

# Public Document Pack



Neuadd y Cyngor  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Llun, 27 Gorffennaf 2020

Hysbysiad o gyfarfod

## Pwyllgor Cynllunio

Dydd Mawrth, 4ydd Awst, 2020 at 2.00 pm,  
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA

### AGENDA

Eitem Ddim	Eitem	Tudallennau
1.	Ymddiheuriadau am absenoldeb.	
2.	Datganiadau o Fuddiant.	
3.	Cadarnhau cofnodion y cyfarfod blaenorol.	1 - 8
4.	Ystyried yr adroddiadau dilynol am Geisiadau Cynllunio gan y Prif Swyddog – Menter (atodir copiau):	
4.1.	Cais DM/2018/01418 – Annedd newydd gyda gwaith cysylltiedig. Tir i'r de ddwyrain o Sunnybrooke, Heol Llanelen, Llan-ffwyst.	9 - 20
4.2.	Cais DM/2019/01921 - Dymchwel estyniadau modern ac addasu adeilad tafarn gwreiddiol i breswyl. Codi 4 annedd newydd yn y cefn gyda lleoedd parcio a gwaith allanol cysylltiedig. Castle Inn, 12 Stryd y Bont, Cas-gwent, NP16 5EZ.	21 - 36
4.3.	Cais DM/2019/01943 – Datblygu un annedd ac un parcio ger 15 Cilgant Burns (Derbyniwyd cynlluniau diwygiedig 04/03/2020). Tir ger 15 Cilgant Burns, Cil-y-coed.	37 - 48
4.4.	Cais DM/2020/00238. 1 estyniad ystafell ddosbarth (103 sq.m) i'r ysgol bresennol a estyniad (67.9 m.sg) i feithrin bresennol sefyll ar ben ei hun. Ni fydd newid defnydd. Ysgol Gynradd Ysgol y Ffin, Lôn Sandy, Cil-y-coed, NP26 4NQ.	49 - 56

4.5.	<b>Cais DM/2020/00716. Estyniad deulawr arfaethedig i'r cefn ac rhan estyniad un llawr i'r tŷ pâr presennol. Dymchwel y garej ar wahân bresennol ac adleoli gyda garej newydd un llawr ar gyfer un car. Kilkerran, Stryd y Castell, Brynbuga, NP15 1BU.</b>	57 - 62
------	---	---------

**Paul Matthews**

**Prif Weithredwr**

## CYNGOR SIR FYNWY

### MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

R. Edwards  
P. Clarke  
J.Becker  
L.Brown  
A.Davies  
D. Dovey  
A. Easson  
D. Evans  
M.Feakins  
R. Harris  
J. Higginson  
G. Howard  
P. Murphy  
M. Powell  
A. Webb  
S. Woodhouse

### Gwybodaeth Gyhoeddus

**Bydd rhaid i unrhyw person sydd eisiau siarad yn Y Pwyllgor Cynllunio cofrestru gyda Gwasanaethau Democraidd erbyn hanner dydd ar diwrnod cyn y cyfarfod. Mae manylion ynglŷn a siarad yn cyhoeddus ar gael tu fewn l'r agenda neu yma [Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio](#)**

#### **Mynediad i gopiâu papur o agendâu ac adroddiadau**

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democraidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

#### **Edrych ar y cyfarfod ar-lein**

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

#### **Y Gymraeg**

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

## **Diben**

Diben yr adroddiadau a atodir a'r cyflwyniad cysylltiedig gan swyddogion i'r Pwyllgor yw galluogi'r Pwyllgor Cynllunio i wneud penderfyniad ar bob cais yn y rhestr a atodir, ar ôl pwysu a mesur y gwahanol ystyriaethau cynllunio perthnasol.

Dirprwywyd pwerau i'r Pwyllgor Cynllunio wneud penderfyniadau ar geisiadau cynllunio. Mae'r adroddiadau a gynhwysir yn yr atodlen yma'n asesu'r datblygiad arfaethedig yn erbyn polisi cynllunio perthnasol ac ystyriaethau cynllunio eraill perthnasol, a rhoi ystyriaeth i'r holl ymatebion ymgynghori a dderbyniwyd. Daw pob adroddiad i ben gydag argymhelliad swyddog i'r Pwyllgor Cynllunio ar p'un ai yw swyddogion yn ystyried y dylid rhoi caniatâd cynllunio (gydag awgrym am amodau cynllunio lle'n briodol) neu ei wrthod (gydag awgrymiadau am resymau dros wrthod).

Dan Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004, mae'n rhaid i bob cais cynllunio gael eu penderfynu yn unol â Chynllun Datblygu Lleol Sir Fynwy 2011-2021 (a fabwysiadwyd yn Chwefror 2014), os nad yw ystyriaethau cynllunio perthnasol yn awgrymu fel arall.

Disgwylir i'r holl benderfyniadau a wneir fod o fudd i'r Sir a'n cymunedau drwy ganiatáu datblygu ansawdd da yn y lleoliadau cywir, ac ymwrthod â datblygiad amhriodol, ansawdd gwael neu yn y lleoliad anghywir. Mae cysylltiad uniongyrchol i amcan y Cyngor o adeiladu cymunedau cryf a chynaliadwy.

## **Gwneud penderfyniadau**

Gellir cytuno ar geisiadau yn rhwym ar amodau cynllunio. Mae'n rhaid i amodau gyflawni'r holl feini prawf dilynol:

- Angenrheidiol i wneud y datblygiad arfaethedig yn dderbyniol;
- Perthnasol i ddeddfwriaeth cynllunio (h.y. ystyriaeth cynllunio);
- Perthnasol i'r datblygiad arfaethedig dan sylw;
- Manwl;
- Gorfodadwy; a
- Rhesymol ym mhob cyswllt arall.

Gellir cytuno i geisiadau yn amodol ar gyntundeb cyfreithiol dan Adran 106 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd). Mae hyn yn sicrhau goblygiadau cynllunio i wrthbwysu effeithiau'r datblygiad arfaethedig. Fodd bynnag, mae'n rhaid i'r goblygiadau cynllunio hyn gyflawni'r holl feini prawf dilynol er mwyn iddynt fod yn gyfreithlon:

- Angenrheidiol i wneud y datblygiad yn dderbyniol mewn termau cynllunio;
- Uniongyrchol gysylltiedig â'r datblygiad; ac
- Wedi cysylltu'n deg ac yn rhesymol mewn maint a math i'r datblygiad.

Mae gan yr ymgeisydd hawl apelio statudol yn erbyn gwrthod caniatâd yn y rhan fwyaf o achosion, neu yn erbyn gosod amodau cynllunio, neu yn erbyn methiant y Cyngor i benderfynu ar gais o fewn y cyfnod statudol. Nid oes unrhyw hawl apelio trydydd parti yn erbyn penderfyniad.

Gall y Pwyllgor Cynllunio wneud argymhellion sy'n groes i argymhelliad y swyddog. Fodd bynnag, mae'n rhaid rhoi rhesymau am benderfyniadau o'r fath ac mae'n rhaid i'r penderfyniad fod yn seiliedig ar y Cynllun Datblygu Lleol (LDP) a/neu ystyriaethau cynllunio perthnasol. Pe byddai penderfyniad o'r fath yn cael ei herio mewn apêl, bydd yn ofynnol i Aelodau Pwyllgor amddiffyn eu penderfyniad drwy'r broses apêl.

## **Prif gyd-destun polisi**

Mae'r LDP yn cynnwys y prif bolisiâu datblygu a dylunio. Yn hytrach nag ail-adrodd y rhain ar gyfer pob cais, caiff y geiriad llawn ei osod islaw er cymorth Aelodau.

*Polisi EP1 - Gwarchod Amwynderau a'r Amgylchedd*

Dylai datblygiad, yn cynnwys cynigion ar gyfer adeiladau newydd, estyniadau i adeiladau presennol a hysbysebion roi ystyriaeth i breifatrwydd, amwynder ac iechyd defnyddwyr adeiladau cyfagos. Ni chaniateir cynigion datblygu a fyddai'n achosi neu'n arwain at risg/niwed annerbyniol i amwynder lleol, iechyd, cymeriad/ansawdd cefn gwlad neu fuddiannau cadwraeth natur, tirlun neu bwysigrwydd treftadaeth adeiledig oherwydd y dilynol, os na fedrir dangos y gellir cymryd mesurau i oresgyn unrhyw risg sylweddol:

- Llygredd aer;
- Llygredd golau neu sŵn;
- Llygredd dŵr;
- Halogiad;
- Ansefydlogrwydd tir; neu
- Unrhyw risg a ddynodwyd i iechyd neu ddiogelwch y cyhoedd.

#### Polisi DES1 – Ystyriaethau Dylunio Cyffredinol

Dylai pob datblygiad fod o ddyluniad cynaliadwy ansawdd uchel a pharchu cymeriad lleol a nodweddion neilltuol amgylchedd adeiledig, hanesyddol a naturiol Sir Fynwy. Bydd yn ofynnol i gynigion datblygu:

- a) Sicrhau amgylchedd diogel, dymunol a chyfleus sy'n hygyrch i bob aelod o'r gymuned, yn cefnogi egwyddorion diogelwch y gymuned ac yn annog cerdded a seiclo;
- b) Cyfrannu tuag at naws o le wrth sicrhau fod maint y datblygiad a'i ddwyyster yn gydnaws gyda defnyddiau presennol;
- c) Parchu ffurf, maint, lleoliad, casglu, deunyddiau a gweddwlun ei osodiad ac unrhyw adeiladau cyfagos o ansawdd;
- d) Cynnal lefelau rhesymol o breifatrwydd ac amwynder defnyddwyr adeiladau cyfagos, lle'n berthnasol;
- e) Parchu'r golygfeydd adeiledig a naturiol lle maent yn cynnwys nodweddion hanesyddol a/neu amgylchedd adeiledig neu dirlun deniadol neu neilltuol;
- f) Defnyddio technegau adeiladu, addurniad, arddulliau a golau i wella ymddangosiad y cynnig gan roi ystyriaeth i wead, lliw, patrwm, cadernid a saerniaeth mewn defnyddio deunyddiau;
- g) Ymgorffori a, lle'n bosibl, wella nodweddion presennol sydd o werth hanesyddol, gweledol neu gadwraeth natur a defnyddio'r traddodiad brodorol lle'n briodol;
- h) Cynnwys cynigion tirlun ar gyfer adeiladau newydd a defnyddiau tir fel eu bod yn integreiddio i'w hamgylchiadau, gan roi ystyriaeth i ymddangosiad y tirlun presennol a'i gymeriad cynhenid, fel y'i diffinnir drwy broses LANDMAP. Dylai tirlunio roi ystyriaeth i, a lle'n briodol gadw, coed a gwrychoedd presennol;
- i) Gwneud y defnydd mwyaf effeithiol o dir sy'n gydnaws gyda'r meini prawf uchod, yn cynnwys y dylai isafswm dwysedd net datblygiad preswyl fod yn 30 annedd fesul hectar, yn amodol ar faen prawf l) islaw;
- j) Sicrhau dyluniad sy'n ymateb i'r hinsawdd ac effeithiol o ran adnoddau. Dylid rhoi ystyriaeth i leoliad, cyfeiriadu, dwysedd, gweddwlun, ffurf adeiledig a thirlunio ac i effeithiolrwydd ynni a defnyddio ynni adnewyddadwy, yn cynnwys deunyddiau a thechnoleg;
- k) Meithrin dylunio cynhwysol;
- l) Sicrhau y caiff ardaloedd preswyl presennol a nodweddir gan safonau uchel o breifatrwydd ac ehangder eu gwarchod rhag gor-ddatblygu a mewnlenni ansensitif neu amhriodol.

Cyfeirir at bolisiau perthnasol allweddol eraill yr LDP yn adroddiad y swyddog.

#### Canllawiau Cynllunio Atodol (SPG):

Gall y Canllawiau Cynllunio Atodol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio perthnasol:

- Seilwaith Gwyrdd (mabwysiadwyd Ebrill 2015)
- Canllawiau Dylunio Trosi Adeiladau Amaethyddol (mabwysiadwyd Ebrill 2015)
- Polisi H4(g) LDP Trosi/Adfer Adeiladau yng Nghefn Gwlad i Ddefnydd Preswyl - Asesu Ail-dddefnydd ar gyfer Dibenion Busnes (mabwysiadwyd Ebrill 2015)
- Polisiâu H5 a H6 LDP Anheddau yn Lle ac Ymestyn Anheddau Gwledig yng Nghefn Gwlad (mabwysiadwyd Ebrill 2015)

- Arfarniad Ardal Cadwraeth Trellech (Ebrill 2012)
- Garejys Domestig (mabwysiadwyd Ionawr 2013)
- Safonau Parcio Sir Fynwy (mabwysiadwyd Ionawr 2013)
- Ymagwedd at Oblygiadau Cynllunio (Mawrth 2013)
- Drafft Tai Fforddiadwy (Gorffennaf 2015)
- Drafft Ynni Adnewyddadwy ac Effeithiolrwydd Ynni (Rhagfyr 2014)
- Drafft Nodyn Cyngor Cynllunio ar Asesu Tirlun Datblygu ac Effaith Gweledol Tyrbinau Gwynt
- Drafft Prif Wynebau Siopau (Mehafin 2015)

### Polisi Cynllunio Cyhoeddus

Gall y polisi cynllunio cenedlaethol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio berthnasol:

- Polisi Cynllunio Cymru (PPW) 11 2016
- Nodiadau Cyngor Technegol (TAN) PPW:
- TAN 1: Cydastudiaethau Argaeledd Tir Tai (2014)
- TAN 2: Cynllunio a Thai Fforddiadwy (2006)
- TAN 3: Symleiddio Parthau Cynllunio (1996)
- TAN 4: Manwerthu a Chanol Trefi (1996)
- TAN 5: Cadwraeth Natur a Chynllunio (2009)
- TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN 7: Rheoli Hysbysebion Awyr Agored (1996)
- TAN 8: Ynni Adnewyddadwy (2005)
- TAN 9: Gorfodaeth Rheoli Adeiladu (1997)
- TAN 10: Gorchmynion Cadwraeth Coed (1997)
- TAN 11: Sŵn (1997)
- TAN 12: Dylunio (2014)
- TAN 13: Twristiaeth (1997)
- TAN 14: Cynllunio Arfordirol (1998)
- TAN 15: Datblygu a Risg Llifogydd (2004)
- TAN 16: Chwaraeon, Hamdden a Gofodau Agored (2009)
- TAN 18: Trafnidiaeth (2007)
- TAN 19: Telathrebu (2002)
- TAN 20: Y Gymraeg (2013)
- TAN 21: Gwastraff (2014)
- TAN 23: Datblygu Economaidd (2014)
- TAN 24: Yr Amgylchedd Hanesyddol (2017)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 1: Agregau (30 Mawrth 2004)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 2: Glo (20 Ionawr 2009)
- Cylchlythyr Llywodraeth Cymru 016/2014 ar amodau cynllunio

### **Materion eraill**

Gall y ddeddfwriaeth ddilynol arall fod yn berthnasol wrth wneud penderfyniadau

#### Deddf Cynllunio (Cymru) 2016

Daeth Adranau 11 a 31 y Ddeddf Cynllunio i rym yn Ionawr 2016 yn golygu fod y Gymraeg yn ystyriaeth cynllunio berthnasol. Mae Adran 11 yn ei gwneud yn ofynnol i'r gwerthusiad cynaliadwyedd, a gymerir wrth baratoi LDP, gynnwys asesiad o effeithiau tebygol y cynllun ar ddefnydd y Gymraeg yn y gymuned. Lle mae cynllun integredig sengl yr awdurdod wedi dynodi bod y Gymraeg yn flaenoriaeth, dylai'r asesiad fedru dangos y cysylltiad rhwng yr ystyriaeth ar gyfer y Gymraeg a'r prif arfarniad cynaliadwyedd ar gyfer yr LDP, fel y'i nodir yn TAN 20.

Mae Adran 31 y Ddeddf Cynllunio yn egluro y gall awdurdodau cynllunio gynnwys ystyriaethau yn ymwneud â'r defnydd o'r Gymraeg wrth wneud penderfyniadau ar geisiadau am ganiatâd cynllunio, cyn belled ag mae'n berthnasol i'r Gymraeg. Nid yw'r darpariaethau yn rhoi unrhyw bwysiad ychwanegol i'r Gymraeg o gymharu ag ystyriaethau perthnasol eraill. Mater i'r awdurdod cynllunio lleol yn llwyr yw p'un ai yw'r Gymraeg yn ystyriaeth berthnasol mewn unrhyw gais cynllunio, a

dylai'r penderfyniad p'un ai i roi ystyriaeth i faterion y Gymraeg gael ei seilio ar yr ystyriaeth a roddwyd i'r Gymraeg fel rhan o broses paratoi'r LDP.

Cynhaliwyd gwerthusiad cynaliadwyedd ar Gynllun Datblygu Lleol (LDP) Sir Fynwy a fabwysiadwyd yn 2014, gan roi ystyriaeth i'r ystod lawn o ystyriaethau cymdeithasol, amgylcheddol ac economaidd, yn cynnwys y Gymraeg. Cyfran cymharol fach o boblogaeth Sir Fynwy sy'n siarad, darllen neu ysgrifennu Cymraeg o gymharu gydag awdurdodau lleol eraill yng Nghymru ac ni ystyriwyd fod angen i'r LDP gynnwys polisi penodol ar y Gymraeg. Roedd casgliad yr asesiad am effeithiau tebygol y cynllun ar y defnydd o'r Gymraeg yn y gymuned yn fach iawn.

#### Rheoliadau Asesiad Effaith ar yr Amgylchedd 1999

Mae Rheoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Lloegr a Chymru) 1999 fel y'i diwygiwyd gan Reoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Diwygiad) 2008 yn berthnasol i'r argymhellion a wnaed. Bydd y swyddog yn tynnu sylw at hynny pan gyflwynwyd Datganiad Amgylcheddol gyda chais.

#### Rheoliadau Cadwraeth Rhywogaethau a Chynefinoedd 2010

Lle aseswyd bod safe cais yn safle bridio neu glwydo ar gyfer rhywogaethau Ewropeaidd a warchodir, bydd angen fel arfer i'r datblygydd wneud cais am "randdirymiad" (trwydded datblygu) gan Cyfoeth Naturiol Cymrau. Mae pob rhywogaeth o ystlumod, pathwod a madfallod cribog mawr yn enghreifftiau o'r rhywogaethau gwarchodedig hyn. Wrth ystyried ceisiadau cynllunio mae'n ofynnol i Gyngor Sir Fynwy fel awdurdod cynllunio lleol roi ystyriaeth i Reoliadau Cadwraeth Rhywogaethau a Chynefinoedd 20120 (y Rheoliadau Cynefinoedd) ac i'r ffaith mai dim ond lle cyflawnir tri phrawf a nodir yn Erthygl 16 y Gyfarwyddeb Cynefinoedd y caniateir rhanddirymiaid. Caiff y tri phrawf eu nodi islaw.

