on to a private landlord with the potential to increase the numbers of people living at the dwelling.
- It is feasible that the applicant might want to change the use of the property again which might further increase the negative impact on the local community.
- Safety concerns exist regarding the driveway to 62 Chepstow Road as it is considered to not meet vehicular access standards.
- Planning Policy Wales states the need to recognise the strengths of existing communities, the need to ensure social development for all members of society and the planning decision taken will improve the lives of both the current and future generations.
- The Committee was asked to consider refusal of the application.

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

- The recommendation within the report is for approval.

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- No objections to the proposal had been received from any of the internal or specialist consultees.
- The applicant has taken into consideration all of the reasonable concerns raised by neighbouring residents.
- Many of the concerns raised centre around the nature of the proposed residential facility and the residents who will be accommodated at the property, the perceived risk of antisocial behaviour, loss of privacy and amenity and the level of car parking provided. Residents have also stated that they feel that they have not been appropriately consulted.
- As set out in the report of the application, there will be no single people housed at the property. Instead, it will be used by Monmouthshire County Council's Options Team to meet its statutory duty under the Housing Act to accommodate local families who are vulnerable and at risk of being homeless.
- Each family will be risk assessed prior to being offered accommodation at the premises under the management of the Options Team.
- The installation of CCTV is related to the security and management of the property and will not overlook any of the neighbouring properties.
- The proposal represents appropriate residential use in a residential context. It is not considered that the proposed change of use would give rise to any increased impact compared to how the property could be used if was occupied by a large family as a standard dwelling house.
- There are no external alterations proposed to the property with no loss of privacy or amenity to neighbouring properties.
- The work that has been completed to date are renovation works and do not require planning permission.
- In relation to car parking, there is room at the property to accommodate three vehicles, in line with the parking guidelines. However, it is unlikely that the residents will own a vehicle.
- With regard to the public consultation, all relevant neighbours and Caldicot Town Council have been consulted as part of the application process and given the requisite time period to provide comments. All comments have been taken into consideration and responded to via the case officer.
- The application seeks to provide much needed accommodation for families in the local area who are in danger of becoming homeless.
- The proposed change of use is consistent with relevant policies of Planning Policy Wales and Monmouthshire County Council's Local Development Plan.

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- The proposal will not give rise to any adverse impacts on the amenity of existing neighbouring properties.
- The Planning Committee was asked to consider approval of the application as recommended in the report of the application.

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

- This is an emotive subject in which nearby residents have expressed their concerns regarding the proposed change of use of the dwelling.
- The dwelling is a family home and is considered not to be a suitable dwelling of multiple occupation.
- The access is not considered to be suitable as potentially six vehicles could be accommodated.
- There is a blind exit at the bottom of the drive causing a potential highways hazard.
- The local Member had not been consulted regarding the proposed change of use at this dwelling.
- Alterations to the dwelling have been undertaken prior to the granting of planning permission, such as an additional stairway having been installed.
- The local Member does not agree with the property becoming a hostel.
- Concern was expressed that adjacent properties would be subject to excessive noise coming from the dwelling.
- Concern was expressed that up to 12 people could be located within the dwelling and it was considered that the proposal has not been properly risk assessed.

In response, the Head of Place Making, Housing, Highways and Flood informed the Committee that this application was for change of use from C3 to C4 which differed from the dwelling being used as a hostel. The application was for a class C4 use house of multiple occupation for up to six individuals. In terms of planning considerations, the application needs to be looked at on the planning merits of the case.

The Development Management Area Team Manager informed the Committee that the class C4 property would continue to run as a single residential unit similar to that of a class C3 unit. However, we cannot control who lives in the property and how they behave. The difference between class C3 and C4 is that unrelated people could be living in a C4 dwelling. The external work that had been undertaken did not require planning consent. The parking provision is considered to be acceptable. The Environmental Health Department has reviewed the proposal in terms of fire safety and

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has made recommendations to the applicant in terms of what is required. No additional building controls are currently required at the dwelling. Any noise issues would be a matter for the Environmental Health Department to address.

