

Minutes



Planning Committee

Date: 4 November 2015

Time: 10.00 am

Present: Councillors P Huntley (Chair), C Jenkins, M Al-Nuiami, V Delahaye, D Fouweather, M Linton, R White and O Ali

S Williams (West Area Applications Manager), J Davidson (East Area Applications Manager), L Jones (Principal Planning Officer), S Herbert (Senior Traffic Transport & Development Officer), S Davies (Strategy & Development Manager), A Lowe (Planning Contributions Manager), J Evans (Senior Solicitor) and M Durkin (Democratic Services Officer)

Apologies: Councillors J Mudd and K Critchley

1. Minutes

The Minutes of the meetings held on 7, 14 and 22 October, 2015 were submitted.

Resolved

That the Minutes of the meetings held on 7, 14 and 22 October, 2015 be taken as read and confirmed.

2. Development Management: Planning Application Schedule

Resolved

(1) That decisions be recorded as shown on the Planning Applications Schedule attached as an Appendix.

(2) That the Development Services Manager be authorised to draft any amendments to/additional conditions or reasons for refusal in respect of the Planning Applications Schedule, attached

3. Appeal Decisions

Planning Application Appeal – Allowed

Application 14/1275 – Court Farm, Magor Road – proposed development of solar photovoltaic panel (-10mwp) and associated works, access tracks, security fencing and cameras, affecting public right of way 394/59 and 394/60 Llanmartin (resubmission following refusal of 13/1203)

Enforcement Appeal – Part Allowed/Part Dismissed

Application E13/0502 –Broad Towers, Broadway, Caerleon - High Hedge

Resolved

That the appeal decisions be accepted as a basis for informing future decisions of the Planning Committee.

4. S106 Planning Obligations and City Centre Residential Development

Members considered a report detailing progress of residential development within the City Centre (with associated S106 planning obligation requirements), as requested at a previous meeting.

At present, very few residential developments (with associated S106 planning obligations) had been implemented in the City Centre. Section 106 planning obligation requests were contributing to making development unviable. This was verified by both the Three Dragons Viability Toolkit and the Community Infrastructure Levy Viability Appraisal (April 2015).

S106 legal agreements generally required developers to either carry out works or contribute financially towards measures that mitigated the impact of the development i.e. to make an unacceptable proposal acceptable in land use planning terms. However, economic viability was a key influence on the potential scope and scale of planning obligations. As such, viability became an important material consideration in S106 negotiations.

In recent years, it had not been possible for City Centre residential developments to meet all the S106 planning obligation requirements and remain economically viable. Consequently, decisions on the level of S106 contributions had been based on reduced sums that could be demonstrated as reasonable.

When considering the requirement for S106 planning obligations, it was important to consider both the viability of the development and the wider benefits to the City Centre and whether these issues outweighed the harm caused by the loss of S106 planning obligations.

Resolved

To note the level of delivery of residential development in the City Centre (with associated S106 planning obligation requirements).

(Councillors Ali and Al-Nuaimi left the meeting during consideration of this item)

5. Additional Planning Committee

The Chair informed Members that there was a need for an additional Planning Committee meeting to consider Application 15/0803 relating to the demolition and redevelopment of the former Sainsburys site.

Resolved

That Members be consulted regarding their availability on 18 or 19 November 2015.

Appendix

PLANNING COMMITTEE – 4 NOVEMBER, 2015

DECISION SCHEDULE

No	Site/Proposal	Ward	Additional Comments	Decision
14/1283	<p>Lysaght Development Site, Lysaght Way</p> <p>Construction of building containing 16No. apartments and associated works</p>	Lliswerry	<p>Ms C Banks spoke objecting to the proposal.</p> <p>Mr J Wilks, the Agent on behalf of the applicant spoke in support of the application</p> <p>Councillors Jeavons and Morris, Lliswerry Ward Members spoke on the proposal, having concerns regarding access and egress to the proposed site and requested a site visit.</p>	<p><u>Site Inspection</u></p> <p><u>Reason</u></p> <p>To observe access/egress to the proposed site</p>
15/0393	<p>Land to the west of Cefn Llogell Farm, Cardiff Road</p> <p>Construction of a ground-mounted solar PV generation project (3.8MW) and associated works (affecting public right of way 390/5 and 390/8)</p>	Marshfield	<p>HRIH referred to late representations previously circulated and that Committee had agreed to reconsider this application, refused on 7 October, 2015 in the light of the appeal decision relating to Court Farm, Magor Road for a proposed development of solar photovoltaic panels which was considered to constitute a material consideration to the determination of this application.</p> <p>Mr N Hallett, Keep us Rural spoke objecting to the proposal.</p> <p>Mr R Williams, the Agent on behalf of the Applicant spoke in support of the application.</p>	<p>Refused</p> <p><u>Reasons</u></p> <p>1. The proposal will result in the loss of the best and most versatile agricultural land without the applicant sufficiently demonstrating that viable brownfield sites are not available to accommodate the proposal. The</p>

			<p>Councillor White, Marshfield Ward Member spoke objecting to the proposal.</p>	<p>proposal is contrary to paragraph 4.10.1 of Planning Policy Wales and policy GP5 of the Newport Local Development Plan (2011-2026)</p> <p>2. The proposal will have a detrimental impact on the visual amenities of users viewing the site and the wider area from the adjacent public right of way (390/8), contrary to policy GP2 of the Newport Local Development Plan (2011-2026)</p>
15/0819	<p>Land north of and adjacent to 58 Clevedon Road</p> <p>Development of 17No. apartments and 1No. bungalow and associated works</p>	Beechwood	<p>HRIH referred to late representations previously circulated.</p> <p>Mr R Harper spoke objecting to the proposal.</p> <p>Ms L Hughson-Smith, the Agent on behalf of the Applicant spoke in support of the application.</p> <p>Councillors Davies and Spencer spoke on this application.</p> <p><i>(Councillor Jenkins left the meeting during consideration of this item)</i> <i>(Councillor Linton left the meeting after consideration</i></p>	<p>Granted with conditions subject to a S106 Legal Agreement with delegated powers to refuse the application in the event that the agreement is not signed within 3 months of the date of the decision.</p>

			<i>of this item)</i>	
15/0515	4-5 Market Street Change of use of ground floor from Sui Generis (nightclub) use to A3 use. Conversion of first, second, third and fourth floor from offices to 9No.flats and the construction of an additional floor to create 2No. flats (11No. on total)	Stow Hill	Councillor Al-Nuaimi, Stow Hill Ward Member welcomed the proposal in principle.	Granted with conditions including a condition on ventilation
15/0840	Land east of and adjacent to 14A Glen Coed Bungalow, Bank Street Erection of two dwellings	St Julians	<i>(The Chair, Councillor Huntley declared a personal interest in this application and left the meeting. Councillor Delahaye took the Chair)</i>	Granted with conditions subject to a S106 Legal Agreement with delegated powers to refuse the application in the event that the agreement is not signed within 3 months of the date of the decision.
15/1009	Bassaleg School, Forge Road Replacement boundary fence and gates	Graig	<i>(The Chair returned to the meeting after consideration of the above application and took the Chair)</i> <i>(Councillor White declared an interest as a Bassaleg School Governor and left the meeting for consideration of this item)</i> <i>(Councillor Fouweather left the meeting during consideration of this item)</i>	Granted with conditions

15/1141	Ringland Primary School, Dunstable Road Siting of storage container	Ringland Road		Granted with conditions (including a condition limiting the life of the permission to avoid the building falling into a poor visual state and becoming an eyesore).
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