

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the Planning Committee held at Shire Hall, Monmouth
on Tuesday, 5th March 2013 at 2.00 p.m.**

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

County Councillors: D. Blakebrough, P.R. Clarke, D.L.S. Dovey, D.J. Evans, J. George, R.G. Harris, G. Howard, S.G.M. Howarth, M. Powell, B. Strong, F. Taylor, P. Watts, A.E. Webb and A. M. Wintle.

County Councillors M. Hickman and V.E. Smith attended the meeting by invitation of the Chairman.

OFFICERS IN ATTENDANCE:

Mr. P. Thomas	-	Development Control Manager
Mrs. P. Clarke	-	Planning Control Manager
Mr. R. Tranter	-	Head of Legal Services
Mr. R. Williams	-	Democratic Services Officer

County Councillors D.J. Evans and R.G. Harris left the meeting following determination of planning application DC/2012/00450 and did not return.

County Councillor S.G.M. Howarth left the meeting following determination of planning application DC/2012/00970 and did not return.

PETITION

1. The Chairman informed the Committee that she had been presented with a petition objecting to Planning Application DC/2012/00754 – Proposed demolition of existing vicarage and construction of a new vicarage and development of 11 new houses. 38 Hillcrest Road, Wyesham.

APOLOGIES FOR ABSENCE

2.- Apologies for absence were received from County Councillor D. L. Edwards.

DECLARATIONS OF INTEREST

3.- Interests declared by Members at the meeting are recorded under the relevant minute.

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MINUTES

4.- The minutes of the Planning Committee meeting held on 5th February 2013 were confirmed and signed by the Chairman subject to the following amendment:

Minute 1, Apologies for Absence – County Councillor A.M. Wintle had submitted his apologies for absence for the meeting.

PLANNING APPLICATIONS

5. - Planning applications considered at the meeting were dealt with in line with the agenda index except for application DC/2011/00879, which was considered first.

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

Application DC/2012/00450†* - Outline Application for a Bungalow. Detached Garden of 5 Severn View, Caldicot

Notes

† Denotes that objections were made to these applications.

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

The following applications were considered where debate ensued.

(a) **Application DC/2011/00879†* - Continued Quarry Development at Variance With Conditions 1, 5, 14, 15, 42, 43 and 44 Attached to Planning Decision DC/2006/01633 In Order to Defer The End Date For Quarrying Until 31 December 2021, and to Implement a Revised Working Scheme and a Revised Restoration Scheme Livox Quarry, St. Arvans, Tintern**

We considered the report of the application which was presented for refusal for two reasons.

The Development Control Manager drew Members' attention to the late correspondence which referred to a response from the applicant's agent to the biodiversity and ecology study regarding the Test of Likely

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Significant Effects. It was noted that the County Council's Biodiversity staff would need to review this information.

Mr. D. Donovan, representing Tidenham Residents Association, outlined the Residents Association's objections to the application:

- The application would have a detrimental effect on tourism within the lower Wye Valley AONB.
- The proposed extension to quarry at Livox was based upon commercial gain and not a need for vital supplies that could not be obtained elsewhere.
- The site offers no prospect of securing local employment now or in the future.
- The economy of the lower Wye Valley would gain much more from exploring its potential for tourism and leisure rather than allowing for the marginal value and disturbance caused by the operation of Livox Quarry.

The local Member for St. Arvans and Planning Committee Member thanked the Planning Officers for preparing a comprehensive report and indicated her support for the officers' recommendation for refusal but expressed concern regarding the late timing of the additional information contained in late correspondence.

Having considered the report and the views expressed, some Members considered that the application should be deferred for a site inspection which would be beneficial in helping Members to determine the application. It would also allow Members the opportunity to consider the information contained in late correspondence. The development Control Manager reminded Members that there was no longer any justification for quarrying to continue at this location.

However, other Members expressed their support for the officers' recommendation for refusal, as the application was incongruous within the Wye Valley AONB and did not comply with national policy.

It was therefore proposed by County Councillor D. Dovey and seconded by County Councillor D.J. Evans that the application be deferred for a site inspection.

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

In favour of a site inspection	-	5
Against a site inspection	-	6
Abstentions	-	4

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The proposition was not carried.

It was therefore proposed by County Councillor G. Howard and seconded by County Councillor B. Strong that the application be refused for the two reasons, as outlined in the report.

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

For refusal	-	12
Against refusal	-	0
Abstentions	-	3

The proposition was therefore carried.

We resolved that application DC/2011/00879 be refused for the two reasons as outlined in the report and subject to the County Council's Biodiversity staff reviewing the items in late correspondence regarding the Test of Significance.

(b) Application DC/2011/00505†* - One new Apartment with Associated Works. Lower Hardwick, Mount Pleasant, Chepstow

We considered the report of the application which was recommended for approval subject to five conditions.

In response to a Member's question regarding whether adequate parking provision had been provided within the application, the Planning Control Manager confirmed that adequate parking provision had been made available. It was also noted that Monmouthshire County Council's Highways Department had submitted no objection to the application.

It was therefore proposed by County Councillor R.G. Harris and seconded by County Councillor P. Watts that application DC/2011/00505 be approved subject to the five conditions as outlined in the report.

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

For approval	-	10
Against approval	-	0
Abstentions	-	5

The proposition was therefore carried.

We resolved that application DC/2011/00505 be approved subject to the five conditions as outlined in the report.

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(c) **Application DC/2012/00219†* - Erection of a Detached Residential Property Rear of First Hurdle Guest House, 9 - 10 Upper Church Street, Chepstow**

County Councillor F. Taylor declared a personal and prejudicial interest in this application under the Members' Code of Conduct as she has an interest in number 1 Howell's Row. She therefore left the meeting taking no part in the discussion or voting thereon.