(i) Mae'r rhanddirymiad er budd iechyd a diogelwch y cyhoedd, neu am resymau hanfodol eraill o ddiddordeb pennaf i'r cyhoedd, yn cynnwys rhai o natur economaidd a chanlyniadau buddiol o bwysigrwydd sylfaenol i'r amgylchedd.

(ii) Nad oes dewis arall boddhaol.

(iii) Nad yw'r rhanddirymiad yn niweidiol i gynnal y boblogaeth o'r rhywogaeth dan sylw drwy statws cadwraeth ffafriol yn eu hardal naturiol.

#### Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Nod y Ddeddf yw gwella llesiant cymdeithasol, economaidd, amgylcheddol a diwylliannol Cymru. Mae'r Ddeddf yn gosod nifer o amcanion llesiant

- **Cymru lewyrchus;** defnydd effeithiol o adnoddau, pobl fedrus ac addysgedig, cynhyrchu cyfoeth, darparu swyddi;
- **Cymru gref;** cynnal a chyfoethogi bioamrywiaeth ac ecosystemau sy'n cefnogi hynny ac a all addasu i newid (e.e. newid yn yr hinsawdd);
- **Cymru iachach;** cynyddu llesiant corfforol a meddyliol pobl i'r eithaf a deall effeithiau iechyd;
- **Cymru o gymunedau cydlynol:** cymunedau yn ddeniadol, hyfyw, diogel a gyda chysylltiadau da.
- **Cymru sy'n gyfrifol yn fyd-eang:** rhoi ystyriaeth i effaith ar lesiant byd-eang wrth ystyried llesiant cymdeithasol, economaidd ac amgylcheddol lleol;
- **Cymru gyda diwylliant egniïol a'r iaith Gymraeg yn ffynnu:** caiff diwylliant, treftadaeth a'r Gymraeg eu hyrwyddo a'u diogelu. Caiff pobl eu hannog i gymryd rhan mewn chwaraeon, celf a hamdden;
- **Cymru fwy cyfartal:** gall pobl gyflawni eu potensial beth bynnag yw eu cefndir neu amgylchiadau.

Caiff nifer o egwyddorion datblygu cynaliadwy hefyd eu hamlinellu:

- **Hirdymor:** cydbwyso angen tymor byr gyda'r hirdymor a chynllunio ar gyfer y dyfodol;
- **Cydweithio:** cydweithio gyda phartneriaid eraill i gyflawni amcanion;
- **Ymggyfraniad:** cynnwys y rhai sydd â diddordeb a gofyn am eu barn;
- **Atal:** rhoi adnoddau i ateb problemau rhag digwydd neu waethygu;
- **Integreiddio:** cael effaith gadarnhaol ar bobl, yr economi a'r amgylchedd a cheisio bod o fudd i bob un o'r tri.



Mae'r gwaith a wneir gan awdurdod cynllunio lleol yn cysylltu'n uniongyrchol â hyrwyddo a sicrhau datblygu cynaliadwy ac yn anelu i sicrhau cydbwysedd rhwng y tri maes: amgylchedd, economi a chymdeithas.

#### Trefn Troseddu ac Anrhefn 1998

Mae Adran 17(1) Deddf Troseddu ac Anrhefn 1998 yn gosod dyletswydd ar awdurdod lleol i weithredu ei wahanol swyddogaethau gan roi ystyriaeth ddyledus i effaith debygol gweithredu'r swyddogaethau hynny ar, a'r angen i wneud popeth y gall ei wneud yn rhesymol i atal troseddu ac anrhefn yn ei ardal. Gall troseddu ac ofn troseddu fod yn ystyriaeth cynllunio berthnasol. Tynnir sylw at y pwnc hwn yn adroddiad y swyddog lle mae'n ffurfio ystyriaeth sylweddol ar gyfer cynnig.

#### Deddf Cydraddoldeb 2010

Mae Deddf Cydraddoldeb 2010 yn cynnwys dyletswydd cydraddoldeb sector cyhoeddus i integreiddio ystyriaeth cydraddoldeb a chysylltiadau da ym musnes rheolaidd awdurdodau cyhoeddus. Mae'r Ddeddf yn dynodi nifer o 'nodweddion gwarchoddedig': oedran, anabledd, aillbennu rhywedd; priodas a phartneriaeth sifil; hil; crefydd neu gredo; rhyw; a chyfeiriadedd rhywiol. Bwriedir i gydymffurfiaeth arwain at benderfyniadau a wnaed ar sail gwybodaeth well a datblygu polisi a gwasanaethau sy'n fwy effeithlon ar gyfer defnyddwyr. Wrth weithredu ei swyddogaethau, mae'n rhaid i'r Cyngor roi ystyriaeth ddyledus i'r angen i: ddileu gwahaniaethu anghyfreithlon, aflonyddu, erledigaeth ac ymddygiad arall a gaiff ei wahardd gan y Ddeddf; hybu cyfle cyfartal rhwng pobl sy'n rhannu nodwedd warchoddedig a'r rhai nad ydynt; a meithrin cysylltiadau da rhwng pobl sy'n rhannu nodwedd warchoddedig a'r rhai nad ydynt. Mae rhoi ystyriaeth ddyledus i hyrwyddo cydraddoldeb yn cynnwys: dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig; cymryd camau i ddiwallu anghenion o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

#### Mesur Plant a Theuluoedd (Cymru)

Mae ymgynghoriad ar geisiadau cynllunio yn agored i'n holl ddinasyddion faint bynnag eu hoed; ni chynhelir unrhyw ymgynghoriad wedi'i dargedu a anelwyd yn benodol at blant a phobl ifanc. Yn dibynnu ar faint y datblygiad arfaethedig, rhoddir cyhoeddusrwydd i geisiadau drwy lythyrau i feddianwyr cyfagos, hysbysiadau safle, hysbysiadau yn y wasg a/neu gyfryngau cymdeithasol. Nid yw'n rhaid i bobl sy'n ymateb i ymgynghoriadau roi eu hoedran nac unrhyw ddata personol arall, ac felly ni chaiff y data yma ei gadw na'i gofnodi mewn unrhyw ffordd, ac ni chaiff ymatebion eu gwahanu yn ôl oedran.

## Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio

Dim ond yn llwyr yn unol â'r protocol hwn y caniateir cyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio. Ni allwch fynnu siarad mewn Pwyllgor fel hawl. Mae'r gwahoddiad i siarad a'r ffordd y cynhelir y cyfarfod ar ddisgresiwn Cadeirydd y Pwyllgor Cynllunio ac yn amodol ar y pwyntiau a nodir islaw.

### **Pwy all siarad**

#### Cynghorau Cymuned a Thref

Gall cynghorau cymuned a thref annerch y Pwyllgor Cynllunio. Dim ond aelodau etholedig cynghorau cymuned a thref gaiff siarad. Disgwylir i gynrychiolwyr gydymffurfio â'r egwyddorion dilynol: -

(i) Cydymffurfio â Chod Cenedlaethol Ymddygiad Llywodraeth Leol. (ii) Peidio cyflwyno gwybodaeth nad yw'n:

- gyson gyda sylwadau ysgrifenedig eu cyngor, neu
  - yn rhan o gais, neu
  - wedi ei gynnwys yn yr adroddiad neu ffeil cynllunio.

#### Aelodau'r Cyhoedd

Cyfyngir siarad i un aelod o'r cyhoedd yn gwrthwynebu datblygiad ac un aelod o'r cyhoedd yn cefnogi datblygiad. Lle mae mwy nag un person yn gwrthwynebu neu'n cefnogi, dylai'r unigolion neu grwpiau gydweithio i sefydlu llefarydd. Gall Cadeirydd y Pwyllgor weithredu disgresiwn i ganiatáu ail siaradwr ond dim ond mewn amgylchiadau eithriadol lle mae cais sylweddol yn ysgogi gwahanol safbwyntiau o fewn un 'ochr' y ddadl (e.e. cais archfarchnad lle mae un llefarydd yn cynrychioli preswylwyr ac un arall yn cynrychioli manwerthwyr lleol). Gall aelodau'r cyhoedd benodi cynrychiolwyr i siarad ar eu rhan.

Lle na ddeuir i gytundeb, bydd yr hawl i siarad yn mynd i'r person/sefydliad cyntaf i gofrestru eu cais. Lle mae'r gwrthwynebydd wedi cofrestru i siarad caiff yr ymgeisydd neu asiant yr hawl i ymateb.

Cyfyngir siarad i geisiadau lle cyflwynwyd llythyrau gwrthwynebu/cefnogaeth neu lofnodion ar ddeiseb i'r Cyngor gan 5 neu fwy o aelwydydd/sefydliadau gwahanol. Gall y Cadeirydd weithredu disgresiwn i ganiatáu siarad gan aelodau o'r cyhoedd lle gallai cais effeithio'n sylweddol ar ardal wledig prin ei phoblogaeth ond y derbyniwyd llai na 5 o lythyr yn gwrthwynebu/cefnogi.

#### Ymgeiswyr

Bydd gan ymgeiswyr neu eu hasiantau a benodwyd hawl ymateb lle mae aelodau'r cyhoedd neu gyngor cymuned/tref yn annerch pwyllgor. Fel arfer dim ond ar un achlysur y caniateir i'r cyhoedd siarad pan gaiff ceisiadau eu hystyried gan Bwyllgor Cynllunio. Pan ohirir ceisiadau ac yn arbennig pan gânt eu hailgyflwyno yn dilyn penderfyniad pwyllgor i benderfynu ar gais yn groes i gyngor swyddog, ni chaniateir i'r cyhoedd siarad fel arfer. Fodd bynnag bydd yn rhaid ystyried amgylchiadau arbennig ar geisiadau a all gyfiawnhau eithriad.

### **Cofrestru Cais i Siarad**

I gofrestru cais i siarad, mae'n rhaid i wrthwynebwyr/cefnogwyr yn gyntaf fod wedi gwneud sylwadau ysgrifenedig ar y cais. Mae'n rhaid iddynt gynnwys eu cais i siarad gyda'u sylwadau neu ei gofrestru wedyn gyda'r Cyngor.

**Caiff ymgeiswyr, asiantau a gwrthwynebwyr eu cynghori i aros mewn cysylltiad gyda'r swyddog achos am ddatblygiadau ar y cais. Cyfrifoldeb y rhai sy'n dymuno siarad yw gwirio os yw'r cais i gael ei ystyried gan y Pwyllgor Cynllunio drwy gysylltu â'r Swyddog Cynllunio, a all roi manylion o'r dyddiad tebygol ar gyfer clywed y cais. Caiff y drefn ar gyfer cofrestru'r cais i siarad ei nodi islaw.**

Mae'n rhaid i unrhyw un sy'n dymuno siarad hysbysu Swyddogion Gwasanaethau Democraidd y Cyngor drwy ffonio 01633 644219 neu drwy e-bost i [registertospeak@monmouthshire.gov.uk](mailto:registertospeak@monmouthshire.gov.uk). Caiff unrhyw geisiadau i siarad a gaiff eu e-bostio eu cydnabod cyn y dyddiad cau ar gyfer cofrestru i

siarad. Os nad ydych yn derbyn cydnabyddiaeth cyn y dyddiad cau, cysylltwch â Gwasanaethau Democrataidd ar 01633 644219 i wirio y cafodd eich cais ei dderbyn.

Mae'n rhaid i siaradwyr wneud hyn cyn gynted ag sydd modd, rhwng 12 canol dydd ar y dydd Mercher a 12 canol dydd ar y dydd Llun cyn y Pwyllgor. Gofynnir i chi adael rhif ffôn y gellir cysylltu â chi yn ystod y dydd.

Bydd y Cyngor yn cadw rhestr o bobl sy'n dymuno siarad yn y Pwyllgor Cynllunio.

### **Gweithdrefn yng Nghyfarfod y Pwyllgor Cynllunio**

Dylai pobl sydd wedi cofrestru i siarad gyrraedd ddim hwyrach na 15 munud cyn dechrau'r cyfarfod. Bydd swyddog yn cynghori ar drefniadau seddi ac yn ateb ymholiadau. Caiff y weithdrefn ar gyfer delio gyda siarad gan y cyhoedd ei osod islaw:

- Bydd y Cadeirydd yn nodi'r cais i'w ystyried.
- Bydd swyddog yn cyflwyno crynodeb o'r cais a materion yn ymwneud â'r argymhelliad
- Os nad yw'r aelod lleol ar y Pwyllgor Cynllunio, bydd y Cadeirydd yn ei (g)wahodd i siarad am ddim mwy na 6 munud
- Yna bydd y Cadeirydd yn gwahodd cynrychiolydd y cyngor cymuned neu dref i siarad am ddim mwy na 4 munud.
- Bydd y Cadeirydd wedyn yn gwahodd yr ymgeisydd neu asiant a benodwyd (os yn berthnasol) i siarad am ddim mwy na 4 munud. Lle mae mwy na un person neu sefydliad yn siarad yn erbyn cais, ar ddisgresiwn y Cadeirydd bydd gan yr ymgeisydd neu'r asiant a benodwyd hawl i siarad am ddim mwy na 5 munud.
- Fel arfer cydymffurfir yn gaeth â chyfyngiadau amser, fodd bynnag bydd gan y Cadeirydd ddisgresiwn i addasu'r amser gan roi ystyriaeth i amgylchiadau'r cais neu'r rhai sy'n siarad.
- Dim ond unwaith y gall siaradwyr siarad.
- Bydd aelodau'r Pwyllgor Cynllunio wedyn yn trafod y cais, gan ddechrau gydag aelod lleol o'r Pwyllgor Cynllunio.
- Bydd y swyddogion yn ymateb i'r pwyntiau a godir os oes angen.
- Yn union cyn i'r mater gael ei roi i'r bleidlais, gwahoddir yr aelod lleol i grynhoi, gan siarad am ddim mwy na 2 funud.
- Ni all cynrychiolydd y cyngor cymuned neu dref neu wrthwynebydd/cefnogwyr neu'r ymgeisydd/asiant gymryd rhan yn ystyriaeth aelodau o'r cais ac ni allant ofyn cwestiynau os nad yw'r cadeirydd yn eu gwahodd i wneud hynny.
- Lle mae gwrthwynebydd/cefnogwr, ymgeisydd/asiant neu gyngor cymuned/tref wedi siarad ar gais, ni chaniateir unrhyw siarad pellach gan neu ar ran y grŵp hwnnw pe byddai'r cais yn cael ei ystyried eto mewn cyfarfod o'r pwyllgor yn y dyfodol heblaw y bu newid sylweddol yn y cais.
- Ar ddisgresiwn y Cadeirydd, gall y Cadeirydd neu aelod o'r Pwyllgor yn achlysurol geisio eglurhad ar bwynt a wnaed.
- Mae penderfyniad y Cadeirydd yn derfynol.
- Wrth gynnig p'un ai i dderbyn argymhelliad y swyddog neu i wneud diwygiad, bydd yr aelod sy'n gwneud y cynnig yn nodi'r cynnig yn glir.
- Pan gafodd y cynnig ei eilio, bydd y Cadeirydd yn dweud pa aelodau a gynigiodd ac a eiliodd y cynnig ac yn ailadrodd y cynnig a gynigwyd. Caiff enwau'r cynigydd a'r eilydd eu cofnodi.
- Bydd aelod yn peidio pleidleisio yng nghyswllt unrhyw gais cynllunio os na fu'n bresennol drwy gydol cyfarfod y Pwyllgor Cynllunio, y cyflwyniad llawn ac ystyriaeth y cais neilltuol hwnnw.
- Bydd unrhyw aelod sy'n ymatal rhag pleidleisio yn ystyried p'un ai i roi rheswm dros ei (h)ymatal.
- Bydd swyddog yn cyfrif y pleidleisiau ac yn cyhoeddi'r penderfyniad.

### **Cynnwys yr Arweithiau**

Dylai sylwadau gan gynrychiolydd y cyngor tref/cymuned neu wrthwynebydd, cefnogwr neu ymgeisydd/asiant gael eu cyfyngu i faterion a godwyd yn eu sylwadau gwreiddiol a bod yn faterion cynllunio perthnasol. Mae hyn yn cynnwys:

- Polisiâu cynllunio cenedlaethol a lleol perthnasol
- Ymddangosiad a chymeriad y datblygiad, gweddllun a dwysedd

- Cynhyrchu traffig, diogelwch priffordd a pharcio/gwasanaethu;
- Cysgodi, edrych dros, ymyriad sŵn, aroglau neu golled arall amwynder.

Dylai siaradwyr osgoi cyfeirio at faterion y tu allan i gylch gorchwyl y Pwyllgor Cynllunio, megis:

- Anghydfod ffiniau, cyfamodau a hawliau eraill eiddo
- Sylwadau personol (e.e. cymhellion neu gamau gweithredu'r ymgeisydd hyd yma neu am aelodau neu swyddogion)
- Hawliau i olygfeydd neu ddibrisiant eiddo.

# Public Document Pack Agenda Item 3

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held  
at Remote Meeting on Tuesday, 7th July, 2020 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, R. Harris, J. Higginson, G. Howard, P. Murphy,  
M. Powell, A. Webb and S. Woodhouse

### **OFFICERS IN ATTENDANCE:**

Craig O'Connor	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Amy Longford	Development Management Area Team Manager
Denzil – John Turbervill	Commercial Solicitor
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

None.

#### **1. Declarations of Interest**

County Councillor R. Edwards declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of applications DM/2019/02081 and DM/2020/00070 as the applicants were family members. She therefore left the meeting taking no part in the discussion or voting thereon.

#### **2. Application DM/2019/00225 - Erection of a rural enterprise worker's dwelling and associated equestrian unit for dressage training and livery combined with change of use from golf course to equestrian use. Alice Springs Golf Club, Kemeys Road, Kemeys Commander**

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and late correspondence with an additional condition to require the dwelling to be occupied only after certain key buildings or infrastructure are already completed.