The Housing & Communities Manager informed the Committee that this accommodation would be used for families only. When a householder comes forward, there are a number of measures undertaken with regard to assessing risk and suitability before an allocation is made. The views of the residents have been considered with a view to maximising the management for this property to alleviate any concerns raised.

Having considered the report of the application and the views expressed, the following points were noted:

- This property would be a suitable dwelling for families that have temporarily found themselves to be homeless.
- It was considered that the consultation process for the application had not been correctly undertaken.
- In response to issues raised the Development Management Area Team Manager informed the Committee that given that the dwelling would be less intensely used, i.e., no more than 6 people rather than 12 people being accommodated in the dwelling being proposed, it was considered appropriate to bring the application to the Planning Committee with the condition that it would be used for up to 6 individuals.
- In response to a request that conditions be put in place for the dwelling to be signed to a Registered Social Landlord (RSL) to be used for families only, there were no significant planning reasons to refuse it on those grounds. It is therefore open to be used by anyone.
- Concern was expressed that in the future the property could be sold on with C4 class status if the application was approved. A condition for a management plan should be considered which would include a maximum of six people.
- Condition 3 should be changed to accommodate up to six residents to comprise of families and not to comprise of single people.
- The splay would be investigated to improve visibility when exiting from the drive.
- A designated Member of staff would be responsible for the property and would aim to visit it every day making it easier to react to any potential issues that might arise.
- In response to questions raised, the Head of Placemaking, Housing, Highways and Flood, informed the Committee that Monmouthshire Housing Association (MHA) had confirmed that it would not be selling the property as it is receiving social housing grant to purchase the property which restricts what it can do with

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the property. MHA had also indicated that it would enter into a 10 year lease with Monmouthshire County Council's Housing Department regarding management of the property. This could address the management plan condition request.

- The Housing & Communities Manager informed the Committee that there are implications and restrictions regarding Social Housing Grant in respect of the selling of a property.
- A fire risk assessment undertaken has identified some minor issues that require addressing.

The local Member for Severnside summed up by reiterating the points that he raised earlier in the meeting and considered that the application should be refused.

It was proposed by County Councillor M. Feakins and seconded by County Councillor M. Powell that application DM/2019/00595 be approved subject to the three conditions as outlined in the report with the following amendments / additional conditions:

- Approval for up to six residents as this is what C4 is limited to. To comprise of families and not single people (amend condition 3).
- Add a Management Plan condition to be submitted before use commences (the discharge of condition application to be considered by the Planning Committee).
- First floor side elevation windows overlooking 62A Chepstow Road to be obscure glazed.

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

In favour of the proposal	-	8
Against the proposal	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00595 be approved subject to the three conditions as outlined in the report with the following amendments / additional conditions:

- Approval for up to six residents as this is what C4 is limited to. To comprise up of families and not single people (amend condition 3).
- Add a Management Plan condition to be submitted before use commences (DOC to be considered by the Planning Committee).
- First floor side elevation windows overlooking 62A Chepstow Road to be obscure glazed.

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5. Application DC/2017/01248 - Proposed riverside pavilion building, deck and river access structure (revised scheme). Chepstow Castle Car Park, Bridge Street, Chepstow

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

In noting the detail of the application the following points were identified:

- A Member of the Committee considered that the idea of having a facility of this nature located within the car park was good. However, concern was expressed that the proposed building would be a two storey building. The view from the opposite side of the river of the two storey building will create a negative impact. The proposed building will also be located in front of the castle gate impinging on the view of the castle. Therefore, it was considered that the two storey building would have an overbearing effect on this historical site.
- In response, the Development Services Manager informed the Committee that Cadw and Monmouthshire County Council's Heritage Manager have assessed the application from important views and vistas of the castle into the conservation area. It had been assessed that there would be a slight impact but would not be harmful. The setting of the castle would remain preserved.
- The design was supported by other Members of the Committee who expressed the view that this application with the additional storey was a better design compared to the original proposal and was more in keeping with the surrounding area.
- The proposed building will provide an invaluable service to the town and enhance tourism within the area, as well as providing a boost for the economy of Chepstow.

