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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, 1st
November, 2016 at 2.00 pm**

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

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

OFFICERS IN ATTENDANCE:

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

APOLOGIES:

Councillors D. Blakebrough, D. Evans and P. Watts

1. Declarations of Interest

County Councillor A.M. Wintle declared a personal, non-prejudicial interest pursuant to the Members' Code of Conduct in respect of application DC/2016/00771, as he is a Director of Monmouth Off-road Skate Park (MOSP).

2. Confirmation of minutes

The Minutes of the Planning Committee dated 4th October 2016 were confirmed and signed by the Chairman.

3. APPLICATION DC/2015/01424 - CHANGE OF USE OF LAND TO PROVIDE GYPSY CARAVAN SITE CONSISTING SEVEN RESIDENTIAL CARAVANS AND ASSOCIATED DEVELOPMENT. LAND ADJACENT TO UPPER MAERDY FARM, LLANGEVIEW

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

Councillor D.K. Pollitt, Chair of Llantrisant Fawr Community Council, attended the meeting by invitation of the Chair and outlined the following points on behalf of the community council:

- The application does not conform to the Local Development Plan (LDP).

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- The site had been the subject of a planning appeal in 2011. The Planning Inspectorate allowed the appeal on grounds of need so that the applicant could live with her immediate family. Strict conditions had been applied regarding the number (2) and type of caravans. The exact siting of those caravans, the names of the occupants of each caravan, the number of permitted vehicles on site (2) and the extent of ground cover allowed.
- Since that judgement, none of these conditions have been adhered to. The named occupants have never occupied the site, and the site has been largely unoccupied since that time. This negates the reason for need at the site.
- Immediately after the judgement services were put in place for three, not two caravans.
- The caravans on the site are neither the type permitted nor sited, as required.
- The site was initially covered with hard core. Following enforcement action some of this was removed but a pile of hard core has been left in one corner of the site.
- During the summer, this site was occupied by five caravans and seven vehicles.
- Some fencing work had been undertaken and the County Council's Enforcement officer was required to enter the site and ensure the removal of the caravans.
- In view of the past history, the community council considers that it cannot be certain how the development of the site will proceed if the application was approved.
- Access to the site is a long and narrow single lane track with no passing places. The lane is also prone to flooding.
- As there are no public transport services to the site, the increase in traffic of up to 14 vehicles, plus occasional touring vans, will put unnecessary strain on traffic flows and is contrary to Policy NV1.
- Previous attempts to transport caravans to the site have resulted in damage to hedges.
- The site is in open agricultural land and the application is contrary to Policies LC1, LC5 and S1 of the LDP.
- The development will adversely affect the local landscape and will be visible from the A449 and the slip road, especially in autumn and winter.
- The proposed development will cause significant change to the local character of the area. It is unsympathetically sited and fails to harmonise with the local area.

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- The community council is vigorously opposed to the planning application.

The applicant, Mr. T. Lee, attending the meeting by invitation of the Chair, outlined the following points:

- The intention of the planning application is for the applicant and his immediate family to live on the site.
- The applicant considers that the application should be approved, as it complies with the adopted Gypsy Sites Policy under development plan H8.
- The 2015 Gypsy and Traveller Accommodation Assessment establishes a need for at least eight further permanent residential pitches by 2021. This application would provide 40% of that need.
- The site is a suitable, sustainable location for a Gypsy Site. The case officer stops short of the relevant part of the previous appeal where the Inspector found that the site's location was agreed. Paragraph 26 of the circular which promotes a pragmatic approach to car born journeys in relation to gypsy site uses.
- In a rural context, the site is not particularly remote from the wide range of services which provide for the town of Usk, which is approximately two kilometres from the site and has a primary school within the town.
- There is also a bus stop within one kilometre of the site which would provide a service to the new secondary school in Monmouth.
- The Highway Authority has not objected to the application and there is no flood risk or other objections.
- There are no issues regarding residential amenity, as the site is separate from the nearest residents.
- The application is supported by a landscape enhancement scheme protected by TDA which provides the landscape visual assessment for the UDP.
- Since the previous appeal, no further site has been permitted which discloses the development plan failure, as the circular expects need to be met through the development plan via the allocation of the land for site and then for individual applications, such as this application.
- No land has been allocated despite the GTAA establishing the need. This is a matter to which substantial weight should be attached.
- In addition to this need, there is a need for the applicant and his family to be re-united on the same site because he has been unable to live at the Shirenewton site where he was raised. Since he reached adulthood, the policy on site is that one household can apply for a pitch. Cardiff also only has a number of caravans