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

- The shower amenity for the workers should be separate from the house itself and be attached to one of the buildings or the garage.
- Concern was expressed that neither the functional need test nor the financial test have been met.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm**

- Concern was expressed that if the venture failed, permission would be granted for a new affordable property in the countryside.
- The location of the manure waste storage area should be agreed with the Local Planning Authority before any buildings are occupied and the manure waste should only be deposited in that agreed location.
- Concern was expressed that the independent assessment considered that the various tests had not been met.
- It would be beneficial to the Planning Committee if it could visit the site.
- The Development Services Manager informed the Committee that the application is being treated as a new dwelling on an established enterprise. It was considered that the application does meet the function and financial test notwithstanding the comments of the Council's independent assessor. It was considered that there were mitigating circumstances which led to the officer recommendation to approve the application. With regard to the financial test, the figures presented justify the test being met. There are labour requirements for 2.28 workers so approval of the application would satisfy one of those workers. There are welfare reasons outlined in the report identifying why a worker should be residing on site. Also, security issues come into play with regard to some higher end uses in this instance. Should the venture fail, the dwelling would be available for another rural enterprise. If none of these conditions were met it would then become an offer as an affordable housing unit. The size of the dwelling is 184 sq.m which is not considered to be excessive. The landscape impact is acceptable and the scale of the enterprise means that this size of dwelling would be suitable in this location.
- The Head of Planning informed the Committee that this is being treated as a new dwelling for an established enterprise. Evidence has been provided establishing a functional and financial need for the development to be located on this site. TAN 6 is very supportive towards rural enterprise and businesses.
- This is a better site than the current location. It would be purpose built and be a valuable facility located within the countryside.
- Some Members considered the property would be a good size built to a high standard.
- Other Members expressed concern regarding the size of the dwelling and that would be larger than necessary. It would be 184 sq.m but would exclude the office and the shower. It was considered that these should be separate from the proposed dwelling.
- Concern was expressed regarding the financial tests that had been undertaken.
- The Head of Planning informed the Committee that with regard to the scale of dwelling, there is no Welsh Government Guidance regarding the scale of the

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm

development in terms of an agricultural workers dwelling. Each application would be considered on a case by case basis. It was considered that the financial test had been met in terms of the need for full time worker.

It was proposed by County Councillor P. Murphy and seconded by County Councillor M. Feakins that application DM/2019/00225 be approved subject to the conditions outlined in the report and late correspondence with an additional condition to require the dwelling to be occupied only after certain key buildings or infrastructure are already completed. A further condition be added so that the location of the manure waste storage area shall be agreed with the Local Planning Authority before any buildings are occupied and the manure waste shall only be deposited in that agreed location.

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

For approval	-	9
Against approval	-	6
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/00225 be approved subject to the conditions outlined in the report and late correspondence with an additional condition to require the dwelling to be occupied only after certain key buildings or infrastructure are already completed. A further condition be added so that the location of the manure waste storage area shall be agreed with the Local Planning Authority before any buildings are occupied and the manure waste shall only be deposited in that agreed location.

### **3. Application DM/2019/00332 - Farm worker's dwelling. New Farm Workers Dwelling, Whitecastle Road, Whitecastle, Llantilio Crossenny, Monmouthshire**

We considered the report of the application which was recommended for approval subject to the 12 conditions outlined in the report.

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

- A single storey building would be most appropriate.
- Discussion ensued regarding whether a condition should be added in addition to the size limits at the outline stage. However, it was considered that this matter should be addressed at the reserved matters stage.
- There is no statutory guidance on the size of operation and holding verses what size of dwelling is appropriate. Financial tests have been met and the business is sustainable and showing a profit.
- The building is for a maximum of 180 sq.m which could include the need for an office, utility space and garage, which would significantly reduce the internal living space to below 150sq.m.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm

- The Head of Planning informed the Committee that if the landscape allows then perhaps a 1.5 or 2 storey development might be accommodated. However, the parameters outlined were considered to be acceptable with a maximum six metre height being appropriate for this landscape setting.
- The scale parameters provide enough safeguard at the reserve matters stage.
- No additional conditions to be added at the outline application stage. These matters can be addressed at the reserved matters stage.

It was proposed by County Councillor R. Edwards and seconded by County Councillor P. Murphy that application DM/2019/00332 be approved subject to the 12 conditions outlined in the report.

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

For approval	-	11
Against approval	-	1
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2019/00332 be approved subject to the 12 conditions outlined in the report.

#### **4. Application DM/2019/01062 - Proposed conversion and extension of former cow byre and lambing shed into two residential units 6 & 7. Units 6 And 7 Cayo Farm, Llanvecha Road, Llandenny, Usk**

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

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

- It was considered that conditions 6 and 7 should be amended to ensure that ecological mitigation is maintained in perpetuity.
- The first two units were created in the farm house which were sub-divided into two units. As part of that application there had been a commuted sum required for an affordable housing contribution. The application for the large barn and for the cow byre and lambing shed now falls under the requirement in the new supplementary planning guidance. Therefore, there are four units in total now that are exempt, so there is no requirement for a financial contribution towards affordable housing provision.

It was proposed by County Councillor R. Harris and seconded by County Councillor G. Howard that application DM/2019/01062 be approved subject to the eight conditions outlined in the report and that conditions 6 and 7 should be amended to ensure that ecological mitigation is maintained in perpetuity.



## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm

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

For approval	-	13
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2019/01062 be approved subject to the eight conditions outlined in the report and that conditions 6 and 7 be amended to ensure that ecological mitigation is maintained in perpetuity.

#### **5. Application DM/2019/01214 - The demolition of the existing corrugated arched tin shed and replacement by a two storey residential dwelling. Land Adjacent To 13 Fosterville Crescent, Abergavenny**

We received the report of the application which was presented for refusal for one reason outlined in the report.

The application had been presented to Planning Committee on 3rd March 2020 with a recommendation for approval. However, this had not been approved by Planning Committee as concern had been expressed regarding the size of the plot and the resulting appearance of the dwelling.

In noting the detail of the application, it was proposed by County Councillor M. Powell and seconded by County Councillor R. Harris that application DM/2019/01214 be refused for the one reason outlined in the report.

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

For refusal	-	10
Against refusal	-	4
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/01214 be refused for the one reason outlined in the report.

#### **6. Application DM/2019/02041 - Proposed 2 storey extension to the present dwelling replacing the existing removed. New House Farm, Little Mill, Monmouthshire, NP4 0UD**

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

In noting the detail of the application it was identified that condition three (ecological conservation) should be amended to ensure implementation of the approved details and then maintenance of the plan's approved actions in perpetuity.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm

It was proposed by County Councillor P. Murphy and seconded by County Councillor A. Davies that application DM/2019/02041 be approved subject to the five conditions outlined in the report and that condition 3 (ecological conservation) should be amended to ensure implementation of the approved details and then maintenance of the plan's approved actions in perpetuity.

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

For approval	-	11
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/02041 be approved subject to the five conditions outlined in the report and that condition 3 (ecological conservation) should be amended to ensure implementation of the approved details and then maintenance of the plan's approved actions in perpetuity.

#### **7. Application DM/2019/02081 - Change of use of barn to B1 use including replacement cladding. Barn to north of Forest View, Penterry Farm, Chapel Hill Road, Penterry, St Arvans**

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

The local Member for St. Arvans, also a Planning Committee Member, expressed her support for the application.

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

- A Member expressed considered that the building would be inappropriate for office accommodation in this isolated location as the proper infrastructure would not be in place. Also, it was considered that Policy RE3 (Agricultural Diversification) should apply in this instance but there does not appear to be a business case put forward to satisfy criterion b) of that policy. Planning Policy Wales (PPW) advises on sustainable locations. This location is unsustainable as there is a need to rely on private vehicular use to access this location.
- In response, the Development Management Area Manager, informed the Committee that there is an agricultural planning statement submitted as part of the application that showed the existing use of the farm and why the building is now redundant. The proposals for office accommodation are not ideal. However, recent events have shown that how we work is changing with more home working likely, going forward. The Authority wants to support rural diversification of farms and the rural economy and it was considered that the proposed application addresses these issues. The benefits outweigh the harm of the location. In terms of the applicable nature of Policies RE2 and RE3, within the application there was an appeal provided in relation to another property in the south of the County where a similar application was submitted. The inspector

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm

had concluded that office accommodation was an appropriate use outside of a main village or town. Therefore, in respect of Policies RE2 and RE3, it was considered that the previous Inspectors recommendations should be applied for this application.

- Concern was expressed regarding lack of visibility when exiting / entering the site.
- Other Members expressed their support for the application.

It was proposed by County Councillor M. Feakins and seconded by County Councillor A. Webb that application DM/2019/02081 be approved subject to the seven conditions outlined in the report.

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

For approval	-	12
Against approval	-	1
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2019/02081 be approved subject to the seven conditions outlined in the report.

#### **8. Application DM/2020/00070 - Advertisement consent for one freestanding sign, Raglan Farm Park, Chepstow Road, Raglan, NP15 2EN**

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

In noting the detail of the application it was proposed by County Councillor D. Evans and seconded by County Councillor M. Feakins that application DM/2020/00070 be approved subject to the six conditions outlined in the report.

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

For approval	-	10
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2020/00070 be approved subject to the six conditions outlined in the report.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of Planning Committee held at Remote Meeting on Tuesday, 7th July, 2020 at 2.00 pm**

#### **9. The Planning Inspectorate - Appeals Decisions received:**

##### **9.1. 10 Yew Tree Wood, Bayfield, Chepstow**

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 3<sup>rd</sup> February 2020.

We noted that the appeal had been dismissed.

##### **9.2. Barn Conversion at 33 Kymin Road, The Kymin, Monmouth – costs**

We received the Planning Inspectorate report which related to a costs decision following a site visit that had been made on 3<sup>rd</sup> February 2020.

We noted that the application for an award of costs was refused.

##### **9.3. Barn Conversion at 33 Kymin Road, The Kymin, Monmouth**

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 3<sup>rd</sup> February 2020.

We noted that the appeal had been dismissed.

##### **9.4. The Lodge, Mount Way, Chepstow**

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been made on 28<sup>th</sup> February 2020.

We noted that the appeal had been dismissed.

#### **10. Planning Appeals Received**

We noted the new appeals received between 28<sup>th</sup> January 2020 and 30<sup>th</sup> June 2020.

#### **11. Confirmation of Minutes**

We confirmed the Planning Committee minutes dated 3<sup>rd</sup> March 2020.

**The meeting ended at 4.27 pm.**

**Application Number:** DM/2018/01418

**Proposal:** New dwelling with associated works

**Address:** Land south east of Sunnybrooke, Llanellen Road, Llanfoist

**Applicant:** Ms. V Morris

**Plans:** Elevations - Proposed 2233/104 - , Floor Plans - Proposed 2233/103 - , Location Plan 2233/101 Rev. A - , Site Plan 2233/102 Rev J - ,

**RECOMMENDATION: Approved subject to a S106 agreement to make a financial contribution towards the provision of affordable housing**

Case Officer: Ms Lowri Hughson-Smith

Date Valid: 07.09.2018

**This application is presented to Planning Committee due to it receiving five objections from local residents**

## 1.0 APPLICATION DETAILS

### 1.1 Site Description

1.1.1 This application relates to the garden of a semi-detached, two-storey dwelling on Llanellen Road in Llanfoist, known as Sunnybrooke.

1.1.2 The site is relatively flat but there is slight slope from the western boundary downwards towards the road (the eastern boundary), with a change in levels across the site of approximately 0.5m. Llanellen Road sits at a lower level than the site with the eastern boundary of the site at approximately 1.2m higher and the western boundary approximately 1.7m higher than the road level.

1.1.3 The site is enclosed to the front by a stone wall and to the rear by a post and wire fence which has now overgrown and is not easily visible.

1.1.4 The site was bare ground at the time of the application submission with a small dilapidated metal shed located in the southern portion of the site. During the course of the application, the site has become overgrown.

1.1.5 The site currently does not have an access directly off Llanellen Road and access is via Sunnybrooke.

### 1.2 Value Added

1.2.1 The proposed development as originally submitted was acceptable in terms of the principle of development and the form of development but objections were received from the following consultees on technical matters:

- o Dwr Cymru Welsh Water (DC-WW) on the basis the development may affect two water mains; and
- o The Highway Authority due to insufficient parking being provided and the loss of an on street parking space as a result of the new access.

1.2.2 To address these objections the applicant took the following steps.

1.2.3 The applicant discussed the proposal directly with DC-WW. It transpires there are two water mains near the southern boundary but their exact location is not recorded, however, their general location is known. Following the discussions, the applicant agreed to carry out site investigations to ascertain the exact location of two water mains prior to commencing the development and DC-WW were agreeable to this approach. DC-WW advised they were agreeable to the investigations being secured via planning condition.

1.2.4 It became apparent to the Local Planning Authority (LPA) following discussions with DC-WW that the dwelling in its originally proposed location would likely conflict or at least be very near the protection zones of the water mains based on the general locational information DC-WW held. As such, to avoid a potential conflict the LPA requested the proposed dwelling be repositioned further away from the water mains to prevent a likely conflict with the protection zone of the water mains. The proposed amendments are considered acceptable to address this issue and DC-WW removed their objection subject to conditions.

1.2.5 The application as originally submitted provided insufficient parking. The applicant amended the scheme to provide a total of 4no. parking spaces. This level of parking provides the required amount to serve the proposed dwelling and provides an additional space to compensate for the loss of the existing on street parking space. This approach is acceptable.

### 1.3 Proposal Description

1.3.1 The proposed development is for a single, detached two-storey dwelling to be located centrally within the application site. The proposed dwelling is a 'T' shape and has the dimensions are as follows:

- o Width: 9.1m
- o Depth: 9.4m (at its deepest point)
- o Height: 7.93m

1.3.2 The proposed finished floor level will be similar to the existing ground levels and overall approximately 1.3m higher than the road level.

1.3.3 A new vehicular access point will be provided to serve the driveway and parking area for the new dwelling and the compensatory space for Sunnybrooke. A new pedestrian access will also be provided near the front door of the proposed dwelling directly onto Llanellen Road.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01418	New dwelling with associated works.	Pending Determination	

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision  
S4 LDP Affordable Housing Provision  
S17 LDP Place Making and Design  
S16 LDP Transport  
S13 LDP Landscape, Green Infrastructure and the Natural Environment

## **Development Management Policies**

EP1 LDP Amenity and Environmental Protection  
DES1 LDP General Design Considerations  
MV1 LDP Proposed Developments and Highway Considerations  
NE1 LDP Nature Conservation and Development

## **Supplementary Planning Guidance**

Parking Standards SPG  
Residential Infill SPG

## **4.0 NATIONAL PLANNING POLICY**

### **4.1 Planning Policy Wales (PPW) Edition 10**

4.1.1 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

4.1.2 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

#### **Llanfoist Fawr Community Council**

The community council recommended the application is approved but requested confirmation parking provision was in accordance the adopted Parking Standards.

#### **MCC Highways**

No objection.

#### **Dwr Cymru - Welsh Water**

No objection subject to condition.

#### **MCC Affordable Housing Officer**

An affordable housing contribution is required.

### **5.2 Neighbour Notification**

11no. objections from five households have been received; they are neighbours objecting to the proposals. The following concerns have been raised:

- The development will be within 6m of an exclusion zone for a trunk main which may cause damage which would affect the village;
- Adverse overlooking into surrounding properties;
- The drawings do not adequately confirm the ridge height of the property/ the drawings are inaccurate, specifically in relation to the proposed site ground levels/ drawings are misleading;
- The loss of the stone walls would be detrimental to the character of the village/ Llanellen Road;
- The boundary proposed between the application site and adjacent dwellings is not adequate/ will the development replace the current fence which is considered to unsightly?

- o Parking provision is not appropriately sized and could result in conflict with parked cars along Llanellen Road/ Loss of available on street parking as a result of the development;
- o The development may result in damage to the telegraph pole which provides services to surrounding dwellings;
- o The plans show an area of land in third party ownership to be excavated;
- o Safety concerns regarding the pedestrian access being directly onto Llanellen Road;
- o Consultation was not thorough in contacting all neighbours affected.

Please note all representations can be read in full on the Council's website:  
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The application site is located in the defined settlement of Llanfoist which is a Rural Secondary Settlement. Policy S1 supports the provision of a 'small amount' of housing within the settlement of Llanfoist. Given the site's location within the settlement and in an area identified as suitable for additional housing, the principle to develop 1no. dwelling at the site would be acceptable.

6.1.2 The detailed proposals must also be acceptable in terms of the material planning considerations. In respect of this proposal, the material planning consideration are:

- o Affordable Housing;
- o Residential Amenity;
- o Visual Impact;
- o Highways and Access;
- o Biodiversity;
- o Drainage;
- o Affordable Housing.

### **6.2 Affordable Housing**

6.2.1 Policy S4 requires affordable housing contributions to be made in relation to developments which result in a net gain in residential dwellings. Where the net gain in dwellings is below the threshold for affordable units to be provided on site, i.e. where there is proposed to be 5 or more units in such settlements, then a financial contribution is appropriate.

6.2.2 The financial contribution is based on the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July 2019) and in relation to this development would be £7,795.20.

6.2.3 The applicant has confirmed they accept the payment and are willing to enter into a Section 106 agreement.

6.2.4 Thus, the proposal accords with LDP Policy S4.

### **6.3 Residential Amenity**

6.3.1 The proposal is located in a residential area and, therefore, could have an adverse impact on surrounding dwellings. No. 49 plus no. 50 Woodland Crescent as well as Escholl and Hebron are located along Llanellen Road to the east and north east of the site respectively. The most affected dwellings are no.1 and no. 2 The Orchard to the south-west of the site. The Haven and Woodland Cottage are located to the south. The development may also impact on the existing dwelling at the site, known as Sunnybrooke. The impact on the identified dwellings above will be discussed below.

*No. 49 - 50 Woodland Crescent, Escholl and Hebron, Llanellen Road*



6.3.2 The proposed dwelling will be located 15.2m and 20.8m from no. 49 and no. 50 Woodland Crescent and approximately 16.5m at its closest point to Escholl and approximately 22m from Hebron.

6.3.3 Whilst the separation distance from No. 49 is limited, the measurement has been taken from the front of the proposed dwelling to the closest corner of no. 49. No. 49 is positioned at an angle with the application site and positioned between 15.2m to 18.2m from the proposed dwelling. Whilst the separation distance is lower than 21m, the relationship is a front-to-front relationship whereby a lesser separation distance is generally accepted and no. 49 is positioned at an angle facing away from the proposed dwelling. Whilst there would be 2no upper floor windows serving bedrooms on the front elevation of the proposed dwelling, the overlooking opportunities from the proposed dwelling would be limited by virtue of the separate distance and the oblique angle of no. 49. Furthermore, the front garden of no. 49 is open and highly visible from the street and the proposed dwelling is not considered to result in increased overlooking to a level which would be considerably worse than the current situation.

6.3.4 Escholl is located approximately 16.5m at its closest point to the proposed dwelling. Due to the positioning of the proposed dwelling, it will be at an angle to the front elevation of Escholl and, therefore, it will have a similar relationship with the proposed dwelling as. 49, discussed above. Given the separation distance, the front to front relationship and the proposed angle of the proposed dwelling, there is not considered to be an overlooking or overbearing impact which would be considered harmful. Escholl has an equally open and highly visible front garden, similarly to No. 49, and the overlooking opportunities of this space will be no worse than the existing situation as a result of the proposed dwelling.

6.3.5 It is also important to consider, the form of development proposed at the site will result in a similar relationship with the dwellings on the opposite side of the road (No. 49 and Escholl) as Sunnybrooke and Woodland Cottage has with the dwellings opposite them. These existing relationships demonstrate a similar form of development at the application site would be acceptable.