It was proposed by County Councillor P. Murphy and seconded by County Councillor A. Davies that application DC/2017/01248 be approved subject to the eight 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/2017/01248 be approved subject to the eight conditions as outlined in the report.

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6. Application DM/2018/01071 - Provision of light industrial units with all associated works for use within B1, B2, and B8. Thompson & Thompson, Pill Way, Severn Bridge Industrial Estate, Portskewett Caldicot

We considered the report of the application and late correspondence which was recommended for approval subject to the two conditions as outlined in the report and also subject to additional Flood Consequences Assessment work being undertaken to demonstrate that the risks of flooding in relation to the Nedern Brook and any impacts on third parties, are considered acceptable to the Council.

In noting the detail of the application, there was a need to clarify the number of units as the layout plan conflicts with the committee report.

It was proposed by County Councillor D. Evans and seconded by County Councillor A. Easson that application DM/2018/01071 be approved subject to the two conditions as outlined in the report and also subject to additional Flood Consequences Assessment work being undertaken to demonstrate that the risks of flooding in relation to the Nedern Brook and any impacts on third parties are considered acceptable to the Council. Also, clarify the number of units as the layout plan conflicts with the committee report.

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 application DM/2018/01071 be approved subject to the two conditions as outlined in the report and also subject to additional Flood Consequences Assessment work being undertaken to demonstrate that the risks of flooding in relation to the Nedern Brook and any impacts on third parties are considered acceptable to the Council. Also, there was a need to clarify the number of units as the layout plan conflicts with the committee report.

7. Application DM/2019/00796 - Retention of existing buildings and amendments to roof structure and external elevations. Land At Bridge House, A48 Chepstow Garden Centre to Pwllmeyric Hill, Pwllmeyric

We considered the report of the application with a recommendation, as agreed by Planning Committee at its meeting on 3rd September 2019, for a split decision. Namely, to approve the proposed changes to the houses but to refuse the proposed garages.

The application had been presented to Planning Committee on 3rd September 2019. At that meeting the Committee had resolved that they were of a mind to grant planning permission for the dwellings but refuse consent for the garages on the basis of mass, size and design and requested that discussions be held with the applicant to allow for a reconsideration of the orientation, footprint and highways issues relating to the garages.

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Following presentation of the report of the application, the Head of Placemaking, Housing, Highways and Flood informed the Committee that if it were minded to agree with the recommendation as outlined in the report, the implication of that decision would be that enforcement action would be required for the removal of one of the garages (outlined in pink on the plan) and for a slightly bigger garage to be built (outlined in blue on the plan).

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

- The applicant has been unwilling to change the dimensions of the garage.
- One of the garages being close to a house made a significant difference to issues of overshadowing.
- If the Committee decides to approve the split decision, it was suggested that the existing conditions remain with an additional condition being added to ensure that the three parking spaces per dwelling in perpetuity be marked out. If the applicant decides to appeal, the implications of TAN 15 need to be considered. In response, the Development Management Area Team Manager stated that, in terms of TAN 15, consent for two dwellings already exists on the site. As part of a split decision, approval of the houses would be granted with the garages being refused approval. With regard to the conditions, and additional condition, outlined by the local Member, these would be added.

Having considered the report of the application and the views expressed by the local Member, the following points were noted:

- Some Members expressed support for the officer recommendation, as outlined in the report that was presented to Planning Committee on 3rd September 2019 that the application be approved as is built.
- Other Members expressed concern regarding the fallback position. It was considered that the original consent was never implemented. This is a new application based on what has been constructed or what is proposed to be amended.
- One of the garages is too close to the property. The lower windows are obscured and the height of the garage is almost to the height of the roof.

It was proposed by County Councillor G. Howard and seconded by County Councillor L. Brown for a split decision. Namely, to approve the proposed changes to the houses with the existing conditions remaining and an additional condition being added to ensure that the three parking spaces per dwelling in perpetuity are marked out, but to refuse the proposed garages.

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

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In favour of the proposal	-	3
Against the proposal	-	6
Abstentions	-	2

The proposition was not carried.