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per pitch, so he is unable to put his caravan on his mother's pitch. The applicant would like to start his own family and as the main earner he has commitments to his existing family. There is a need for the family to be together as it is their culture and tradition. The applicant's family have been travelling in Monmouthshire for generations and considers that they will be an asset to the community.

The Head of Planning, Housing and Place Shaping informed the Committee that if the Committee were minded to approve the application then he would recommend that Members consider an additional condition that the names of the occupiers, the numbers of caravans on site, the siting, landscaping and the extent of development, as these are issues that are enforceable. However, the issue that that Committee needs to focus on is whether there is a need for this application. It was clarified that none of the proposed occupiers form part of the need identified via the GTAA.

Members expressed sympathy for the applicant. However, when moving away from the site, the difficulties identified with the site become clear. Taking into account the views of the Inspector at the previous appeal, he was clear that the site was only suitable for the number of caravans as agreed. This application goes against planning policy.

It was noted that officers have tried to speak with the applicant but has had no response. Therefore total clarity of the situation has not come forward. Also, there is a conflict between the views expressed by the applicant and the manager of the Cardiff site, as the views of both individuals differ greatly.

Having considered the report of the application and the views expressed, it was proposed by County Councillor P. Murphy and seconded by County Councillor R.J. Higginson that application DC/2015/01424 be refused for the three reasons, as outlined in the report.

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

| | | |
|-----------------|---|----|
| For refusal | - | 13 |
| Against refusal | - | 0 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2015/01424 be refused for the three reasons, as outlined in the report.

4. APPLICATION DC/2014/01185 - RESERVED MATTERS APPLICATION FOR THE ERECTION OF SEVEN DWELLINGS AND ASSOCIATED WORKS. LAND ADJACENT TO CLEARVIEW COURT, SHIRENEWTON

We considered the application and late correspondence, which was recommended for approval subject to the 12 conditions, as outlined in the report.

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The Chair informed the Committee that the local Member for Shirenewton had been unable to attend the meeting but had expressed his apologies. He had also expressed his support for the application via late correspondence.

In noting the detail of the application, a Member expressed concern regarding the poor design of the affordable property which is a bungalow and that it does not have the same stonework as the proposed market houses. Concern was expressed that the back door comes off the lounge and not the kitchen.

The Head of Planning, Housing and Place Shaping informed the Committee that care has been taken in the design of the affordable bungalow. The stone features on the other plots are where there are bay windows or porch features. The affordable bungalow does not have these features. The headers and sills are located on the affordable bungalow and the materials are the same as the market properties. It was noted that there would need to be an addition of a porch canopy to meet DQR standards.

Contrary to what was proposed in the officer report, it was also noted that there was no need to omit the proposed Juliet balconies by way of a planning condition as they would not cause any more significant overlooking of neighbouring dwellings than a more conventional window.

Having considered the report of the application and the views expressed, it was proposed by County Councillor P. Murphy and seconded by County Councillor M. Powell that application DC/2014/01185 be approved subject to the 12 conditions, as outlined in the report minus condition 7 and subject to the Delegated Panel agreeing design treatment, layout and DQR compliance of the affordable bungalow.

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

| | | |
|---------------------------|---|----|
| In favour of the proposal | - | 13 |
| Against the proposal | - | 0 |
| Abstentions | - | 0 |

The proposition was carried.

We resolved that application DC/2014/01185 be approved subject to the 12 conditions, as outlined in the report minus condition 7 and subject to the Delegated Panel agreeing design treatment, layout and DQR compliance of the affordable bungalow.