6.3.6 The proposed dwelling has ample separation from no. 50 and Hebron to ensure no adverse impact on the residential amenity of these properties.

#### *No. 1 and No. 2 The Orchard and The Haven*

6.3.7 No1 and no. 2 The Orchard are located to the south west of the application site at a higher ground level than the application site. No. 1 is offset from the site boundary by approximately 16m and no. 2 is offset by approximately 19m.

6.3.8 The proposed dwelling will be located centrally to the application site, approximately 7.5m from the southern boundary and approximately 1.9m from the western boundary, which is the boundary closest to no. 1 and no. 2 The Orchard.

6.3.9 This would result in the proposed dwelling being approximately 19m from No. 1, positioned at an oblique angle and at a lower ground level. The proposed dwelling would have windows on the rear elevation at ground floor level which serves a kitchen and living room and 1no window at the upper floor level which would serve a landing area, which is a non-habitable space. A window is proposed to serve a bedroom at the upper floor but this is positioned on the side elevation and would not impact on no. 1. Views from the lower ground floor windows will be obscured by the agreed boundary treatments and would not pose any overlooking opportunities. Given the proposed relationship is a front-to-rear arrangement and the separation distance, there would be no overlooking from the upper floor window and, as mentioned above, this is a non-habitable window. The proposed dwelling would not result in overlooking which would adversely affect no. 1.

6.3.10 Owing to the lower ground level of the application site together with the separation distance, the proposed dwelling will not have an overbearing impact on no. 1.

6.3.11 The proposed dwelling would be located approximately 21m from no. 19 and at a lower ground level. Whilst the proposed dwelling would be positioned directly in front of no. 2, the separation distance together with the application site being at a lower level ensures there would not be an overbearing impact. As discussed above, there are limited upper floor windows which would be either positioned to face away from no.2 or are non-habitable to ensure there is no adverse overlooking.

6.3.12 The proposed dwelling is located a sufficient distance from no. 1 and no. 2 The Orchard and would not result in adverse overlooking or any overbearing impact on these existing dwellings.

#### *The Haven and Woodland Cottage*

6.3.13 The Haven and Woodland Cottage are located over 28m to the south which is ample separation distance to ensure no adverse impact on neighbouring amenity.

#### *Sunnybrooke*

6.3.14 Sunnybrooke will lose the majority of its garden area to provide the plot for the proposed dwelling and will have a separation distance of approximately 18m.

6.3.15 The relationship between the proposed dwelling and Sunnybrooke will be a side-to-side relationship. The proposed dwelling will have a total of 3no. upper floor windows serving bedroom, two of which will be approximately 18m from the rear elevation Sunnybrooke and 13m from the common boundary separated by a shared parking area. Whilst the separation distance is less than 21m, Sunnybrooke does not have any upper floor windows on the side elevation and, therefore, there will be no overlooking between dwellings. The garden area of Sunnybrooke would experience some overlooking but this would be better than the standard 21m separation distance which allows for a 10.5m rear garden since the proposed distance from the common boundary is in excess of this, at 13.5m.

6.3.16 The retained garden for Sunnybrooke is an acceptable size at approximately 100m<sup>2</sup>.

#### *Proposed Dwelling*

6.3.17 The proposed dwelling is a sufficient size and has an acceptable level of private outdoor space to ensure the amenity of future occupiers would be acceptable. The rear garden would experience some overlooking from No. 1 and No. 2 The Orchard since these dwellings are located at a higher ground level but this is not considered to be so harmful to the amenity of the proposed property to warrant refusal of the application.

#### *Ground Levels*

6.3.18 Before concluding on residential amenity, it is relevant to discuss the proposed ground levels and height of the proposed dwelling and potential impact on neighbours. The levels provided indicate that the finished floor levels will be similar to the existing site levels and approximately 1.3m higher than the road level and approximately 0.5m lower than existing patio area to the rear of Sunnybrooke. The height of the dwelling from the finished floor level will be 7.83m. The proposed height, taking account of the ground levels also, is not considered to be unacceptable or to have an adverse impact on neighbouring properties. As discussed above, the proposed dwelling is not considered to have an overbearing or overshadowing impact on surrounding dwellings by virtue of the separation distances achieved. It is acknowledged the height may result in views from adjacent properties being altered but this is not a material planning consideration.

6.3.19 The impact of the proposed dwelling on the amenity of surrounding properties has been considered in detail above. It can be concluded the proposed dwelling would not have an adverse impact on existing residential amenity. Furthermore, the proposed dwelling would provide future occupiers with a good level of amenity. The proposal accords with Policy EP1 and with the guidance set out in the adopted SPG on residential infill development.

## 6.4 Impact on the Highway

6.4.1. The proposed dwelling will be accessed via a new driveway off Llanellen Road. The driveway will provide a total 4no.car parking spaces, three will serve the new dwelling and one space is to serve Sunnybrooke.

6.4.2 The site has a previous permission for an access off Llanellen Road to serve Sunnybrooke (application reference: DC/2016/00404). The principle of creating an access point off Llanellen Road is, therefore, established. It is acknowledged the access point proposed would have an intensification of use, serving two dwellings rather than one. It is not considered the increase in use would be to a level which would be harmful or detrimental to highway safety. The proposed access is considered to be acceptable.

6.4.3 A pedestrian access point is proposed directly off Llanellen Road to serve the dwelling. Whilst a pedestrian access at this point is not ideal since there is no footway on the western side of Llanellen Road for pedestrians to use. It is not considered the provision of the pedestrian access in this location is so detrimental in highway safety terms to warrant refusal of the application. Furthermore, other dwellings along the western side of Llanellen Road have similar pedestrian access points; therefore, it not considered to introduce a pedestrian access point which would be any more hazardous than the existing situation.

6.4.4 The proposed parking provision is in accordance with the Parking Standards SPG which requires 3no spaces for a three-bedroom house. The proposed parking provides an additional space to serve Sunnybrooke. Sunnybrooke currently does not have any off road parking and the provision of an off road space represents compensation for the loss of an on-street space as a result of the proposed access point.

6.4.5 The Highways Authority assessed the application as originally submitted and raised an objection based on the proposals providing insufficient parking and the loss of on-street parking as a result of the provision of the access. The proposal has been amended to provide 4no. parking spaces, as discussed above. The Highway Authority has withdrawn its objection on the basis of the parking provision now proposed.

6.4.6 The proposed development has an acceptable impact on the local highway network and provides an appropriate level of parking in accordance with Policy MV1 and the Parking Standards SPG.

## 6.5 Visual Impact

6.5.1 The surrounding area is characterised by a variety of house types and styles including individually designed, modern detached dwellings to the south and south-west, semi-detached post war housing to the east and traditional dwellings to the north. The area also has varied building lines with an irregular pattern of development. The design requirements for the site can be flexible given the lack of uniformity in the area and there is capacity in the streetscene for a detached dwelling without it appearing incongruous or out of character.

6.5.2 The proposed dwelling would have its frontage along Llanellen Road. It is designed to be traditional in appearance with a two-storey projecting gable to the front and traditional pitched roof. The proposed materials are high quality including a natural slate roof and rendered and natural stone walls. To ensure the materials are high quality and in keeping with the surrounding area a condition requiring agreement of materials will be imposed.

6.5.3 The stone wall boundary to the front of the site will be retained. The boundaries to the rear of the site have not been indicated at this stage but can be secured via planning condition.

6.5.4 The proposed dwelling is well designed and would be in character with the streetscene and wider area in accordance with Policy DES1.

## 6.6 Biodiversity Considerations

6.6.1 The application site is a residential garden and therefore can be managed and maintained by the occupier without the need for planning permission. At the time of the original submission the application site was bare ground. Due to the passage of time, the site has become overgrown. Despite this, the site is considered to have limited ecological value and vegetation on site is overgrowth due to lack of maintenance. No further ecological information was considered necessary. The proposed development is not considered likely to have an adverse impact on biodiversity and accords with Policy NE1.

## 6.7 Drainage Infrastructure

6.7.1 As discussed earlier in this report, the application site is adjacent to 2no. trunk water mains owned by Dwr Cymru Welsh Water (DC-WW). The proposed dwelling has been moved away from the predicted location of the water mains to an area which was likely to be outside of the protection zone, subject to investigation. A condition requiring investigation of the location of the water mains will be imposed to ensure the development does not negatively impact on the mains.

6.7.2 It is possible that the dwelling will need to be relocated if investigation works demonstrate the water mains are in a different location than predicted, although this is less likely given the repositioning. Should repositioning be required, a new planning application would be required. The Local Planning Authority is, however, satisfied that reasonable steps have been taken to ensure the proposed dwelling can be built in the proposed location and DC-WW have agreed with the approached taken, subject to a condition.

## 6.8 Response to the Representations of Third Parties

6.8.1 The following objections were raised by neighbours and will be addressed in turn below for completeness.

The development will be within 6m of an exclusion zone for a trunk main which may cause damage which would affect the village;

6.8.2 The proposed dwelling has been positioned to avoid the protection zone of the water mains. DC-WW has assessed the proposed development and has not objected subject to a condition being imposed.

Adverse overlooking into surrounding properties

6.8.3 As discussed above in detail, the proposed dwelling would not result in adverse overlooking into surrounding properties and the proposal accords with Policy EP1.

The drawings do not adequately confirm the ridge height of the property/ the drawings are inaccurate, specifically in relation to the proposed site ground levels

6.8.4 The proposed plans indicate the existing ground level, including a ground level of the patio of Sunnybrooke and Llanellen Road as points of reference. The finished floor level of the proposed dwelling has also been provided which indicates the dwelling will be approximately 0.6m lower than the patio of Sunnybrooke's rear patio and approximately 1.3m higher than the road (the site as existing is 1.2m higher than the road). The proposed height of the dwelling is also confirmed at 7.83m. The information provided is sufficient to assess impact of the overall ridge height of the dwelling with accuracy. It is concluded that the overall height is acceptable and would not adversely affect the amenity of surrounding dwellings.

The loss of the stone walls would be detrimental to the character of the village/ Llanellen Road

6.8.5 The stone wall will be largely retained save for the sections to be removed to facilitate access. The retention of the wall is considered important and will be conditioned via the approved plans which indicate it is to be retained.

The boundary proposed between the application site and adjacent dwellings is not adequate/ will the development replace the current fence which is considered to be unsightly?

6.8.6 The proposed boundary to the south and west will be replaced. The type and height of the boundary will be agreed via planning condition to ensure adequate boundaries are proposed and implemented.

Parking provision is not appropriately sized and could result in conflicts with parked cars along Llanellen Road/ loss of available on-street parking as a result of the development

6.8.7 The proposed parking provision is adequate and compensates for the loss of the on-street parking. The Highway Authority has assessed the application and raised no objection.

The development may result in damage to the telegraph pole which provides services to surrounding dwellings

6.8.8 There is no evidence to suggest the telegraph pole will be damaged as a result of the development. Notwithstanding this, the developer will have a legal duty to ensure no damage to third party property as a result of the development and this is not a matter controlled via the planning process.

The plans show an area of land in third party ownership to be excavated

6.8.9 The plans do not include third party land or indicate third party land requires works which require planning permission.

Safety concerns regarding the pedestrian access being directly onto Llanellen Road

6.8.10 The pedestrian access has been assessed and considered to be acceptable in highway safety terms and reflects similar access points already in situ along Llanellen Road.

Consultation was not thorough in contacting all neighbours affected

6.8.11 The public consultation was carried out in accordance with the legislative requirements.

## 6.9 Well-Being of Future Generations (Wales) Act 2015

6.9.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 6.10 Conclusion

6.10.1 The proposed development is an acceptable form of development within a Rural Secondary Settlement in accordance with Policy S1 and will provide an affordable housing contribution in accordance with Policy S4.

6.10.2 The development has an acceptable impact on neighbouring properties and complies fully with Policy EP1.

6.10.3 The proposed development accords with the adopted LDP and is recommended for approval subject to the signing of a section 106 agreement to secure the affordable housing contribution.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

£7,795.20 financial contribution towards affordable housing in accordance with Policy S4

If the S106 agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4 The proposed boundary treatments shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed boundary treatments which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

5 The development hereby permitted shall not be commenced until details of a construction design method statement and risk assessment for the protection of the structural condition of the strategic water mains located close to the site boundary has been submitted to and approved in writing by the local planning authority. This shall include the completion of trial holes to determine the exact location of the mains and implementation of any necessary protection works to ensure structural integrity of mains as well as access for maintenance and repair. No other development pursuant to this permission shall be carried out until the approved protection measures have been implemented and completed. Thereafter, the protection measures shall be retained at all times during the lifetime of this permission.

REASON: To protect the integrity of the public water main(s) and avoid damage thereto.

6 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Informatives:

1 The applicant may need to apply to Dwr Cymru - Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory

requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

2 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru - Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru - Welsh Water has rights of access to its apparatus at all times.

This page is intentionally left blank



**Proposal:** Demolition of modern extensions and conversion of original public house building to residential. Erection of 4 new dwellings to the rear with car parking and associated external works

**Address:** Chepstow Castle Inn, 12 Bridge Street, Chepstow, NP16 5EZ

**Applicant:** Mr. & Mrs. D Mayo

**Plans:** Site Plan 2278/1 - , Site Plan 2278/10 D - D, Elevations - Proposed 2278/11B - B, Floor Plans - Existing 2278/2 - , Floor Plans - Existing 2278/3 - , Floor Plans - Existing 2278/4 - , Elevations - Existing 2278/5 - , Floor Plans - Proposed 2278/6 - , Elevations - Proposed 2278/7B - B, Floor Plans - Proposed 2278/8 - , Elevations - Proposed 2278/9B - B, Justification Statement

**RECOMMENDATION: APPROVE subject to a 106 Legal Agreement to provide a financial contribution for affordable housing provision**

Case Officer: Ms. Kate Young  
Date Valid: 27.11.2019

**This application is presented to Planning Committee due to the number of objections received**

## 1.0 APPLICATION DETAILS

1.1 The Chepstow Castle Inn is a Grade II Listed Building situated in the Chepstow Conservation Area. It is located within the Development Boundary of the town and an Archaeologically Sensitive Area. The site is outside the Central Shopping Area but part of the grounds are within a C1 Flood Zone.

1.2 There is a large beer garden to the rear as well as a car park which is accessed off Church Road. To the south of the site is the former Chepstow Board School which is currently undergoing conversion. There are existing residential properties surrounding the rest of the site. The site curtilage is defined by a 1.8 metre high fence between the development site and the Board School and a low level stone wall to the north of the site which is overgrown by vegetation.

1.3 The application is accompanied by a Flood Consequences Assessment, A Tree Survey and a Heritage Impact Assessment. There is a concurrent Listed Building Application for the conversion of the public house DM/2019/01922

### 1.4 Value Added

The site plan has been amended to show vehicular access to the neighbouring property as well as the provision of a bin store and recycling storage area. The bat mitigation has also been amended.

### 1.5 Proposal Description

The application seeks the conversion of the public house into a single residential unit; this would involve some demolition. The application also seeks the erection of four new residential units, in the beer garden to the rear. These properties would be built in a row, two would be detached and two semi-detached. The existing pub car park which is accessed off Church Road would be utilised and 18 car parking spaces would be provided to serve the overall scheme. The car park would be landscaped with additional planting. The four new dwellings and conversion would all have pedestrian access via a resin bond path. The existing stone boundary walls would be retained. Dwarf stone walls would be built at the front of the 4 new dwellings and these would have railings above. The new dwellings, which would increase in height from 7.9 metres for plot 4 adjacent to the car park in the east to the four storey public house to the west, would be finished in render with stone detailing and would have slate or pantile roofs.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2019/01922	Demolition of modern extensions and conversion of original pub building to residential. Erection of 4 no dwellings to the rear with car parking and associated external works (listed building consent)	Pending Consideration	
DC/2006/01190	Minor works to change use from retail to residential - removal of signage to front elevation; replacement of fixed window to G.F Front with new sash; roof escape hatch (unglazed) new stabbing to enclose kitchen; replacement of attic door	Approved	05.01.2007
DC/2006/01174	Change of use from retail to residential with minor external alterations	Approved	05.01.2007
DM/2019/00309	Felling trees numbered 8, 9, 10 and 20, 21 and 24, as identified and described in the enclosed Tree Report.	Approved	10.04.2019
DM/2020/00661	Felling of one spruce tree, identified as Tree 1 in the enclosed Tree Survey and Arboricultural Impact Assessment	Pending Consideration	

DC/2007/00404	Block up 2no existing windows in cellar and replace 2no existing first floor metal windows to rear bedroom.	Approved	26.11.2007
DC/2007/00473	Externally illuminated signs for public house.	Approved	22.01.2008
DC/2007/00474	Pub Signs	Approved	22.01.2008
DC/1996/00255	Addition Of Ladies And Gents Toilets To Rear Of Building.	Approved	11.06.1996
00588	Extension APP_TYP 02 = Outline DEV_TYP 03 = Extension MAP_REF = 353560194150		13.05.1974

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S1 LDP The Spatial Distribution of New Housing Provision  
S2 LDP Housing Provision  
S4 LDP Affordable Housing Provision  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design  
S12 LDP Efficient Resource Use and Flood Risk

#### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
H9 LDP Flat Conversions  
CRF1 LDP Retention of Existing Community Facilities  
SD4 LDP Sustainable Drainage  
SD3 LDP Flood Risk  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
MV2 LDP Sustainable Transport Access  
DES1 LDP General Design Considerations  
HE1 LDP Development in Conservation Areas

### **4.0 NATIONAL PLANNING POLICY**

#### **Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future

Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

Technical Advice Note (TAN) 15: Development and Flood Risk (2004):  
<http://gov.wales/topics/planning/policy/tans/tan15/?lang=en>

## **Supplementary Planning Guidance**

Affordable Housing SPG July 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

Chepstow Conservation Area Appraisal (March 2016):  
<http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/chepstow-conservation-area-appraisal>

Monmouthshire Parking Standards (January 2013)  
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

#### **Chepstow Town Council - Refuse**

Over Development; there should be only three new dwellings so there could be more space between them.

Less car parking and more green space

**Glamorgan Gwent Archaeological Trust (GGAT) - No objection subject to a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource.**

#### **MCC Highways - No objection in principle.**

The highway authority acknowledges that the means of access off Church Road is existing and has provided access to the rear of the public house, other properties and parking for the public house and others for a considerable period of time. The maximum number of parking spaces required in accordance with the Council's adopted parking standards is 15, Drawing NO. 2278/10 - Proposed Site Plan indicates 18 spaces resulting in 3 additional spaces. However, no dedicated turning provision has been indicated. The highway authority acknowledges the restrictive nature of the access and the inability for the access to be widened. The alignments and width of the access will affect the size of service and delivery vehicles and influence the day to day servicing of the development, particularly waste collection.