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

In considering the application, it was noted that initially, a parking space had been proposed at the front of the site but the Council's Highways Department had not supported this element, as a parking space located in front of the dwelling was unsuitable as it offered no visibility given that the driver would be against the house on a one way street. The revised scheme has removed the parking space to address the concern raised by the Council's Highways Department.

Some Members expressed concern that the application did not provide parking provision. However, other Members expressed their support for the application, as there was adequate parking provision located nearby.

Having considered the report and the views expressed, it was proposed by County Councillor J. George and seconded by County Councillor P. Watts that application DC/2012/00219 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	-	4
Abstentions	-	3

The proposition was therefore carried.

We resolved that that application DC/2012/00219 be approved subject to the conditions as outlined in the report.

(d) **Application DC/2012/00816* - Conversion Of Existing Stable Building into a Self Contained Single Storey Dwelling For a Wheelchair Bound Person Together With Provision Of Parking / Hardstanding Space. Long Acres, Cefn Mawr Lane, Monkswood**

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

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The Local Member for Llanbadoc, attending the meeting by invitation of the Chairman, informed the Committee that the applicant was registered disabled. The application, if approved, would allow the applicants to remain in the locality close to their support network and local GP. The local Member expressed concern that the applicant had been advised by the Planning Department to submit the planning application. However, the application has been recommended for refusal by the Department.

Having considered the report and the views expressed by the local Member, some Members stated that they had some sympathy with the applicant and therefore would support the application. It was considered that Policy H7 should be reviewed to be more supportive to similar future applications.

However, other Members, whilst also having sympathy for the applicant, considered that the application contravened Policy H7 of the Monmouthshire Unitary Development Plan and therefore agreed with the officers' recommendation that the application should be refused for the reasons outlined in the report.

At the Committee's request, the Development Control Manager would investigate the advice that was given to the applicant which had led to the application being submitted for consideration.

It was therefore proposed by County Councillor M. Powell and seconded by County Councillor B. Strong that application DC/2012/00816 be refused for the reasons as outlined in the report.

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

For refusal	-	8
Against refusal	-	3
Abstentions	-	2

The proposition was therefore carried.

We resolved that application DC/2012/00816 be refused for the reasons as outlined in the report.

- (e) **Application DC/2012/00970†* - Development of a Redundant Car Parking Area into a Pair of Semi-Detached 3 Bedroom Dwellings. Car Park Adjacent to 43 & 44 Woodland Crescent, Former Llanfoist Fawr Primary School, Llanfoist**

County Councillor G. Howard declared an interest in this application as Monmouthshire County Council owned the land and he considered that it might be viewed as a conflict of interest with his role as Cabinet Member. He therefore took no part in the discussion or voting thereon.

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

The local Member for Llanfoist, attending the meeting by invitation of the Chairman, expressed the following concerns:

- Llanfoist Community Council believed that the Section 106 funding to buy the old school site included the car park area.
- If the application was approved only 0.4 acres would remain for community development.
- It was considered that it would be more appropriate if the whole area was developed for community use.

Having received the report and the views expressed by the local Member, some Members agreed with the local Member that the application would have a detrimental effect on the remaining land for future community use. Other Members considered that the design of the proposed dwellings and parking provision needed to be improved.

However, some Members supported the officers' recommendation for approval.

It was therefore proposed by County Councillor M. Powell and seconded by County Councillor J. George that the application be approved subject to the conditions as outlined in the report.

However, it was also proposed that the application be refused on design grounds.

The proposal to refuse the application on design grounds was considered first.

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

For refusal	-	7
Against refusal	-	4
Abstentions	-	2

The proposition was therefore carried.

We resolved that we be minded to refuse application DC/2012/00970 on design grounds and that the application be re-presented to a future Planning Committee with appropriate reasons for refusal.

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- (f) **Application DC/2012/01004 - Single-Storey Glazed Extension to Front of Existing Dwelling. The Cider House, The Walks, Llandenny, Usk**

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

In noting the detail of the application, the Planning Control Manager informed the Committee that the application had been presented to the Planning Committee on 5th February 2013 with the same reason for refusal. However, Members had been minded to defer the application subject to the applicant reviewing and submitting an amended scheme that would reduce the size and materials to be used to construct the proposed conservatory.

Members were informed that the applicant had reduced the size of the proposed conservatory and the amended conservatory would be of timber construction. The applicant had reduced the floor area by 38% (volume 40%) so that it was now more in keeping with the existing house mass. The floor area was now more closely aligned with the foot print of the previous conservatory structure in the same position.

As the re-designed application was very closely aligned to the original foot print it was proposed by County Councillor G. Howard and seconded by County Councillor F. Taylor that application DC/2012/01004 be approved subject to one condition as outlined in the report.

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

For approval	-	10
Against approval	-	1
Abstentions	-	1

The proposition was therefore carried.

We resolved that application DC/2012/01004 be approved subject to one condition as outlined in the report.

EXCLUSION OF THE PRESS AND PUBLIC

6.- We resolved to exclude the press and public from the meeting during consideration of the following item of business in accordance with Section 100A of the Local Government Act 1972, as amended, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 13(a) of Part 4 of Schedule 12A to the Act.

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ENFORCEMENT REPORT: CAERWENT COMMUNITY

7.- We received a report by the Conservation Manager regarding the serving of a Compulsory Purchase Order under Section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990 on the owner of a property in Caerwent.

Having considered the report it was proposed by County Councillor G. Howard and seconded by County Councillor D.L.S. Dovey that a Compulsory Purchase Order under Section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990 be served on the owner of a property in Caerwent.

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 therefore carried.

We resolved that the County Council makes a Compulsory Purchase Order under Section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to be served on the owner of a property in Caerwent.

The meeting ended at 4.20p.m.

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