It was proposed by County Councillor M. Feakins and seconded by County Councillor A. Davies that application DM/2019/00796 be approved as per the original report which was considered by Planning Committee on 3rd September 2019 subject to the conditions outlined.

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

For Approval	-	6
Against approval	-	3
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2019/00796 be approved as per the original report which was considered by Planning Committee on 3rd September 2019 subject to the conditions outlined.

8. Application DM/2019/00900 - Two-storey extension to side and two-storey and single storey extensions to rear. 60 Caldicot Road Rogiet Caldicot Monmouthshire NP26 3SG

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

In noting the detail of the application, it was proposed by County Councillor A. Easson and seconded by County Councillor P. Murphy that application DM/2019/00900 be approved subject to the two conditions as outlined in the report.

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

In favour of the proposal	-	11
Against the proposal	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00900 be approved subject to the two conditions as outlined in the report.

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9. Application DM/2019/00938 - Variation of condition 2 (to amend the design of the rear of the property) relating to DC/2015/01588. 34 Maryport, Street, Usk, Monmouthshire NP15 1AE & Application DM/2019/01186 - Addition of conservatory to Plot 2 of granted permission DC/2015/01588. 34 Maryport Street, Usk, NP15 1AE

We considered the reports of the applications and late correspondence which were recommended for approval subject to the conditions as outlined in the reports.

The local Member for Llanybi Fawr, also a Planning Committee Member, expressed his concern to the Committee that the proposed applications will create a conservatory that will block the view of the kitchen window of the property next door.

Having considered the report of the application and the views expressed by the local Member, the following points were noted:

- Sympathy was expressed for the resident who would be affected by the proposed development. However, it was considered that the proposed conservatory could be constructed under permitted development rights upon completion of the existing permission.
- By changing the structure of the two storey element to the rear, there is a two storey wall facing the window to the nearby property. However, previously it was not so harmful. It was considered that this would have a far more harmful effect on the neighbour than a conservatory.
- It was considered that the approval agreed by the Planning Inspectorate differed to the applications presented to the Committee.
- The Head of Placemaking, Housing, Highways and Flood informed the Committee that if the application was approved Members might wish to consider removing permitted development rights to avoid further extensions via this mechanism.

It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that applications DM/2019/00938 and DM/2019/01186 be approved subject to the conditions as outlined in the reports and subject to the removal of permitted development rights.

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

In favour of the proposal	-	4
Against approval	-	6
Abstentions	-	1

The proposition was not carried.

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We therefore resolved that we be minded to refuse applications DM/2019/00938 and DM/2019/01186 on the grounds that the design of the monopitch roof harms the amenity of the neighbouring property and harms visual amenity. The application to be re-presented to a future meeting of Planning Committee with appropriate reasons for refusal.

10. Application DM/2019/01149 - Change of use of land for the keeping of horses and erection of stables. Land Adjacent Sunnybank, A48 Crick To Parkwall Roundabout, Crick, Monmouthshire

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

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

- Initially there were concerns regarding the size of the plot as it had been considered not to be large enough.
- It was understood that the applicant had either purchased or was in the process of purchasing a nearby three acre piece of land.
- Reference was made to Mathern Community Council which had originally objected to the application but had subsequently removed its objection subject to conditions.
- The local Member considered that if the Committee was minded to approve the application then some amendments to the conditions outlined in the report should be considered to address the concerns raised by Mathern Community Council.
- Concern was expressed regarding the siting of the manure pile as it was unclear where the manure would be placed on a temporary basis in the smaller site. It would be more appropriate for the stable and the manure pile to be located on the three acre site on a concrete base.

The Development Management Area Team Manager informed the Committee that having spoken with the applicant, it was noted that the applicant was in the process of purchasing the three acres of land. The applicant intends to locate the manure on this site and to use it for grazing. Condition 7 should address concerns regarding the storage of manure. To alleviate any concerns, this condition could be altered to include a management plan to address the storage of the manure.

Having considered the report of the application and the views expressed by the local Member, the following points were noted:

- Mathern Community Council and local objectors had indicated that they would remove their objections to the application subject to the applicant purchasing the three acres of land. Though this area of land is not a part of the application it

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figures highly in the viability of the scheme. It was suggested that consideration of the application be deferred to the Delegation Panel for evidence of the purchase of the three acre site to be produced.