The development will require full SuDS approval.

In addition the Construction Management Plan submitted in support of the application is considered acceptable and reflects the existing highway and environmental constraints.

The highway authority does not consider a development of this size and scale will be detrimental to the safety and capacity of the immediate highway network, however the highway authority has concerns regarding the operational effectiveness of the proposal and would recommend that the applicant and the planning authority consider the following:

1- A dedicated turning area

2- Detailed arrangements of how waste and recyclables will be collected is required, as the site as proposed cannot be accessed by the current waste service vehicle used in Chepstow, alternative arrangements need to be considered.

### **Dwr Cymru-Welsh Water**

The development requires approval of Sustainable Drainage Systems (SuDS).

The proposed development site is crossed by a 225mm public combined sewer, please note that no operational development is to take place within 3 metres either side of the centreline of the sewer.

### **Natural Resources Wales (NRW)**

#### **Flooding**

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following documents within the condition identifying approved plans and documents on the decision notice:

'Chepstow Castle Inn, Flood Consequences Assessment', prepared by Liddle+Associates Ltd., dated October 2019, reference number: RJL/2278/FCA/16Oct2019

We have reviewed the FCA submitted in support of the above application entitled, 'Chepstow Castle Inn, Flood Consequences Assessment', prepared by Liddle+Associates Ltd., dated October 2019, reference number: RJL/2278/FCA/16Oct2019. The FCA shows that the risks and consequences of flooding could be managed to an acceptable level for the following reasons: The existing finished floor levels (FFLs) of the pub is a minimum of 10.775mAOD and the garden area is a minimum of 11.4mAOD. The proposed FFL of the new build dwellings will be 11.9mAOD. No information has been provided on the rate of rise or speed of inundation as part per A1.15 of TAN15 and the Welsh Government's CPO Letter (Planning Policy on Flood Risk and Insurance Industry Changes) on 9 January 2014. If you are minded to request this information from the Applicant, we would be happy to provide further advice. It is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15.

#### **Protected Species**

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation & Planning (paragraph 6.2.2) a bat survey may be required.

**MCC Tree Officer** - Thank you for the updated tree protection information which is most satisfactory. I would suggest the tree protection condition be applied to the decision notice.

**MCC Ecology** -The landscape plan provides appropriate compensation for the tree loss proposed. The ecological assessment includes bat activity survey of the Inn building and appraisal of the land to be developed. It is noted that the building had moderate potential and activity survey was carried out in accordance with best practice guidelines. Whilst there was some low level bat foraging activity, no bats were identified using the building.

The land proposed for development was identified as having potential for nesting birds, hedgehogs and reptiles. It is noted that habitats identified as being suitable on the first visit were subsequently cleared. The sensitive working methods provided in the report are acceptable and should be secured by condition to safeguard these species during construction. Clarity is needed on who will manage the GI Assets.

The development has been considered under a Habitats Regulations Assessment by MCC.

Biodiversity enhancements are required.

### **MCC Heritage**

The detached property Plot 4 will have a break of 53m between elevations of the public house and plot. Whilst the proposed would have a direct impact upon the setting of the Listed Building, it is not considered the new development shall have an overbearing impact upon the setting. The proposed design is traditional vernacular which lends itself to a cottage gothic style with decorated barge board fronted gable dormers.

Some design amendments were requested.

The proposed development is focussed to the rear of 12 Bridge Street; it is considered the proposal by means of enclosure and height would not impact upon the setting of the scheduled ancient monument (SAM) or surrounding listed buildings.

### **5.2 Neighbour Notification**

Letters of objection received from 12 addresses included the following reasons:

Increase in traffic in the area and along the access road

Inadequate access and parking

Loss of privacy for neighbouring properties

Out of keeping with character of area

Over development of the site/garden grabbing; more open space required

Effect on biodiversity and wildlife

New properties are too big/height

Noise nuisance during and after construction

Strain on existing community facilities

Information missing from plans or insufficient details

Loss of trees

Impact on the conservation area and listed building including demolition

Required proper management of the parking area

The amended plan show the bin store too close to existing residential properties; it will cause an environmental hazard, especially during the summer.

Letters of Support

Car park is currently rough ground and will hopefully stop people fly tipping there.

Adjoining wall will need to be secured as it is currently in a bad state of repair and may fall onto parked cars.

Will be good to see this disused property and rough ground being used for housing to give people homes.

More homes are needed in the area although a by-pass for Chepstow is too.

The building noise will be disruptive for me, but it will be worth it to see the plot used.

In general we feel the design is considerate to its surroundings and a nice use of the space.

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The conversion of the public house into a residential property is subject to Policy CRF1 of the LDP which states that the conversion of community facilities including public houses will only be permitted where the local community will continue to be adequately served by other such facilities in the locality. If that is not the case, the policy criteria then considers whether there is evidence that the facility is not or could not be reasonably expected to become financially viable, including evidence that the facility has been genuinely marketed. In this case, the local community is adequately served by alternative facilities, there being at least 24 public houses and licensed restaurants within Chepstow, the vast majority of which are within 250m of the Castle Inn. Although the pub trade and its market is contracting there are still plenty of public houses operating in the centre of Chepstow and there would be no detrimental impact on the local community.

6.1.2 As criterion a) of Policy CRF1 has been satisfied the need to meet the other criteria within that policy is not necessary. The change of use is therefore policy compliant.

6.1.3 With regards to the new residential properties, the site is located within the Chepstow Development Boundary. Thus in line with Policy H1 of the LDP there is a presumption in favour of development within these boundaries, subject to normal detailed planning considerations. Policies S1 of the LDP says that the main focus for new housing development is within or adjoining Main Towns; Chepstow is one of the three main towns. The principle of new residential development in this location is therefore acceptable in policy terms. PPW 10 recognises the need to provide sufficient housing in sustainable locations to meet housing need.

## **6.2 Sustainability**

The Local Development Plan and PPW encourage sustainable development and promote the most efficient use of brownfield land. This is a very sustainable location for new housing development being located within the town centre within easy walking distance to a large range of facilities including shops, places of entertainment and medical facilities. The site is also within walking distance of a train and bus station. In addition this proposal makes good use of a brownfield site. The proposal accords with a key objective of PPW10, providing residential accommodation in a sustainable location.

### **6.2.1 Good Design**

The front elevation of the public house, which is a key element in the Chepstow Conservation Area, is addressed in detail in the associated application for listed building consent. The proposed new dwellings would be sited in the beer garden at the rear of the pub, this will not be visually prominent in the streetscene. The proposal is to construct a row of four dwellings, two detached and two semi-detached units. The design has taken into account the setting of the listed building and the wider conservation area, in order to ensure that the character of both are preserved and where possible, enhanced. Design constraints dictate that the development is located towards the southern boundary of the beer garden in order to protect the trees and their roots to the north. The dwellings therefore face to the northern boundary with some open green space in front. A traditional cottage gothic style has been followed with pitched dormers and multi-pane sash windows. The height of the dwellings generally descends from the proposed 3 storey dwelling on plot 1 which is closest to the existing pub, with a ridge height of 9.5 metres, to a 7.9 metre high dwelling on plot 4 which faces into the car park and has dormer windows. Plots 2 and 3 are semi-detached with plot 2 being slightly lower than plot 3. All of the dwellings will be finished in render and will have either grey blue natural slates or red pantiles, these materials reflect those of other buildings around the site and are in keeping with the character of the area. The design of the dwellings are respectful of the prevailing character of the area and contribute towards a sense of place. The proposal therefore accords with the objectives of Policy DES1 of the LDP.

### **6.2.2 Place Making**

PPW 10 says that good design is fundamental to creating sustainable places where people want to live, work and socialise. The special character of an area should be central to its design. In this case the layout, form scale, visual appearance of the development does engage with its surroundings. The proposed new dwellings are not visually prominent within the Chepstow Conservation area but will be viewed from surrounding properties to some degree. It can be seen from the site plan that the proposals allow for a communal amenity area to the north of the dwellings, with access to the front doors from the car park along a path through this area. This will contribute towards creating a sense of space, and will ensure that the amount of development and its intensity is compatible with development in the adjacent area. The design, massing and scale of the proposed dwellings reflects the character of the adjacent pub and the properties along Bridge Street. The design of the dwellings and their layout will contribute to a sense of place thus complying with one of the key objectives of PPW10.

### **6.2.3 Green Infrastructure**

This is a former beer garden within an existing built up area, there is little scope for large scale Green Infrastructure proposals. The car parking area which is currently gravel will be formally laid out and planted up with shrubs, thereby providing biodiversity enhancements and a permeable surface. Of importance is the retention of the trees on the northern part of the site as per the report of the Tree Survey which maintain an appropriate soft landscaping and visual break within the site.

## **6.3 Landscape**

6.3.1 The site is located within an urban setting, and is not visually prominent from any main public vantage point. It is located at the rear of existing domestic and commercial development. The main focus of the soft landscaping will be in the existing car parking area. At present the existing car parking area for the public house is an area of hardstanding which has not been formally laid out. Not all of this car parking area will be required for the proposed 5 dwellings and a significant part of this area will be planted with shrubs. This will visually break up the area of hardstanding and enhance the aesthetics of what is now a harsh and barren space. The soft landscaping in the car parking area will also increase the permeability of the surface for water penetration and thereby reduce flow rates for surface water in the car parking area. The 4 new dwellings will all have small, enclosed rear gardens, with close boarded timber fences between them. It is envisaged that a large proportion of these gardens will be left as grassed lawn. To the front of the 4 new dwellings will be an area of communal space. Existing mature trees will be retained on this part of the site. Much of the site is surrounded by natural stone walls, these walls will be retained and incorporated into the new development. The proposed landscaping of this site is considered acceptable and complies with criterion h) of Policy DES1 of the LDP which requires that landscape proposals for new development integrated into their surroundings take account of the existing landscape and its intrinsic character. The proposed landscaping for this proposal is appropriate for this site.

6.3.2 A Tree Survey, Arboricultural Impact Assessment & Method Statement was submitted as part of the application. There are a number of trees located both within the pub garden and within the adjacent property along the northern boundary of the site. These trees consist of mature sycamore and ash (mostly self-seeded) together with a number of outgrown bay and hazel stems. These trees are of generally low value arboricultural value (category 'C') and do not impose a significant constraint to development, but do provide a degree of screening to the adjacent property.

6.3.3 The trees within the car park area consist of self-seeded ash which are also of limited arboricultural value. Two trees which include a spruce and pear have been removed as part of a separate application since the original tree survey was undertaken and a further tree, a sycamore, which is causing shading issues to the adjacent property, is due to be removed again as part of a separate application. A young self-seeded sycamore, a chusan palm, weeping pear and elder have also been cleared since the original survey was undertaken. The Method Statement sets out how the pre-commencement tree works associated with this scheme are to be carried out minimising the damage caused to the trees. It includes details on how the works will be managed and how the retained trees will be protected during the works. The MCC Tree Officer has reviewed the report and found it to be satisfactory provided that a tree protection condition be applied.

## **6.4 Historic Environment**

6.4.1 The site is located within the Chepstow Conservation Area, in the Grounds of a Listed Building but the site of the 4 new dwellings in the beer garden to the rear do not form part of the public realm and the site is not prominent within the Conservation Area, with no public vantage points towards it. Consideration has been paid to the setting of the listed building seeking to preserve the building's special character. Following the demolition of the later extensions to the listed building, this provides more breathing space within the rear garden and so it is not considered that the new build will have an overbearing impact on the host listed building. The scale of the buildings, in particular plot 1, which is the closest to the listed building is considered to be of an appropriate scale for 'backland' development and so does not have a sufficiently detrimental impact on the setting of the listed building in this urban environment.

6.4.2 A separate Listed Building Application DM/2019/01922 considers the impact of the proposal upon the listed building and the local historic environment.

## **6.5 Biodiversity**

6.5.1 A Preliminary Ecological Survey was carried out on the site which found no evidence of bats using the Chepstow Castle Inn Building as a bat roost, however there is potential for bat roost(s) in the trees in the beer garden. There is a reasonable likelihood that habitats at the rear of the



building could support populations of common reptile species (protected under the Wildlife & Countryside Act and Environment Wales Act 2016). Subsequently a Bat Survey and Ecological Survey was submitted. No evidence of roosting bats was found. The site was initially considered to have some limited reptile potential, although marginal vegetation was cleared during summer 2019 following which this potential was reduced. The ecology assessment has identified some potential low level, local impacts to foraging and commuting bats, nesting birds, hedgehogs and reptiles. Protection and mitigation measures are proposed for the scheme including the clearance and construction phases. In line with planning policy and best practice, biodiversity enhancement measures are to be provided, these include bird and bat boxes, planting and habitat management for wildlife including reptiles. These enhancements have been altered in line with MCC Ecologists' requests.

## **6.6 Impact on Amenity**

6.6.1 The site is surrounded by commercial and residential properties. To the south of the site is the Old Board School which has been converted into a day centre. That building does have ground floor windows facing into the site, but the Board School is set at a slightly higher level than the proposed dwellings. There is approximately 13 metres between the rear elevations of the proposed dwellings and the side elevation of the Board School building. Given that the Board School is not a residential property and the position of an intervening wall and fence along the common boundary this distance is considered to be acceptable. To the north west of plot 1 is the rear elevation of the public house that is to be converted into a single residential property. The converted public house would have patio doors on the ground floor facing towards the rear garden of plot 1 and would be almost 7 metres from the boundary fence. The proposed conversion would also have two first floor windows, serving a bedroom facing the garden of plot 1.

6.6.2 To the north of the site is the beer garden of the Castle View Hotel within which is a modern residential property that is set at a lower level than the development site. This property has ground and first floor windows facing towards the site. There is a low level wall along the common boundary. There is approximately 16 metres between the elevation of the existing property in the rear of the Castle View pub and the side elevation of proposed plot 4. At first floor level plot 4 has a small bedroom window and a window serving a bathroom on the side elevation facing towards the dwelling in the rear of Castle View Pub. Given the intervening distance this is considered acceptable.

6.6.3 To the north east of the site is a row of properties in Orchard Gardens. These properties have their rear elevations facing into the site and their rear gardens adjacent to the car parking area. There is a high stone wall surrounding the car park. There will not be an increase in noise and disturbance from the proposed car park over and above that which would be caused from it operating it as a public house's car park; in fact there is a potential for a significant reduction in parking manoeuvres from the proposed use. The front elevation of plot 4 will face the rear gardens of no 11 and 12 Orchard Close. There is a distance of approximately 21 metres between the rear elevation of these properties and the front elevation of plot 4 which is sufficient to protect amenity.

6.6.4 There are residential properties on either side of the access track into the car park these are 2, 5 and 5A Church Road and 15 to 20 Hollins Close. Although the vehicles entering the new housing development will pass very close to these properties the number of vehicles accessing the proposed housing development will be less than the traffic that could potentially use it in association with the public house, especially if the public house was to host functions. Therefore the impact here is considered to be acceptable.

6.6.5 The layout of the proposed development accords with the objectives of policies DES1 and EP1 in terms of respecting the amenity of the occupiers of existing neighbouring residential properties. The proposal also accords with the specific privacy distances outlined in the adopted SPG on Infill Development.

## **6.7 Highways**

### **6.7.1 Sustainable Transport Hierarchy**

priority with public transport second and then use of private motor vehicles being the least desirable. In this case the site is located in the centre of Chepstow within easy walking distance to all the amenities and facilities in the Town Centre. The site is also within easy walking distance of good public transport links including the bus and railway stations. This site occupies one of the most sustainable locations in the county and the occupiers of these dwellings will be less reliant on the car to go about their daily business. The site is therefore considered to be of a suitably sustainable location for residential use.

### 6.7.2 Access / Highway Safety

The highway authority does not consider that a development of this size and scale would be detrimental to the safety and capacity of the immediate highway network. Access to the site is through the town of Chepstow along St Anne's Street, Lower Church Street and Church Road. This route was the former A48 before the town by-pass was constructed. These streets are characterised by narrow single track roads and sharp bends, particularly adjacent to the access to the site, where the road bends around the open space belonging to St Mary's Church. The route is one way, and this is the only access route to the site. The current car park has provision for 38 car parking spaces. This car park can be used now in association with the public house and could generate a much higher volume of traffic than would be associated with the development of 5 residential dwellings. The highway authority acknowledges the restrictive nature of the access and the inability for the access to be widened. Access to the site from the highway is via a private lane, off Church Road. The lane is generally in the order of 3.8m wide, and is 3.35m wide at its narrowest part. This access has been utilised satisfactorily within the past year by construction vehicles working on the Old Board School, which have included 8cu m concrete wagons, wider than a standard car. Given the current position, the access is considered acceptable to accommodate the proposed new use for 5 dwellings.

Some neighbours have said that their properties are being damaged as a result of large vehicles entering and leaving the site. The submitted Construction Traffic Management Plan states that:

"Given the access route through the town, and the access lane to the site, construction vehicles delivering to the site will be restricted to 4 axle rigid lorries, 30 tonnes max gross weight. No articulated vehicles would be allowed. Prior to commencement of operations, the contractor will contact all dwellings and commercial properties backing on to the site and the access lane in order to inform the residents and occupiers of the start of operations and to provide contact details of the site representative who will be the main point of contact for concerns or complaints regarding the site."

The access lane is wide enough to take construction traffic and construction activities will be carefully monitored as outlined on the Construction Traffic Management Plan. The construction phase is expected to last for 18 months. Once developed, the access road will not be adopted and will be the responsibility of occupiers of the new properties. There is no expectation that a refuse vehicle would enter into the site; refuse would be collected in a communal bin store and then carried up to Church Road to be collected. Any damage to neighbouring properties would be a private legal matter between the two parties.

### 6.7.3 Parking

The adopted Monmouthshire Parking standards require one off street parking space per bedroom up to a maximum of three for each dwelling. In this case the new dwellings will require three parking spaces each as will the converted public house, this gives a requirement of 15 spaces. The layout plan shows that 18 off road car parking spaces will be provided which is above that required by the adopted Monmouthshire Parking Standards. One of the parking spaces could be used as a dedicated turning area of cars within the site. A vehicular access to the property to the rear of the Castle Inn, would be maintained through the development site. The proposal accords with Policy MV1 of the LDP which requires that development proposal to satisfy the adopted highway design guide and adopted parking standards.

6.8.1 Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Where five or more dwellings are proposed a percentage of these dwellings should be classed as affordable. In Chepstow the requirement is for 35% of dwellings to be affordable. Where capacity is below this, a financial contribution will be sought towards off-site affordable housing. The dwelling created in the former public house, as per the Affordable Housing SPG, is exempt as it is a conversion of a listed building, therefore the eligible development is for four units. As this is under the five mentioned above, the amount of affordable housing proposed will be based on a viability assessment. In this case the contribution for the four new dwellings will be £35,076.00 in accordance with Policy S4.