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5. APPLICATION DC/2013/00349 - A CHANGE OF USE OF THE PUBLIC HOUSE GROUND FLOOR TO A RETAIL USE AND A CAFE. CONVERSION AND ALTERATION OF THE FIRST FLOOR OF EXISTING PUBLIC HOUSE TO PROVIDE A FLAT. AMENDMENT TO THE DESIGN OF THE PROPOSED NEW DWELLINGS IN THE CAR PARK TO FORM A PAIR OF DUPLEX APARTMENTS. THE BRIDGE INN, BRIDGE STREET, CHEPSTOW NP16 5EZ

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

The application had been presented to Planning Committee on the 4th October 2016 with a recommendation for approval. However, consideration of the application had been deferred to allow officers to liaise with the applicant to consider changing the design, as the Planning Committee felt that the form of the development was not in keeping with the character of the surrounding area. Members had requested a complete re-design. However, the applicant had considered that the present application was the best design solution.

It was noted that if the Planning Committee was minded to refuse the application on design grounds, a reason for refusal was offered below:

- The proposed new build element of the application is considered to present an unsympathetic design and provide an incongruous appearance in relation to the traditional, vernacular character of the surrounding built environment, designated as a conservation area. The proposal would fail to preserve or enhance the character and appearance of the Conservation Area, and would be contrary to Policy HE1 of the adopted Monmouthshire Local Development Plan.

In response to a question raised by a Member of the Committee regarding Policy TAN 15, the Head of Planning, Housing and Place Shaping stated that Planning Policy allows the Committee to approve residential development on Flood Zone C1 if it is a brownfield site, if it meets local Authority regeneration or employment initiative and if the consequences of flooding are acceptable. It was noted that Planning officers are satisfied in flood risk policy that this application complies.

The local Member for St. Mary's, attending the meeting by invitation of the Chairman, informed the Planning Committee that he recognised that additional work had been undertaken in respect of the application and acknowledged the serious consideration given by the Committee at the previous meeting. However, nothing of what he had said at the previous meeting has any reason to be changed. The application has been re-submitted with some additional work but it has not met the objections that he had brought to the meeting expressed on behalf of local opinion. Therefore, his views expressed at the previous meeting still apply.

It was noted that the design had not changed but had been better presented with coloured drawings. Therefore, some Members were now in agreement that the application, in its current form, was the best design for this site

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However, other Members still considered that the design was inappropriate and issues relating to parking had been ignored and considered that the application should be refused for the reason as outlined in the report.

Having considered the report of the application and the views expressed, it was proposed by County Councillor P. Murphy and seconded by County Councillor R. Harris that application DC/2013/00349 be approved subject to the conditions, as outlined in the report.

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

| | |
|------------------|---|
| For approval | 8 |
| Against approval | 5 |
| Abstentions | 0 |

The proposition was carried.

We resolved that application DC/2013/00349 be approved subject to the conditions, as outlined in the report.

6. APPLICATION DC/2016/00771 - MINOR AMENDMENT TO PREVIOUS APPLICATION DC/2014/00412 - CHANGE LIGHTING BOLLARDS TO 4M HIGH STREET LIGHTS. FIELD OPPOSITE MONMOUTH FIRE STATION, ROCKFIELD ROAD, MONMOUTH

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

The local Member for Drybridge, also a Planning Committee Member, informed the Committee that the proposed 4m high street lights will be located in a conservation area and will be visible from Osbaston. The existing low level bollards were erected so that the lighting from the car park would not shine into the skate park allowing skaters to use the park late at night. Concern was expressed that two of the proposed 4m high street lights would shine light into the park. Concern was also expressed that the Monmouth Offroad Skate Park (MOSP) had not been consulted in respect of this application.

It was considered that a condition could be added to ensure that the street lights are screened to prevent light shining into the skate park.

Having considered the report of the application and the views expressed, it was proposed by County Councillor A. Webb and seconded by County Councillor P. Murphy that application DC/2016/00771 be approved subject to the 13 conditions, as outlined in the report and subject to an additional condition that the street lights are screened to prevent light shining into the skate park.

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

In favour of the proposal - 12

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| | | |
|----------------------|---|---|
| Against the proposal | - | 0 |
| Abstentions | - | 1 |

The proposition was carried.

