

**DEVELOPMENT MANAGEMENT COMMITTEE
(Site Inspections)**

30th March 2009

Present: Councillor JA Brinsden (Chairman)
Mrs F Lanc, Ms C Gwyther; Messrs JL Davies, D Ellis, RR Evans, R
Howells and P Morgan.

(Site Inspection: 10.30a.m. – 11.25a.m.)

1. Apologies

Apologies for absence were received from Dr Ruth Williams, Messrs ML Evans, T Giles, DJH George, RN Hancock, SL Hancock, WL Raymond and M Williams.

2. NP/08/361 – Variation of Condition No. 2 on NP/06/076 under Section 73A & discharge of planning conditions 5, 6 and 7, Bettws Newydd, Parrog, Newport

The Chairman welcomed everyone to the meeting. He stated that the purpose of the visit that day was purely to enable Members to gather the facts associated with the application, and to acquaint themselves with the application site. No decision would be made until the application was considered by a meeting of the Development Management Committee, when a report of that morning's meeting would be presented to Members.

The Planning Officer began by reminding Members of the main considerations regarding the application, as set out in the report to the March meeting of the Development Management Committee, and outlined the ways in which the current application deviated from the original approval given in 2006.

Mr Banks then spoke on behalf of the applicant. He considered that the house had been built in broad compliance with the approved plans, and had pointed out how the North facing elevation had been reduced in length by marking where the building as approved would have come to. He noted that the lean-to, which could be seen from the beach, was also lower and maintained that the slab level was as it had been shown on the 2006 permission. The slab level of the garage was at a lower level than had been approved however the ridge height of that element of the building remained as on the 2006 permission. He drew Members' attention to the location plan which showed the distances of the dwelling from the road as 140m and from the nearest neighbour as 80m and the level of vegetation that was proposed.

Newport Town Council were then invited to speak. Mr Byron James first reminded the Committee of a shed they had considered on the mountain which had had to be reduced in height and asked why these applicants should be allowed to 'get away with it'. He considered the building to be one of the ugliest in Newport. The Chairman, Mr Paul Harries, added that he thought the base was higher and not related to the base elevations on the plan. He recalled that the Authority had said lessons needed to be learnt, but he didn't know what those lessons were and questioned whether they related to this question.



Mrs Sandra Bayes then addressed the Committee. She referred firstly to Counsel's advice with reference to the Authority's handling of the current application which had stated that the application had to be judged against the development plan and that Policy 56 would be relevant. Mrs Bayes did not believe that the development met the fourth criteria of the policy (that the new dwelling was no more visually intrusive than the original dwelling) as the dwelling as built was more than 6 metres higher at the ridge and had more than twice the footprint of the original house. The replacement dwelling was also more than twice the height of the original house measured from the same ground level. The original building could not be seen through the vegetation from the public footpath to the south, from which there had been an unobstructed view of Newport Bay, and from the stile on that footpath the original house could not be seen or walkers seen from it. She then showed pictures of the original dwelling and overlays of drawings of the new property on the old one. Mrs Bayes then drew Members' attention to Policy 79 regarding development in a Conservation Area, particularly the third criteria, and considered that views into the Newport Parrog Conservation Area from various viewpoints such as Traethmawr, Newport Golf Course and from Newport Bay had been adversely affected by the development.

The next speaker, Mrs Imogen Morley on behalf of Newport Area Environment Group, drew Members' attention to JUDP Policy 76 Design. She contended that the approved plans for the consent showed the various elevations of the proposed development 180° out of aspect with what had been built. This meant that the vast glass wall elevation of the north facing aspect which gave uninterrupted views out to the bay and estuary was shown on the plans to face south and could have been believed to be a feature of passive solar heating design. Instead the group considered that the building was an example of the very worst design from the perspective of energy efficiency and passive solar design. In addition the Authority's files revealed that at least 64 lorry loads of poured concrete foundations had gone into the construction of what was considered to be a vastly oversized building, which when added to the use of PVC plastic doors and windows and the steel framed construction, gave the Group no hesitation in condemning the building as being the very worst example of building design, materials and embodied energy features.

Mr Robbie Manson then spoke. He explained that he had viewed the planning files carefully and had failed to find any approved plans which showed the slab or ridge height which was poor practice. However in comparing the ground levels he believed that the building was 3.5 metres higher.

Mr Hywel Williams, a neighbour, next addressed the meeting with regard to the wetlands on the site. He stated that there were natural springs on the land which had diverted into courses, however when building work began and concrete was poured in, these water courses changed. He believed that as a result the drains at his own property had not been able to cope as there had then been considerable pooling of water on his car park and he had had to put in deeper, larger drains. Another neighbour had noticed reeds growing alongside her drive where there had been none previously. The report intimated that the landscaping condition had not been complied with, and Mr Williams believed that trees had been cut down without approval having been



requested. He concluded that the development was not in accordance with the permission.

The next speaker was Mr Reg Atkinson who also drew attention to the plans being disorientated but having shown a single-storey element on one side with two storeys on the adjoining elevation. He wanted to know where the single-storey element was, and noted that the other elevation now rose to 3 storeys on the corner which was markedly different and was not minor to those properties which faced the new dwelling. The plans had been misleading and this was the reason why people were against the proposal.

Mrs Susan Potts, a neighbour, was the next speaker and she explained that she had been expecting a part single- part two-storey dwelling on lower ground and when the steel frame had been erected she had been alerted to the fact that a tall building was being built on newly raised ground. She said she had asked officers to come and look, and if they had they would have seen the sterile wetland area which she thought was to have been preserved. However no-one from the Authority had come until the complaints officer had visited in the Autumn; she explained she had not wanted to complain, but wanted things to be put right if possible.

Another neighbour, Mrs Kenyon, invited Members to view the dwelling from her property to see the visual impact.

The next speaker was Mr Andrew Reicher who considered that Members of the Committee were the trustees of one of the most beautiful places on the planet. He believed that a wealthy individual was driving a coach and horses through planning policy and that officers had been misled, and he urged the Members to make a difference by taking away what he referred to as a horrible obscenity.

Mrs Caroline Maddox wished to draw Members' attention to the light pollution the property would cause due to so much glass overlooking the beach. She also believed the dwelling would set a precedent.

The final speaker was Mr Graham Warrilow who said that if the building was retained it was essential that proper planting took place and the wetland restored, with a period of 5 years aftercare. The woodland also needed to be maintained and the application should be subject to a Section 106 Agreement to ensure that it was.

The agent was then given the opportunity to counter the points put by objectors. He said he was glad that there was some agreement that planning permission existed which he had understood from the comments made. He also pointed out that the application to be determined was for amendments to that approved scheme.

Members asked for clarification regarding the apparent discrepancy in the plans with regard to the elevations of the building pointed out by objectors. The Planning Officer replied that the submitted plans had been incorrectly annotated, but that this had not been picked up until after consent had been given. However although the annotation had been incorrect, there had been no



change in the orientation of the building and it had always been clear that the elevation bearing the large glass windows was that facing out to seas, as per the site plan.

Before closing the meeting, the Chairman asked the assembled objectors and representatives whether there were any additional view points from which they would like Members to view the development. On receiving recommendations he agreed to accept two additional viewpoints.

The Members then proceeded to view the site from a number of vantage points, including the Golf Club, the Chairman thanked everyone for attending the meeting, and informed them that their comments would be taken into consideration when the Committee considered the application further, hopefully at its meeting scheduled for the 15th April 2009.