The break down required for each unit is as follows:

Plot 1- £10,300

Plot 2- £8,352

Plot 3- £7,516

Plot 4- £8,908

## 6.9 Flooding

6.9.1 The northern extremity of this site, including some of the parking area is within a C1 Flood Zone. No part of the proposed dwellings or their private garden areas will be located within a flood zone. A Flood Consequences Assessment (FCA) has been submitted as part of the application. The Report has been prepared as a consequence of the current flood map prepared by Natural Resources Wales (v201908) showing that a small part of the site will be affected by flooding. It looks at the detail of TAN15, Development and Flood Risk, which sets out criteria for assessing the flood risk and considers those criteria and found that:

"Part of the beer garden where it is proposed to locate residential development has an existing ground level which varies in height from 11.4 to 11.77m AOD. It is estimated that the floor level of the dwellings would be in the order of 11.9m AOD. The Flood Risk Mapping Study shows that a 1:200 year event, defended, excluding upper confidence, does not affect the site in any way and that the depth and hazard grids for upper confidence intervals on 1:200 year events do not impinge on the site in any way. The Study shows that the site does not flood."

NRW considered the FCA and recommend that MCC should only grant planning permission if the submitted FCA is included on the list of approved plans within the decision notice. The application proposes highly vulnerable development (residential development). The Flood Risk Map confirms the site to be partially within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 0.1% (1 in 1000 year) annual probability fluvial and tidal flood outlines of the River Wye, a designated main river. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified with reference to the tests set out in section 6.2 of TAN15. NRW confirm that The FCA shows that the risks and consequences of flooding could be managed to an acceptable level. NRW comments that no information has been provided on the rate of rise or speed of inundation as per part A1.15 of TAN15 and the Welsh Government's CPO Letter (Planning Policy on Flood Risk and Insurance Industry Changes) on 9 January 2014.

Paragraph 6.2 of TAN 15 sets out the tests that must be applied for developments in flood zones. This states:

"New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners in an existing settlement or region;
- iii) It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,

- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

The site is located within a C1 flood zone and not a C2, which is an area of flooding with flood defences. The site is located within the town centre surrounded by other residential and commercial properties. Without the conversion of the listed pub and the enabling new development the building which has been vacant for some time could fall into disrepair. The proposed development would preserve a listed building which makes a positive contribution to this important part of the Chepstow Conservation Area. In addition the proposal will provide much needed new residential dwellings in a sustainable location. The preservation of the listed building and the proposed new dwellings comply with the council's objectives. The proposal will provide employment opportunities during the construction phase. The site was previously a pub and beer garden and therefore it is not greenfield land but has been previously developed. NRW have confirmed that the submitted FCA shows that the risks and consequences of flooding could be managed to an acceptable level. They advise us that no information has been provided on the rate of rise or speed of inundation however this is because the area where the dwellings would be sited does not flood - so there is no inundation. For these reasons it is considered that the proposal complies with all the tests set out in paragraph 6.2 of TAN 15 for highly vulnerable development within a C1 Flood zone.

## **6.10 Drainage**

### Foul Drainage

6.10.1 There is a 225mm public combined sewer running through the existing car park. Welsh Water have requested that no operational development take place within 3 metres either side of the centreline of the sewer. The new dwellings do not encroach on this easement, in that the area either side of the sewer is proposed to be used for car parking. It is proposed to connect the foul water from the new dwellings into the combined sewer in the car park. This complies with the advice from NRW that in a sewerred area the preference is to connect into a main sewer.

### Surface Water Drainage

6.10.2 SuDS techniques will be incorporated into the development. While no percolation tests have been undertaken, a total of five trenches have been excavated across the site for archaeological purposes. The indication from examining the sides of these trenches is that the ground should be able to accommodate soakaways to accommodate rainwater discharge from the new houses. Permeable ground finishes will be incorporated for paths and car parking areas, as will water butts for the dwellings. Demolition of the extensions to the original public house structure will reduce the amount of surface water discharged into the combined drainage system thus reducing total water discharge rates from the site. The Sustainable Drainage System will have to accord with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body and will be fully built out in accordance with this SAB approval.

## **6.16 Planning Obligations**

A financial contribution of £35,076.00 for affordable housing will be required as part of the development.

## **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

The Town Council has suggested that the proposal is over development and consider that three dwellings on the plot would be more appropriate. In this area of Lower Chepstow, there is a wide range of plot sizes, with some very small properties with pedestrian access only through narrow courtyards. The size and configuration of the proposed dwellings are in keeping with the prevailing and varied character of this part of Chepstow. The proposed dwellings all have adequate private amenity space as well as benefiting from the communal green space within the northern part of the site. Officers have considered the benefits of reducing the number of dwellings on the site, to provide more green space but there is no planning justification for this, given that the proposal does accord with Policy DES1 of the LDP. The applicant has provided assurance that the site will be able

to accommodate adequate SuDS methods.

Many of the issues raised by the neighbours such as traffic generation, residential amenity and ecology have been addressed in the main body of the report. The height of the proposed dwellings is in keeping with the height of surrounding properties; in fact they are a lot lower than many of the properties along Bridge Street. The height, scale and position of the dwellings has been carefully considered to minimise overlooking and ensure that privacy distances are acceptable. Comments are raised over the accuracy of the plans and insufficient details. However the plans are considered sufficient for planning purposes.

In relation to the loss of trees, permission was granted in April 2019 to fell trees on the site under application number DM/2019/00309. This was needed as the trees were located within a Conservation Area. The remaining trees on site have been accommodated and protected as part of the green space to the northern boundary.

A development of five additional residential units within Chepstow would not put significant additional strain on public transport or community facilities. Concern from local residents is raised over the adequacy of the access road into the car park – especially regarding its narrow width. This serves the existing use of the site as the public car park. It is considered and confirmed by the council's Highways Officer that the proposed residential use will generate considerably less traffic movements than those generated by a public house car park. The use of the access by traffic during the construction period has been addressed in the Construction Traffic Management Plan (CTMP) which has been approved by the highway authority. Any noise and nuisance from construction will be for a limited time only and so is considered to be addressed and properly managed through the CTMP.

There would be no footway adjacent to the access and there is no requirement for this as a private road serving only six residential properties (including vehicular access for an existing property). The potential for damage to existing properties from vehicles striking the wall is no greater as a result of this proposal. The access into the site is narrow and a single lane, but this is only over a short length with good visibility throughout. While not to usual highway standards, the access is existing and will only be used for a low number of vehicular movements. A traffic assessment is not needed in this case as the increase in traffic movements resulting from five additional dwellings will not be significantly high compared to existing traffic movements in Lower Chepstow or compared to those which could be generated if the property continued to be used as a public house. The vehicular access to the property to the rear of Castle View is being maintained.

Noise and dust are an inevitable part of the construction process and only temporary in nature. The Construction Traffic Management Plan submitted as part of the application outlines how the impact of noise and dust are to be managed. To safeguard the amenities of nearby residents it is proposed that no construction works shall be undertaken on the site on Public Holidays. Construction work will be limited to between the hours of 8 am and 6 pm on Mondays to Fridays and between 9 am and 1pm Saturdays.

Lastly, in relation to the bin store, this will be located in the southern part of the site, adjacent to the gardens of 14, 15 and 16 Hollins Close. There is an existing stone wall between the bin store and the existing properties, this should provide adequate protection against odours/nuisance. The bin store will only contain household rubbish in between collections.

## **6.6 Well-Being of Future Generations (Wales) Act 2015**

6.6.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.7 Conclusion**

6.7.1 The site is located within the Chepstow Development Boundary in a very sustainable

location. The principle of residential development is acceptable and in accordance with LDP policies. The FCA has demonstrated to the satisfaction of NRW that the consequences of flooding can be acceptably managed. The design of the new dwellings is acceptable and is in keeping with the character of the area. The proposal will preserve the character of the Chepstow Conservation Area and the setting of the listed building. The access into the site is adequate for the proposed use and the highway authority offer no objections. Therefore, the proposal accords with the objectives of PPW10, TAN 15 and the policies of the LDP and is recommended for approval.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

A financial contribution for affordable housing in the local area of £ of £35,076.00

The break down required for each unit is as follows:

Plot 1- £10,300

Plot 2- £8,352

Plot 3- £7,516

Plot 4- £8,908

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

### Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The development shall be carried out in accordance with the Construction Traffic Management Plan, RJL/5 March 2020/2278 submitted in support of the application.

REASON: To protect the amenity of local residents during the construction phase in accordance with policy EP1 of the LDP

4 Trees shall be protected in strict accordance with the Arboricultural Method Statement found at Section 4 of the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated June 10th 2020. Pre-commencement tree works as detailed in Section 5 and the installation of Tree Protection Barriers as detailed in Section 6 shall be completed, notified to the Council's Tree Officer by the Project Arborist and formally discharged before any plant or materials are brought to site.

Reason: To ensure the health of valuable green infrastructure assets in accordance with Council Policy S13: Landscape, Green Infrastructure and the Natural Environment.

5 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on any archaeological resource

6 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: To protect the amenity of adjoining residents in accordance with Policy EP1 of the LDP.

7 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

8 A representative sample of the proposed finishing materials for the dwellings and the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The roofing slate shall be natural and not man made. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the listed building and the conservation area in accordance with policies DES1 and HE1 of the LDP

This page is intentionally left blank



**Application Number:** DM/2019/01943

**Proposal:** Development of one dwelling and parking adjacent to 15 Burns Crescent (Amended plans received 04/03/2020)

**Address:** Land adjacent to 15 Burns Crescent, Caldicot

**Applicant:** Mr Russell Griffiths

**Plans:** Location Plan - , Site Layout 1828/7 - , Elevations - Proposed 1828/6 - , Floor Plans - Proposed 1828/5 - ,

**RECOMMENDATION: Approved subject to S106 agreement**

Case Officer: Mrs Helen Hinton

Date Valid: 29.11.2019

**This application is presented to Planning Committee following public objections to the development**

## 1.0 APPLICATION DETAILS

### 1.1 Site Description

The application seeks full planning permission for the development of a detached dwelling on land forming part of the residential curtilage of 15 Burns Crescent, Caldicot.

The plans submitted detail the development of one detached dwelling, measuring 8.75m wide, 7.6m deep with a pitched roof with a maximum height of 6.8m falling to 4.7m at eaves level. Externally the dwelling would be finished with smooth render elevations, concrete roof tiles and uPVC windows and doors. Internally the accommodation would comprise a kitchen, living room, utility and wc at ground floor with three bedrooms, a bathroom and an ensuite at first floor level. The property would be developed in the side garden of 15 Burns Crescent and would have the same finished floor level, ridge and eaves height as the existing dwelling. However the buildings would be positioned 1m in front of the established building line.

Vehicular access to the new dwelling would be via a shared driveway with the existing property, leading to two parallel parking spaces to the south-east (front) of the dwelling. An existing garage in the south-eastern corner of the site, adjacent to the number 20's garage would be demolished to facilitate the development. Following the demolition of an existing porch parking for the existing dwelling would be provided on the existing front garden. An on-site turning area would be provided between the existing and proposed dwelling.

Both the existing and proposed dwellings would benefit from an area of private amenity space to the north-east (rear). The boundaries of the site would remain as existing with a combination of timber fencing, post and wire fence, concrete block and brick walls evident on site.

### 1.2 Value Added

The application originally sought consent for a pair of semi-detached, two bedroom dwellings. Following the receipt of a highway objection, the scheme has been amended to the current proposal.

### 1.3 Proposal Description

The site comprises the residential curtilage of a semi-detached two storey dwelling forming part of the residential cul-de-sac known as Burns Crescent. The Proposals Map of the Monmouthshire County Council Local Development Plan identifies that the site is located within the defined development boundary and community of Caldicot.

The application site is irregular in shape measuring at its greatest 13.5m wide and 27.5m deep. The plot is positioned on a gentle slope falling from north-west to south-east. As a result the site is below the level of the properties in Shakespeare Drive and Row to the north-west and north respectively, is broadly level with the properties to the east and is raised relative to 20 Burns Crescent to the south.

At the time of inspection the area was laid to terraced lawns with a number of outbuildings (sheds greenhouses etc.) positioned in the north-western part of the site. A garage with a large attached lean-to was positioned in the south-eastern corner adjoining the rear edge of the existing driveway.

Access to the site is gained via Burns Crescent, an adopted but unclassified residential cul-de-sac to the south-west, which currently serves 18 dwellings.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/01943	Development of one dwelling and parking adjacent to 15 Burns Crescent (Amended plans received 04/03/2020)	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S1 LDP The Spatial Distribution of New Housing Provision  
S4 LDP Affordable Housing Provision  
S12 LDP Efficient Resource Use and Flood Risk  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design

### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
SD1 LDP Renewable Energy  
SD2 LDP Sustainable Construction and Energy Efficiency  
SD4 LDP Sustainable Drainage  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
EP3 LDP Lighting  
EP5 LDP Foul Sewage Disposal  
MV1 LDP Proposed Developments and Highway Considerations  
MV2 LDP Sustainable Transport Access  
DES1 LDP General Design Considerations

## **4.0 NATIONAL PLANNING POLICY**

**Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

**Caldicot Town Council** - No comments received.

**MCC SAB** - Request an advisory note be placed on any grant of consent advising that the Scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage and that SuDS approval must be sought and issued prior to the commencement of development.

**Dwr Cymru/ Welsh Water** - Advice provided with regards to the need for approval from the Sustainable Drainage Approval Body for all surface and/ or land drainage.

**Glamorgan Gwent Archaeological Trust** - No objections to the positive determination of the application

SEWBREC Search Results - No significant ecological record identified.

#### Original application

**MCC Highways** - Raise an objection.

#### Amended application

**MCC Highways** - No objection subject to conditions.

### 5.2 Neighbour Notification

#### Original Application

The application has been advertised by direct neighbour notification and the erection of a site notice. Six letters of representation have been received and are summarised as follows:

- Close to adjoining properties
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Noise nuisance
- Strain on existing community facilities
- Traffic or Highways
- Increase danger of flooding
- Loss of privacy
- More open space needed on development
- Out of keeping with character of area
- Over development

- Loss of light
- Loss of parking

### Design

Dividing the garden between 3 houses is overdevelopment and leaves insufficient open space.

### Amenity

- The new properties immediately around the existing building and are surrounded on the other 3 sides by existing properties which will all be overlooked and suffer a loss of privacy from this new development.
- Additional houses will block view and the light at the rear of our property.
- The noise and general undertaking of the construction would be disruptive.
- Two additional houses will increase the noise in the area relative to the existing garden use.

### Parking and Highway Safety

- Proposal will increase in traffic and cars in the street.
- Insufficient parking in the street. The parking in Burns Crescent is already over taxed causing increased parking near the junction with Shakespeare (which is a safety issue) and overspill onto Shakespeare.
- Delivery of materials and equipment to the site during construction would cause unnecessary strain and stress on the street
- Bin lorries and ambulances have difficulty accessing and turning in the cul-de-sac due to on street parking.
- An increase of 2 additional houses is unsustainable.
- The parking spaces indicated are not used in that fashion, resulting in only one car usually occupying the space with the second parked on street.
- Accessing three properties through what is an existing single driveway in a tight corner by an increased number of cars causes further access issues for neighbouring properties.

### Drainage and water run off

Properties immediately adjacent to the site experience issues with drainage and water runoff from the site affecting properties

An impermeable barrier has been placed in a new parking area which was previously grassed, causing excessive runoff and drainage of rain and muddy water from the property directly into the roadway and into our property. The large extension of the paved surface will vastly increase runoff and flooding issues.

### The amended application

The amended plans have been advertised by direct neighbour notification and the erection of a site notice. The objectors have confirmed that all of the original comments remain applicable to the proposal.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### **6.1.1 Strategic Planning/ Development Plan context/ Principle of Development**

The site as a whole is unallocated and located within an established residential area within the development boundary of Caldicot. LDP Policies S1 and H1 presume in favour of new residential developments in such locations. The site is within walking distance of shops, a primary school, public transport and other local facilities. This is a sustainable location for a new dwelling and

accords with the LDP strategy for new housing development to be concentrated in existing towns. The principle of a new residential dwelling in this location is acceptable in policy terms.

Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Single dwellings are required to make a financial contribution towards this and the amount will depend on the size and location of the proposed dwelling. In this case the financial contribution required for a dwelling of the size indicated would be £4,640.00 and that would be secured through a section 106 Legal Agreement.

#### 6.1.2 Good Design/ Place making

The plans submitted detail the development of a modest, two-storey, three bedroom dwelling on land to the east (side) of 15 Burns Crescent. The application initially proposed two units, however following officers concerns this has been reduced to one unit. In its current form the host dwelling benefits from a larger plot than the majority in the cul-de-sac with areas of amenity space wrapping around the front, side and rear elevations. Although the proposal would result in the subdivision of the plot, it is considered that the site is of a size capable of accommodating an additional dwelling, the necessary parking and amenity space required for the existing and proposed property without appearing as overdevelopment of the site.

Although the proposed dwelling would sit slightly forward of the established building line, given the position of the plot at the closed end of the cul-de-sac and the relatively minor depth of the projection, it is considered that siting would not have a detrimental impact on the overall character and appearance of the area to warrant refusal of the application.

Public objections have been raised with regards to the density of development, which were in part shared by officers. This has resulted in the proposals being reduced to a single dwelling. It is now considered that the proposal shows a suitably sized dwelling relative to the scale of the plot, and a design in keeping with and complementary to those within the existing cul-de-sac.

On the basis of the above, the application is considered compliant with the requirements of policies S17 and DES1 of the LDP.

#### 6.1.3 Impact on Amenity/ Promoting Healthier Places

Following public consultation concerns have been raised with regards to increased overlooking, loss of privacy and loss of light.

The application site is positioned on a gentle gradient falling from north-west to south-east. As result of the positioning at the north-eastern end of the cul-de-sac, the proposed dwelling would be enclosed on all sides by existing properties.

Based on the plans submitted, 11m and 21m distance would be maintained between the windows of the proposed dwelling and the party boundary and habitable room windows with 1 Shakespeare Drive to the rear. 12.5m distance would be maintained between the dwelling and the rear elevation of Hermes to the east and approximately 8.1m distance would be maintained between the windows in the front elevation of the dwelling and the boundary with 20 Burns Crescent. At the time of inspection it was noted that 20 Burns Crescent have two, clear glazed window in the side elevation at first floor level and a car port and garage adjacent to the development with the application site.

Given the two storey height of the dwelling and the overall orientation of the site, it is acknowledged that the development would generate some increased overshadowing to the rear gardens of the properties in Shakespeare Drive during the late morning and early afternoon. However, the development would not encroach or cross the 25 degree light angle from any of the windows of the property in Shakespeare Drive that overlooks the site. Given the distances proposed and the reduced floor level of the proposed dwelling relative to the existing dwellings to the north, it is considered that the proposal would not generate such an increased level of

overlooking, loss or privacy, increased overshadowing or loss of light to warrant refusal of the application.