- The Development Management Area Team Manager informed the Committee that the three acre area of land (outlined in blue on the plan) does not form part of the application. It was noted that the land identified in the report (outlined in red on the plan) is considered to be acceptable with the applicant having made arrangements with local farmers for the keeping of animals. The three acres of land has been identified during the application process and the applicant has indicated to the Planning Department that this area of land could be used when purchased.
- In light of this information, some Members considered that it would be remiss of the Committee to force the applicant to purchase the three acres of land in order to obtain planning permission. Bearing in mind that the land indicated in red is satisfactory and the applicant also has the option to look for alternative grazing in the area.
- It was suggested that condition three be amended so that the stables shall be used for private stabling only by the landowner and shall not be used for livery or any commercial or other purpose.
- An additional condition was suggested to secure the provision of new stock proof fencing along the site frontage to be agreed as part of the landscaping condition already in the report.
- A management plan regarding the disposal of the manure to be agreed with the applicant via condition seven.

It was proposed by County Councillor M. Feakins and seconded by County Councillor A. Davies that application DM/2019/01149 be approved subject to the seven conditions as outlined in the report with the following amendments / additional conditions:

- Amend condition 3: The stables shall be used for private stabling only by the landowner and shall not be used for livery or any commercial or other purpose.
- Add a condition - A Management Plan for the storage and disposal of manure relating to the use of the site shall be agreed before the use commences and the development shall be carried out in accordance with that plan at all times.
- Add reference to secure the provision of new stock proof fencing along the site frontage to be agreed as part of the landscaping condition already in the report.

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

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

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Abstentions - 1

The proposition was carried.

We resolved that application DM/2019/01149 be approved subject to the seven conditions as outlined in the report with the following amendments / additional conditions:

- Amend condition 3: The stables shall be used for private stabling only by the landowner and shall not be used for livery or any commercial or other purpose.
- Add a condition - A Management Plan for the storage and disposal of manure relating to the use of the site shall be agreed before the use commences and the development shall be carried out in accordance with that plan at all times.
- Add reference to secure the provision of new stock proof fencing along the site frontage to be agreed as part of the landscaping condition already in the report.

11. Application DM/2019/01034 - Construction of two new four-bedroom detached dwellings with ancillary works. Land adjacent to Caestory House, High Street, Raglan

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

In noting the detail of the application, it was proposed by County Councillor P. Clarke and seconded by County Councillor M. Feakins that application DM/2019/01034 be approved subject to the six conditions, as outlined in the report and subject to a Section 106 Legal Agreement. Also, that a plan be established to address bargeboard and eaves details before issuing permission.

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

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

The proposition was carried.

We resolved that application DM/2019/01034 be approved subject to the six conditions as outlined in the report and subject to a Section 106 Legal Agreement. Also, that a plan be established to address bargeboard and eaves details before issuing permission.

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**12. Confirmation Report: Tree Preservation Order (TPO) MCC278 (2019) –
Hollycroft, Midway Lane, Abergavenny**

We considered the confirmation of provisional Tree Preservation Order number MCC278 (2019). Hollycroft, Midway Lane, Abergavenny.

We resolved to confirm Tree Preservation Order No. MCC278 (2019) – Hollycroft, Midway Lane, Abergavenny without modification.

13. FOR INFORMATION - The Planning Inspectorate - Appeals Decisions:

13.1. 24 Belgrave Road, Abergavenny

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 17th June 2019. Site address: 24 Belgrave Road, Abergavenny.

We noted that the appeal decision had been dismissed.

13.2. Land at Rear of Rosebrook, Watery Lane, Monmouth

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 6th August 2019. Site address: Land at Rear of Rosebrook, Watery Lane, Monmouth.

We noted that the appeal decision had been dismissed.

13.3. Star Road, Nant y Derry, Goytre

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 6th August 2019. Site address: Star Road, Nant y Derry, Goytre.

We noted that the appeal decision had been dismissed.

The meeting ended at 6.32 pm.

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