We resolved that application DC/2016/00771 be approved subject to the 13 conditions, as outlined in the report and subject to an additional condition that the street lights are screened to prevent light shining into the skate park.

7. APPLICATION DC/2016/00415 - OUTLINE APPLICATION FOR THE CONSTRUCTION OF 8 DWELLINGS INCLUDING 5 AFFORDABLE UNITS. LAND ADJACENT TO THE B4293 AND CHURCH ROAD, LLANISHEN

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

In noting the detail of the application, in that it was an outline application with all matters reserved, Members expressed their support but expressed the following points:

- Access to the development was tight and needed to be addressed to improve visibility which could be addressed at reserved matters stage.
- The design of the proposed properties was important which may be addressed at reserved matters stage.
- That a Section 106 Agreement secures the affordable housing units.
- When final approval is achieved, officers should encourage the applicant to commence building as soon as possible.

It was proposed by County Councillor Higginson and seconded by County Councillor A. Webb that application DC/2016/00415 be approved subject to the conditions, as outlined in the report and subject to a Section 106 Agreement to secure the affordable housing units.

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/2016/00415 be approved subject to the conditions, as outlined in the report and subject to a Section 106 Agreement to secure the affordable housing units.

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8. APPLICATION DC/2015/01591 - 10 FREESTANDING ADVERTISING SIGNS AT VARIOUS LOCATIONS. MULTIPLE SITES IN CALDICOT, CRICK, ROGIET AND UNDY

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

In response to a Member's question, it was noted that the content displayed on the proposed notices would be controlled by the Highways Department.

Some Members expressed concern that approval of the application would result in the highways verges becoming cluttered. Also, such signs would be difficult for motorists to read. Pictures rather than text would be a better option. However, some Members expressed their approval of the application, as there was demand for freestanding advertising signs in this region. The signs would be erected on grass verges surrounded by wild flowers.

It was therefore proposed by County Councillor R.J. Higginson and seconded by County Councillor M. Powell that application DC/2015/01591 be approved subject to the conditions, as outlined in the report.

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

| | |
|------------------|----|
| For approval | 11 |
| Against approval | 1 |
| Abstentions | 1 |

The proposition was carried.

We resolved that application DC/2015/01591 be approved subject to the conditions, as outlined in the report.

9. APPLICATION DC/2015/01592 - FREESTANDING SIGNS AT VARIOUS LOCATIONS ALONG THE A472. MULTIPLE SITES ALONG THE A472 NEAR USK

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

The local Member for Llanbadoc, attending the meeting by invitation of the Chairman, informed the Committee that she did not support this application on safety grounds, as the A472 was already a busy road and freestanding signs would likely distract motorists. It was suggested that existing bus shelters could be used to accommodate notices, which in turn would be a cheaper option.

Having received the report of the application and the views expressed by the local Member, some Members expressed their support for the local Member. However, other Members expressed their support for the application.

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It was proposed by County Councillor R.J. Higginson and seconded by County Councillor M. Powell that application DC/2015/01592 be approved subject to the conditions, as outlined in the report.

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

| | |
|------------------|---|
| For approval | 9 |
| Against approval | 2 |
| Abstentions | 2 |

The proposition was carried.

We resolved to approve application DC/2015/01592 be approved subject to the conditions, as outlined in the report.

10. APPLICATION DC/2015/01593 - 8 NO. FREESTANDING SIGNS. MULTIPLE SITES ALONG A4810 (EASTERN ACCESS ROAD), NEAR MAGOR

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

In noting the detail of the report of the application, it was proposed by County Councillor R.J. Higginson and seconded by County Councillor M. Powell that application DC/2015/01593 be approved subject to the conditions, as outlined in the report.

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

| | | |
|------------------|---|----|
| For approval | - | 10 |
| Against approval | - | 1 |
| Abstentions | - | 2 |

The proposition was carried.

We resolved that application DC/2015/01593 be approved subject to the conditions, as outlined in the report.