Whilst the development of a dwelling in such close proximity to the rear boundary wall with Hermes to the east could be considered overbearing, it is noted that the property does benefit from a large wrap around rear curtilage and therefore retains an area of amenity space unaffected by the proposed works. Whilst the gable elevation of the proposed dwellings would contain 2 windows- one at ground floor level serving the kitchen and one first floor bathroom window, the kitchen window would be largely screened by the existing boundary walls and the bathroom window is highly likely to be obscured glazed, although this could also be secured by condition. As such it is considered that the development would generate an increased level overlooking or loss of privacy significantly detrimental to the residential amenity of Hermes.

It is noted that the plot immediately to the north of Hermes benefits from outline planning permission for the development of one building (application DC/2012/00450 and subsequent renewals DC/2016/00059 and DM/2019/00119 refer) to date no full or reserved matters consent has not been applied for or granted for the site. Given the position of the proposed dwellings adjacent to the side elevation of 15 Burns Crescent, it is considered that proposed dwellings would not sterilise future development of adjacent plots.

It is acknowledged that the perpendicular position and distance maintained between the front elevation of the proposed dwellings and the side elevation 20 Burns Crescent could generate some increased overlooking and loss of privacy to two first floor windows in the side elevation of number 20. However, being mindful of the orientation of the number 20 it is considered highly likely that these windows serve non habitable rooms such as first floor landings or bathrooms. It is therefore considered that whilst the proposed dwellings would be highly visible from the windows, given that the primary outlook from principle windows in number 20 would be unaffected and that sufficient distance would be maintained between the front elevations of the proposed dwellings and the private amenity space of number 20, it is considered that the development would not be so overbearing or generate such an increased level of overlooking or invasion of privacy to warrant refusal of the application on such grounds.

Although concerns have been raised with regards to the development resulting in the loss of view, this is not a material planning consideration.

On the basis of the above, the application is considered compliant with the requirements of policies S17, DES1 and EP1 of the LDP.

#### 6.1.4 The Welsh Language

There are no implications for the Welsh Language as a result of this proposal.

#### 6.1.5 Sustainable Management of Natural Resources

This is not relevant in this case as the application site currently forms part of the established residential curtilage of the host dwelling.

### **6.2 Active and Social Places**

#### 6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

This plot is located within the established residential area of Caldicot, approximately 400m from neighbourhood shops and facilities and approximately 0.5 - 0.75 miles from primary and secondary schools and Caldicot town centre. The wider area benefits from a frequent bus service which links to Chepstow bus and train stations. The site is therefore considered to be a sustainable location for new housing development.

#### 6.2.2 Access / Highway Safety

Vehicular access to the site would be gained via Burns Crescent to the south-west of the site. The proposed dwelling would share the existing driveway access with number 15.

The level of parking, its design and use and vehicular access via Burns Crescent is a principle concern for the objectors. At the time of inspection it was noted that Burns Crescent is of limited width- 4.5m wide carriageway with 1.85m pavements either side leading to a hammer head turning head at the north-eastern end adjacent to the application site. Whilst all the existing dwellings in the street benefit from driveways, it is noted that when vehicles do park on the highway, it can lead to obstruction for larger vehicles such as refuse lorries and ambulances. However, this is an existing situation. Consideration must therefore be given as to whether the development proposed would lead to such an increased number of vehicles movements that would deteriorate the highway safety and free flow of traffic within Burns Crescent to such an extent to warrant refusal of the application on such grounds.

Following consultation with regards to the original scheme, the Council's Highways Department raised an objection and provided the following comments:

The existing property, No.15, is served by an existing driveway which can accommodate the maximum requirement of off-street car parking in accordance with the Monmouthshire Parking Standards. The driveway is of only one vehicle width therefore 2 way vehicle movements are not achievable.

A private driveway, which serves more than 1 property, should have a minimum driveway width of 4.1m to allow two vehicles to pass safely. The proposal as presented does not meet this standard. The proposed car parking provision for each dwelling, including the host dwelling, is 2 car parking spaces. Whilst this meets the car parking standards contained within the Monmouthshire Parking Standards there are concerns that due to the density of the development vehicle movements within the site will be very restricted. A small turning area is shown on plan however appears to be very restricted. Consequently, vehicle users will be more inclined to reverse in and out of the site directly onto Burns Crescent.

Due to the density of the development and restricted space and the fact that the driveway is only single vehicle width, there are concerns that conflict between vehicles serving the site will be increased. As a result of this and to avoid conflict vehicle users may be inclined to park on street which already suffers from on-street parking.

In light of the aforementioned comments the Highway Authority consider that the proposal is over development of the site which compromises highway safety. The driveway is of insufficient width to serve 3 properties and there is insufficient space on-site for vehicles to manoeuvre safely. We would therefore object to the proposal on these grounds.

Notwithstanding the above the Highway Authority would consider a proposal for the construction of one dwelling."

Following review of the comments, amended plans have been submitted detailing the provision of one, three bedroom dwelling. Although the point of access to Burns Crescent remains substandard the applicant is unable to provide any meaningful increase in width due to the position of boundaries in third party ownership. Whilst the amended site layout plan indicates the provision of two parking spaces to serve the proposed dwelling, it would be possible to secure a third by condition, making the proposal compliant with the adopted parking standards. Being mindful of the alterations and layout proposed it is considered that the development would retain and provide sufficient on-site parking and a turning area which would allow users to manoeuvre safely and wait in the event of another vehicle accessing the site.

Following consultation the Highways Team have advised, subject to condition to provide a third space for the proposed dwelling, no objections are raised to the proposal.

Although the objector's concerns with regards to access, parking and highway safety are acknowledged, it is considered that the development proposed would provide sufficient parking

and turning facilities to prevent the proposal from generating any significant increase in on street parking demand or increase in vehicle movements to be considered so detrimental to the highway safety and free flow of traffic to warrant refusal of the application on such grounds. .

On the basis of the above, the application is considered compliant with policies S16 and MV1 of the LDP.

### 6.2.3 Recreational Spaces

The existing property benefits from front, side and rear garden areas. Once the plot has been subdivided the original dwelling would retain a sufficient area of amenity space to the rear of the property relative to the size of the dwelling and comparable to the size of other rear gardens in the street. The proposed dwelling would benefit from an enclosed rear garden with a depth of approximately 11m. This is considered sufficient and comparable with other properties in the area.

## **6.3 Productive and Enterprising Places**

### 6.3.1 Transportation Infrastructure

The proposed development will be accessed from a publically adopted but unclassified highway, making use of an existing but enlarged dropped kerb and will not have a detrimental impact on local transportation infrastructure.

### 6.3.2 Energy

The dwelling is likely to be served by mains electricity and gas. Although no renewable energy systems are indicated on the proposed plans they could be installed under Part 40 (Installation of domestic microgeneration equipment) permitted development rights. Given the lack of heritage designations within the immediate area, it is considered unreasonable to remove such allowances.

## **6.4 Distinctive & Natural Places**

### 6.4.1 Landscape/ Visual Impact

The application site is viewed in relation to the residential properties surrounding the site and the wider urban area of Caldicot. Although the proposal would subdivide the plot and replace part of the existing garden with built form, given position and scale of the dwelling; the proportionate area of amenity space that would be provided and retained and the external design and finish, it is considered that the development proposed would not have a significantly detrimental impact on the overall landscape and visual amenity of the application site or wider area. The application is therefore considered compliant with the requirements of policies S13, S17, EP1 and DES1 of the LDP.

### 6.4.2 Historic Environment

Following consultation, Glamorgan Gwent Archaeological Trust (GGAT) have raised no objection to the application, noting that whilst within an Archaeologically Sensitive Area and an area where remains of prehistoric and Roman date have previously been encountered, there are no archaeological features noted within the proposed development area, with the historic Ordnance Survey maps, dating from 1881 to 1921, showing the site as open land prior to the residential development of the area.

GGAT consider that the ground has already been extensively disturbed from previous landscaping works and the residential development of the area, including the construction of the adjacent property. Therefore, it is considered unlikely that significant archaeological remains will be encountered during the proposed works, with no objection raised to the positive determination of the application.



On the basis of the consultation response received, the application is considered compliant with the requirements of Technical Advice Note (TAN) 24: The Historic Environment.

#### 6.4.3 Green Infrastructure and Biodiversity

The application site forms part of the residential curtilage of an existing dwelling, located at the north-eastern end of a cul-de-sac of properties. There are no ecological or biodiversity designations on the site or within the immediate area.

At the time of inspection it was noted that the site was largely laid to improved and maintained lawn areas with limited connecting green infrastructure. Given the context of the site and the detached nature of the works relative to the existing dwelling, it was considered unnecessary to request bat and ecological surveys of the site.

Although the development would result in the partial loss of the garden area, given the improved and maintained nature of the land in association with the lack of connecting green infrastructure, it is considered that the development would not have significantly detrimental impact on the overall ecological and biodiversity value of the site. Although not indicated, biodiversity enhancements in compensation and mitigation could be sought be condition.

On the basis of the above, subject to conditions the application is considered compliant with the policies S13, GI1 and NE1 of the LDP.

#### 6.4.4 Water (including foul drainage / SuDS), Air, Soundscape & Light

Following consultation, an objector has identified issues with increased surface water run-off from the site entering their property and the potential for this to be increased as a result of the works.

Replacing part of the existing lawn with a dwelling and parking does have the potential to increase and exacerbate matters with regard to surface water run-off. However, as of the 7th January 2019, all construction works with drainage implications, of 100m<sup>2</sup> (including that arising from patios, hardstandings and driveways) are required to have a Sustainable Drainage System (SuDS) to manage on site surface water designed in accordance with the Welsh Government Standards to Sustainable Drainage.

Following consultation the Council's SuDS Approving Body (SAB) have confirmed that the works require SuDS consent prior to the commencement of development. This information was forwarded direct to the applicant. The requirements to obtain SAB consent is regulated by other legislation outside of the planning process and the consents can be sought independently from each other.

Whilst the development would reduce the existing areas of soakaway provided by the lawn, it is considered that the development of SuDS on site would manage and appropriately dispose of any surface water generated to the benefit of the residential amenity of those living closest to the site.

On the basis of the above, the application is considered compliant with policies S12, and SD4 of the LDP.

### **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

Following consultation the Town Council have provided no response to the application.

Following direct neighbour notification and the erection of a site notice with regards to the original six letters of objection were received. Following re-consultation and the erection of a site notice with regards to the amended plans, the objectors have advised their objections remain and wish to have them reiterated. It is considered that the material objections have been addressed in the preceding sections of this report and will not therefore be repeated.

Whilst the construction works and eventual use of the dwellings could generate increased noise, given the scale of development and the urban context it is considered that any increased noise generated and experienced would not be so detrimental to the residential amenity of those living to the site to warrant refusal of the application on such grounds.

Although the development would result in the loss of the garden area, being mindful of the site position within the settlement development within tolerable walking distances of services and facilities and subject to the development being compliant with SuDS and current Building Regulations is considered that the development could be reasonably sustainable and would not therefore generate an increased level of pollution so detrimental to warrant refusal of the application on such grounds.

Whilst an objector has identified that the proposal would lead to a strain on existing facilities, given the scale of development it is considered that any increased pressure exerted could be accommodated and would not be so detrimental to the overall service provision to warrant refusal of the application on such grounds. Following consultation it is noted that Dwr Cymru/ Welsh Water have raised no objection to the application and the application falls below the threshold requiring the provision of a commuted sum to be used towards education or health service upgrades.

## **6.6 Well-Being of Future Generations (Wales) Act 2015**

6.6.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.7 Conclusion**

The principle of providing an additional dwelling at this location is considered acceptable relative to context and policy compliant. It is considered that the property indicated would be of a size, scale, design and external finish in keeping with the character and appearance of the properties in Burns Crescent and the wider settlement of Caldicot. Although the proposal would lead to the subdivision of the garden it is considered that a proportionate area of amenity space would be provided for the existing and proposed dwellings.

Whilst it is appreciated that the development would create built form on the site that would change the outlook from the surrounding residential properties, on balance it is considered that the works would not have such an overbearing impact or generate such an increased level of overlooking, loss of privacy, increased overshadowing or loss of light to warrant refusal of the application.

Although significant concerns with regards to highway safety and the free flow of traffic on Burns Crescent have been raised by the public, being mindful of the provision that would be secured by condition, it is considered that the application proposes an appropriate level of parking in compliance with the Monmouthshire Parking Standards (January 2013), and would not generate such an increased number of vehicles movements or demand for parking to be deemed detrimental to the highway safety and free flow of traffic in the area.

Given the improved and maintained nature of the domestic land on which the dwellings would be developed, it is considered that the proposal would not have a detrimental impact on the ecological or biodiversity value of the area and conversely provides opportunities for enhancement and mitigation, through the provision of ecological mitigation and enhancement which could be secured by condition.

Given the requirement for the development to provide an on-site sustainable drainage system, it is considered that matters relating to surface water run off can be appropriately dealt with and resolved.

On the basis of the above the application is considered compliant with the relevant policies of the Local Development Plan and is recommended for approval subject to conditions.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

1. A total commuted sum of £4640.00 to provide affordable housing within the County.

### S106 Heads of Terms

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

### **Conditions:**

- 1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

- 3 Notwithstanding the details of the approved plans, prior to the commencement of development an amended site layout plan shall be submitted detailing the provision of three parking spaces for the proposed dwelling. The development shall only proceed in accordance with the approved plans. All parking areas shall be provided prior to the construction of the dwelling and shall only be used for the parking of vehicles thereafter.

REASON: To ensure sufficient on-site parking in the interests of the highway safety and free flow of traffic in compliance with LDP policies S16 and MV1.

- 4 The windows serving all bathrooms and ensuite shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a

period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.

7 Prior to the construction of the dwellings, details of a biodiversity enhancement scheme, to include provision for bat roosting and bird nesting, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be undertaken and/or installed prior to the first beneficial occupation of the dwelling. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.

REASON: To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5, T Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 the Environment (Wales) Act 2016 and LDP policies S13, NE1 and GI1.

## **INFORMATIVES**

1 The proposed scheme will require a sustainable drainage system designed in accordance with the Wels Government Standards to sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction works commencing. Details and application forms can be found at:  
<https://www.monmouthshire.gov.uk/sustainable-drainage-approving-body-sab>

**Application Number:** DM/2020/00238

**Proposal:** 1no. classroom extension (103 sq.m) to existing school and an extension (67.9 sq. m) to an existing stand-alone nursery. There will be no change of use

**Address:** Ysgol Y Ffin Primary School, Sandy Lane, Caldicot, NP26 4NQ

**Applicant:** Mr Mark Davies

**Plans:** All Proposed Plans 02-01 - b, All Proposed Plans 02-02A - , Floor Plans - Proposed 02-03 - , Site Sections 03-01 - , Bat Survey - , Location Plan -

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Helen Hinton

Date Valid: 11.06.2020

**This application is presented to Planning Committee as the application involves the extension and alteration of a school run by the Council**

### **1.0 APPLICATION DETAILS**

#### 1.1 Site Description

The application site comprises the buildings and grounds of primary school, Ysgol Y Ffin and its associated nursery building Clych Meithrin Y Ffin. The site as a whole has an area of 0.75 hectares and is positioned within the north-west part of Caldicot.

The primary school building is at the north-eastern end of the site fronting Sandy Lane to the north-east from which pedestrian and vehicular access is gained. An area of parking for buses is provided within the grounds, to the north-east. A staff parking area is provided to the south-west. The boundaries of the site are defined by a combination of walls, metal fencing and close boarded timber fences. The main school building is predominantly single storey in height finished externally with pre-fabricated window walls and a flat roof. A tarmac playground area adjoins the south-western elevation of the building.

The nursery building is positioned to the south-west of the main school. Externally the building is finished with yellow coloured brick and a concrete tiled roof. The playing field is located to the south-west of the school and nursery buildings.

The school site as whole is located within the built up area of Caldicot. The playing field to the south-west is designated as an area of amenity importance in the LDP.

#### 1.2 Proposal Description

Schedule 2, Part 32 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), grants schools permitted development rights (i.e. works that can be undertaken without first applying for planning permission) for;

"The erection on the site of any school, college, university or hospital of any building required for use as part of, or for a purpose incidental to the use of, the school, college, university or hospital as such, as the case may be."

Subject to a number of restrictions.

In this instance it has been determined that the buildings and structure proposed require planning permission as:

- (c) The cumulative total cubic content of buildings erected on a particular site (other than the original school, college, university or hospital buildings) would exceed 250 cubic metres; and
- (d) Part of a building erected would be within 20 metres of the boundary of the site.

The proposed school extension would adjoin the north-western (side) elevation of the building and would be developed to the north-west of the main hall and to the north-east of an existing classroom, on the site of a small enclosed playground and two parking spaces. The development would measure at its greatest 9.3m wide, 12.2m deep with a lean to roof with a maximum height of 5.2m falling to 3.45m. Although the existing building is predominantly finished externally with pre-fabricated panels/ window walls and a flat roof, in the interests of sustainability the proposed extension would be constructed from cavity blockwork finished with a through coloured render of a colour to be agreed. The roof would be finished with Garland felt. A SAPA Monarch dual frame window wall would be provided in the north-eastern (front) and north-western (side) elevation of match those already used in the school. A small yard enclosed by 1.8m high bow top railings would be provided to the north-east (front) of the development. The extension would be used to provide an additional classroom and storage facilities.

Although the windows in the north-western elevation of the hall would be retained these would overlook a new fire escape path between the extension and the existing building. A number of new light tubes are therefore proposed for the main hall to compensate for the decreased light.

The proposed nursery building extension would adjoin the north-western (side) elevation and would measure 6.3m wide, 10.8m deep with a pitched cross gable roof with a maximum height of 5.3m falling to 2.2m at eaves level. Externally the development would be finished with brick facing, concrete roof tiles and white polyester powder coated aluminium framed windows. Rooflights would be provided in the north-eastern (front) roof plane. A free standing lean-to sun canopy would be provide to the front of the extension over an enclosed yard. The plans detail that the existing windows would be replaced/ upgraded to match those proposed in the extension. The development would be used to provide additional play space, bathroom and kitchen facilities.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/1977/00839	Aged Persons Day Luncheon Centre APP_TYP 01 = Full DEV_TYP 01 = New Development MAP_REF = 348050188450	Approved	12.10.1977
DC/2008/01108	External lighting to existing car parks	Approved	05.12.2008
DC/2008/00445	Removal of demountables, space to be used for new additional parking and altered pedestrian access	Approved	04.07.2008

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

- S5 LDP Community and Recreation Facilities
- S12 LDP Efficient Resource Use and Flood Risk
- S13 LDP Landscape, Green Infrastructure and the Natural Environment
- S16 LDP Transport
- S17 LDP Place Making and Design

## **Development Management Policies**

CRF3 LDP Safeguarding Existing Recreational Facilities and Public Open Space  
SD2 LDP Sustainable Construction and Energy Efficiency  
SD4 LDP Sustainable Drainage  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
DES2 LDP Areas of Amenity Importance

## **4.0 NATIONAL PLANNING POLICY**

### **Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

**Caldicot Town Council** - Recommend approval

**MCC Ecology and Biodiversity** - Raise no objection subject to the submission of detailed information with regards to the ecological mitigation proposed.

SEWBRc Search Results - No significant ecological record identified.

### **5.2 Neighbour Notification**

The application has been advertised by direct neighbour notification and the erection of a site notice. No objections or representations have been received.

### **5.3 Local Member Representations**

Cllr A. Easson was notified of the application on the 11 June 2020. Cllr Easson has advised he is in support of the proposal but has registered a personal non-prejudicial interest due to his position as a Local Authority Governor at the School.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### **6.1.1 Principle of Development**

The application seeks full planning to provide two extensions, one to the main building of Ysgol Y Ffin and one to the Clych Meithrin Y Ffin building. Given the existing and established use of the

site and buildings, the principle of developing extensions to facilitate and enhance the school environment is considered acceptable.

### 6.1.2 Good Design/ Place making

Although the extension to the school building would be visible from the highway to the north-east, it is considered that the development would be of a size and scale subordinate and subservient to the main building. Although the construction, roof design and external finish would vary relative to the main building, the materials and design are considered acceptable in the interests of sustainability and longevity of the structure. It is considered that the lean-to roof indicated clearly and honestly defines the extension but would remain of a scale in keeping with the main building with the highest point being akin to the height of the adjacent roof.

Although concerns were initially raised with regards to the loss of light to the main hall and the implications this would have on the feel and use of the space, this has been compensated for by the maintenance of a gap between the existing building and extension, the provision of additional roof lights and the maintenance of an area of unobstructed glazing in the south-eastern elevation of the existing building.

Although the extension to the nursery building would appear substantial, the design has been driven by the architecture and scale of the existing building, the desire to prevent encroachment on designated play spaces and a mature tree and the need to position the development away from neighbouring dwellings.

Subject to a condition securing details and samples of the external materials to be used, the application is considered compliant with policies S17 and DES 1 of the LDP.

### 6.1.3 Impact on Amenity/ Promoting Healthier Places

The playground and school playing field, within which the nursery building is located, is allocated as an area of amenity importance (LDP Policy DES2). Although the works proposed would result in the loss of a very small section of this space, it is considered that the role of the designation as a venue for formal and informal sport or general recreation would not be adversely compromised by the developments proposed.

As a result of its positioning within an established residential area, the site is enclosed on all sides by residential properties. However being mindful of the single storey height of the works in conjunction with their design, positioning, existing boundary treatments and the intervening distances maintained, it is considered that the developments proposed would not have a detrimental impact on the residential amenity of those living closest to the site.

The application is therefore considered compliant with policies S13, S17, EP1, DES1 and DES2 of the LDP.

### 6.1.4 The Welsh Language

The School and nursery are Welsh medium education providers. It is therefore considered that the developments proposed to enhance classroom space and facilities would have a beneficial impact on Welsh language development in the County as a whole.

## **6.2 Active and Social Places**

### 6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

This site is well established and located within the residential area of Caldicot. The site is accessible by foot and public transport.



### 6.2.2 Access / Highway Safety

Vehicular and pedestrian access to the school and nursery is gained from Sandy Lane. Whilst the development of the extension would remove two existing parking spaces, a car park for staff capable of accommodating at least 20 vehicles is located within the south-western part of the site. The bus bays within the grounds to the north of the school extension would not be affected by the proposal.

Given the existing level of provision on site and the position of the proposed development, it is considered that the works would not have detrimental impact on the highway safety and free flow of traffic and is compliant with policies S16 and MV1 of the LDP.

### 6.2.3 Community Facilities

The developments would provide enhanced classroom, storage and play space of a design, size and scale in keeping with and proportionate to the existing buildings and are considered compliant with the LDP policies S5 and CRF3.

### 6.2.4 Recreational Spaces

Although the nursery building extension would result in the loss of small section of land designated as an area of amenity importance, it is considered that a sufficient and appropriate area of playing field would be maintained for formal and informal sport or general recreation and the development would not have an adverse impact on the use of the land and is compliant with policies S17 and DES2 of the LDP.

## **6.3 Productive and Enterprising Places**

### 6.3.1 Transportation Infrastructure

In conjunction with the wider site, the developments would be accessed from Sandy Lane, a publically adopted but unclassified highway, to the north-east, making use of an existing 5m wide vehicular entrance, pedestrian accesses, and crossings demarcated by tactile paving and raised platforms with no alteration to the existing provision proposed. It is therefore considered that the proposals would not have a detrimental impact on local transportation infrastructure and is compliant with policy S16 of the LDP.

### 6.3.2 Energy

The developments are likely to be served by existing mains supply. Although no renewable energy systems are indicated on the proposed plans they could be installed under Part 43 (installation of non-domestic microgeneration equipment) permitted development rights. Given the position of the site outside of and away from any Conservation Area or Historical designations, it is considered unreasonable to propose the removal of such allowances.

## **6.4 Distinctive & Natural Places**

### 6.4.1 Landscape/ Visual Impact

Given the scale, position and design of the developments proposed relative to the existing buildings and the distances that would be maintained between the extensions and the boundaries of the site, it is considered that the works would not have any adverse impact on the street scene or wider landscape, and are compliant with policies S13, S17, EP1 and DES1 of the LDP.

### 6.4.2 Green Infrastructure and Biodiversity

The development of the nursery building would result in the loss of 3 immature trees adjacent to the south-eastern boundary of the car park. Although this loss is regrettable the trees could be compensated for the in wider site, details of which can be sought and secured by condition.

Following consideration of the bat report, the Councils Ecology and Biodiversity Officer has confirmed that they are satisfied with the report and its recommendation. However the enhancement information is not detailed enough to be enforceable and is only an initial indicator. It is therefore requested that details of biodiversity enhancements (to include specification, location, positioning and numbers of bat/bird boxes to be installed) be submitted for consideration. Whilst this information has been requested, it could also be secured by condition if not received prior to Committee consideration.

Subject to the imposition of conditions requiring detailed information with regards to Biodiversity and Ecological mitigation and enhancement and green infrastructure compensation the application is considered compliant with policies S13 and NE1 of the LDP.

#### 6.4.3 Water (including foul drainage / SuDS), Air, Soundscape & Light

As of the 7th January 2019, all construction works with drainage implications, of 100m<sup>2</sup> or more are required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water, designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The agent has been made aware of this requirement and will be seeking advice from the SuDS Approving Body (SAB) independently of the planning application.

### **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

Following consultation the Community Council have recommended the application be approved.

Following direct neighbour notification and the erection of a site notice, no public objections or representations have been received.

### **6.6 Well-Being of Future Generations (Wales) Act 2015**

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

### **6.7 Conclusion**

It is considered that the extensions proposed would be of a form, scale and design appropriate for the site and the development would not have an adverse impact on the character and appearance of the area, the residential amenity of those living closest to the site or the highway safety and free flow of traffic. Subject to the imposition of conditions to secure details with regards to ecological mitigation and external finishes the application is considered compliant with the policies of the Monmouthshire County Council Local Development Plan and is recommended for approval subject to conditions.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

- 1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Prior to installation, details of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. Samples of the materials to be used shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4 Prior to commencement of any construction works a detailed plan of proposed biodiversity enhancement illustrating "net benefit features" including location, positioning and specification and green infrastructure compensation shall be submitted to the Local Planning Authority for written approval. The compensation features shall be provided before the development, hereby approved, is brought into use and maintained as such in perpetuity.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 10, the Environment (Wales) Act 2016 and LDP policies S13, NE1 and GI1.

This page is intentionally left blank

**Application Number:** DM/2020/00716

**Proposal:** Proposed rear two-storey extension and part single storey extension to existing semi detached dwelling. Demolish existing detached garage and relocate with new single storey garage for one car

**Address:** Kilkerran, Castle Street, Usk, NP15 1BU

**Applicant:** Sally Strong

**Plans:** All Drawings/Plans PL01 - B, Location Plan Location Plan

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Lowri Hughson-Smith  
Date Valid: 16.06.2020

**This application is presented to Planning Committee due to the applicant being related to a Monmouthshire County Councillor**

### **1.0 APPLICATION DETAILS**

#### 1.1 Site Description

1.1.1 The application site is a semi-detached dwelling located along Castle Street. The property is in a large plot, with a front garden and extensive rear garden with a length of approximately 26m.

1.1.2 The property is modern in appearance and finished in red brick at the lower level, render at the upper level and concrete roof tiles.

#### 1.2 Value Added

1.2.1 The proposals as submitted were considered acceptable and changes were not required. The neighbour raised some concerns regarding the plans and the potential impact on their property and the proposed plans were amended to provide clarification on the matters raised.

#### 1.3 Proposal Description

1.3.1 The proposed development seeks to demolish an existing conservatory which spans the full width of the rear of the dwelling. In its place, a single and two storey extension is proposed. The single storey extension will be located on the common boundary with Stella, Castle Street and the two storey element adjacent to the driveway and no. 4 Castle Street. The proposal also includes demolition of the existing single garage and its replacement with a single garage in a revised location approximately 2.5m to the southwest of its current position.

1.3.2 The extension will provide lounge and utility at ground floor and an additional bedroom at the upper floor. The extension would have the following dimensions:

- o Depth: 3.15m
- o Width: 8.1m (full width of existing house); and
- o Height: 3.5m (highest point of single storey extension) and 7.6m (highest point of two storey extension)

(all of the above measurements are approximate)

1.3.3 The proposed palette of materials is made up of white uPVC windows, red facing brick to lower level and white rendered walls to upper floor with dark brown roof tiles. The materials match the finish of the existing house.

1.3.4 The proposed garage dimensions are:

- o Width: 3.4m
- o Depth: 6.4m
- o Height: 2.5m

1.3.5 The proposed materials are red brick to walls, a flat roof in a dark colour and a metal garage door.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2020/00716	Proposed rear 2 storey extension and part single storey extension to existing semi detached dwelling. Demolish existing detached garage and relocate with new single storey garage for one car.	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design

### **Development Management Policies**

EP1 LDP Amenity and Environmental Protection  
DES1 LDP General Design Considerations  
HE1 LDP Development in Conservation Areas  
NE1 LDP Nature Conservation and Development

### **Conservation Area Appraisal**

Usk Conservation Area Appraisal

## **4.0 NATIONAL PLANNING POLICY**

### **4.1 Planning Policy Wales (PPW) Edition 10**

4.1.1 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

4.1.2 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

#### **Usk Town Council**

Recommends approval

#### **MCC Heritage Officer**

No objection

#### **Glamorgan Gwent Archaeological Trust**

No objection subject to a condition

### 5.2 Neighbour Notification

Two responses have been received in relation to the application from one household raising the following concerns:

- o The maintenance of the retained hedge between properties has not been detailed and may cause damp;
- o The side eaves of the single storey extension would overlap the common boundary;
- o The change in roof form to the neighbouring property will affect rainwater run-off and may cause damp;
- o The finish to the wall on the common boundary has not been detailed;
- o Concerns regarding the practicalities of building the extension so close to common boundary.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## 6.0 EVALUATION

### 6.1 Principle of Development

The property is located in the settlement of Usk and, therefore, the principle of development is acceptable subject to relevant material planning considerations. In respect of the proposals the relevant considerations are:

- o Impact on residential amenity;
- o Design/impact on the Conservation Area/Visual Impact;
- o Archaeology; and
- o Biodiversity considerations.

### 6.2 Impact on Residential Amenity

The surrounding dwellings most affected by the proposals are Stella and no. 4 Castle Street together with 4A Castle Parade. The impact on these properties will be discussed in more detail below.

#### Stella, Castle Street

The proposed extension will be located on the common boundary of Stella and require Party Wall works to this property. The Party Wall works are not a relevant consideration to the planning determination and will not be considered further.

The element of the extension on the common boundary will be single storey and have a maximum overall height of approximately 3.5m and eaves height of approximately 2.1m. The proposed single storey element of the proposed rear extension is low scale and would not have an overbearing impact on Stella. In terms of overlooking, the single storey extension has 2no. roof lights and glazed doors on the rear elevation. Due to the height of the rooflights and the oblique angle of the glazed doors in relation to Stella and its rear garden together with it being single storey, no adverse overlooking from the single storey extension is likely.

The two storey element of the extension is offset from the common boundary with Stella by approximately 4.2m. There are no windows proposed in the side of the extension and the only opening will be a Juliette balcony on the rear elevation. Due to the limited size of the two storey extension, projecting just 3.15m, and its offset from the common boundary there is not considered to be an overbearing impact on Stella. The proposed rear Juliette balcony is approximately 6.7m from the common boundary at an oblique angle and views are interrupted by the boundary hedge. Whilst this would result in some overlooking into the garden of Stella, it would be no worse than the overlooking from the windows currently located in the rear elevation of the property. Furthermore, Stella has a large garden, approximately 26m in length, the potential overlooking would affect only a small part of the neighbouring garden and would not affect the overall enjoyment of the property. The proposed garage is 8.2m from the common boundary and is limited in height and would not affect Stella.

#### No. 4, Castle Street

No. 4 is a detached property to the south east which is set closer to the road than the application site. The two storey element of the proposed extension would be the closest to No. 4, offset from the common boundary by approximately 3.5m and from the dwelling by approximately 8m but at an angle. Whilst 3.5m is limited separation distance the proposed extension is limited in size and, therefore, not considered likely to have an overbearing impact. No new windows are proposed on the side elevation facing no. 4. The proposed Juliette balcony will result in a small level of overlooking to the garden of no. 4 but this is considered no worse than the existing level of overlooking and, therefore, acceptable.

The proposed garage is located on the common boundary and is limited to 2.5m in height and will replicate the existing garage albeit located further along the common boundary to the south west. The proposed garage will not have an overbearing impact or result in overlooking opportunities and would have a neutral impact on no. 4.

#### No. 4A, Castle Parade

No. 4A Castle Parade is over 30m away from the proposed extension which is ample separation distance to ensure no adverse impact on the amenity of this property.

On balance, whilst the window proposed in the two storey element of the rear extension would result in some minimal overlooking it is not considered any worse than the existing situation. The replacement garage will not affect neighbouring amenity. The proposal is considered to accord with Policy EP1 of the Local Development Plan.

### 6.3 Design/impact on the conservation area/Visual Impact

6.3.1 The application site lies within the Usk Conservation Area and therefore it must be assessed whether the development preserves or enhances the Conservation Area in accordance with primary legislation as well as Policy HE1 of the LDP and Policy DES1, which relates to good design.

6.3.2 Policy HE1 requires development in the Conservation Area to meet the following criteria:

- a) preserve or enhance the character or appearance of the area and its landscape setting;
- b) have no serious adverse effect on significant views into and out of the Conservation Area;
- c) have no serious adverse effect on significant vistas within the area and the general character and appearance of the street scene and roofscape;
- d) use materials appropriate to their setting and context and which protect or enhance the character or appearance of the Conservation Area; and
- e) pay special attention to the setting of the building and its open areas.

6.3.3 Policy DES1 requires new development to be of a high-quality design including, amongst other things, the proposal must remain in keeping with the surrounding character and be acceptable in terms of appearance and materials.



6.3.4 The proposed extension is located to the rear of the property in a well enclosed garden and is not highly visible outside of the confines of the application site. There will be glimpses of the proposed replacement garage but these would be limited given it would be set back from the road by approximately 20m and less visible than the current garage on site, representing a small improvement to the overall appearance of the site from the road. The proposal will not affect significant views, vistas or change the overall character of the area.

6.3.5 Notwithstanding the above, the proposed rear extension and garage is well designed and matches the character and appearance of the main dwelling.

6.3.6 The Heritage Officer has assessed the proposal and raised no objection stating the extension would have 'no notable impact on the conservation area'.

6.3.7 The proposals will effectively preserve the Usk Conservation Area and would accord with policies HE1 and DES1.

#### 6.4 Archaeology

6.4.1 The site lies within an Archaeologically Sensitive Area and therefore, intrusive development works may have an impact on valuable archaeological remains.

6.4.2 GGAT have been consulted on the application and confirmed there is archaeological resource in the area and, therefore, the proposals may have a negative impact unless sufficient mitigation measures are secured. GGAT has advised that a condition requiring a Written Scheme of Historic Environment (WSHE) is required. A condition to secure this will be imposed.

6.4.3 The proposals, subject to the WSHE, are not likely to adversely affect archaeological remains. The proposal accords with relevant planning policy, namely Chapter 6 of PPW10.

#### 6.5 Biodiversity

6.5.1 The proposal does not involve extensive works to the main roof of the house but will require demolition of the garage. Notwithstanding this, the existing roof is in good condition and of modern construction and not in a highly sensitive area. The garage is also well maintained and well lit. A Bats in Building Form has been completed and assessed by the officer and it was concluded that no further information in respect of bats was considered necessary. An informative is to be attached however to advise the applicants of the protected status of bats in the unlikely event they are encountered during building works. The proposed development is considered to accord with Policy NE1 of the LDP.

#### 6.6 Response to the Representations of Third Parties

6.6.1 The following concerns have been raised in relation to the proposed development and will be address in turn below for completeness.

The maintenance of the retained hedge between properties has not been detailed and may cause damp.

6.6.2 The applicant has confirmed the hedge will require trimming but can remain in situ adjacent to the proposed extension. The ongoing maintenance of the hedge is a matter for the applicant and adjacent neighbour to agree and not a planning matter.

6.6.3 There is no evidence to suggest the retention of the hedge will cause damp.

The side eaves of the single storey extension would overlap the common boundary

6.6.4 The amended plans provided indicate the eaves will not overlap the boundary.

The change in roof form to the neighbouring property will affect rainwater run-off and may cause damp

6.6.5 There is no evidence to suggest the proposed change in roof form would cause damp. If the proposed development resulted in damage to third party property this would be a civil matter between land owners and is not a material planning consideration.

The finish to the wall on the common boundary has not been detailed

6.6.6 The finish of the wall of the single storey extension on the common boundary has been confirmed as render and is now detailed on the plans.

Concerns regarding the practicalities of building the extension so close to common boundary

6.6.7 The practicalities of building a proposed development is not a material planning consideration.

## 6.7 Well-Being of Future Generations (Wales) Act 2015

6.7.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 6.8 Conclusion

6.8.1 The proposed extension and garage is well designed and remains in character with the main dwelling. There would be no adverse impact on neighbouring properties as a result of the development in accordance with Policy EP1.

6.8.2 The proposed development would preserve the setting of the Usk Conversation Area in accordance with Policy HE1.

6.8.3 The proposed development accords with the LDP and is recommended for approval.

## **7.0 RECOMMENDATION: APPROVE**

### Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.