11. APPLICATION DC/2015/01594 - 6 NO. FREESTANDING SIGNS. MULTIPLE SITES A48 / CHEPSTOW

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

The Committee was informed that the application referred to a request for consent for a total of six freestanding signs at the following locations along the A48 in the vicinity of Chepstow and Caerwent:

- Two signs to be located at A48 near Parkwall Roundabout (referred to as Signs 1-2).

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- One sign to be located at A48 near Chepstow Garden Centre (referred to as Sign 3).
- One sign to be located at Wye Valley Link Road on the approach to High Beech Roundabout, Chepstow (referred to as Sign 4).
- Two signs be located at A48 Caerwent, between Dinham Road and Pound Lane (referred to as Signs 5-6).

A Member expressed concern regarding Sign 3. This location would be inappropriate for freestanding signs as it would distract motorists at this already busy section of the highway. It could also encourage flyposting at this location.

The Chairman invited County Councillor P. Farley to address the Planning Committee in respect of this application, as he was a Chepstow Member. The Member expressed concern that the applicant was the Monmouthshire County Council's Highways Department which also provides the technical advice for this application. This process has not been challenged. Surveys undertaken by the Highways Department have not been made available for scrutiny purposes. The Town Council and local residents have also made considered comments against the application. Concern was expressed that the Authority has not taken heed of the views expressed against this application.

In response, the Head of Planning, Housing and Place Shaping informed the Committee that the application has come from the Highways Authority but it is a separate team to the team that comments on planning applications. Therefore, Planning officers have looked at the advice received. The audits are publically available on the County Council's website.

It was noted that the content of the signs would be controlled via the Highways Department.

The local Member for Shirenewton had indicated his support for the application via late correspondence.

The local Member for Caerwent, also a Planning Committee Member, expressed his concern regarding signs 5-6 being located on the central reservation of the A48 and considered that these should be removed from the application on safety grounds.

Having considered the application and the views expressed, it was proposed by County Councillor D. Dovey and seconded by County Councillor A. Webb that Signs 1, 2 and 3 of application DC/2015/01594 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 |

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Abstentions 0

The proposition was carried.

It was proposed by County Councillor R. Harris and seconded by County Councillor R.J. Higginson that Sign 4 of application DC/2015/01594 be approved subject to the conditions, as outlined in the report.

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

| | |
|------------------|---|
| For approval | 7 |
| Against approval | 5 |
| Abstentions | 1 |

The proposition was carried.

It was proposed by County Councillor P. Murphy and seconded by County Councillor R.J. Higginson that Signs 5 and 6 of application DC/2015/01594 be refused on the grounds of amenity and highway safety.

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

| | |
|-----------------|----|
| For refusal | 10 |
| Against refusal | 0 |
| Abstentions | 3 |

The proposition was carried.

We therefore resolved that.

- (i) Signs 1, 2 and 3 of application DC/2015/01594 be approved subject to the conditions, as outlined in the report;
- (ii) Sign 4 of application DC/2015/01594 be approved subject to the conditions, as outlined in the report;
- (iii) Signs 5 and 6 of application DC/2015/01594 be refused on the grounds of amenity and highway safety.

12. Appeal decision - Pwll-y-Cath, Newchurch, Chepstow

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 23rd August 2016. Site: Pwll-y-Cath, Newchurch, Chepstow, NP16 6DJ.

The appeal was allowed and Planning permission was granted for the demolition of the existing dwelling and replacement with a new residential dwelling with associated access, curtilage and landscaping works at Pwll-y-Cath, Newchurch, Chepstow, NP16

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6DJ in accordance with the terms of the application, reference DE/2014/01489, dated 28th November 2014, and the amended plans submitted with it, subject to the conditions.

13. Appeal decision - The White House, Llanvair Kilgeddin

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 23rd August 2016. Site: White House Farm, Llanfair Kilgeddin, Abergavenny, NP7 9BB.

The Appeal had been dismissed.

14. Appeal decision - Monahawk Barn, Hazeldene, Mitchel Troy Common

The Committee noted that the appeal had been withdrawn.

15. Appeals received - 21st September 2016 to 20th October 2016

We noted the appeals received.

The meeting ended at 4.40 pm

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