

DC/2017/01296

**DEVELOPMENT OF 5 NO. DWELLINGS, PROVISION OF A NEW ACCESS, 14
no. PARKING SPACES AND ASSOCIATED WORKS**

LAND AT CHAUCER CLOSE, CALDICOT, NP26 4FL

RECOMMENDATION: APPROVE

Case Officer: Kate Young
Date Registered: 21/12/2017

1.0 APPLICATION DETAILS

1.1 The application site, which lies in the Caldicot Development Boundary, seeks the erection of a 4 bedroomed dormer bungalow and a two storey block of 4no. one bedroomed flats. This would be affordable housing provided by Melin Homes. The existing vehicular access from Longfellow Road would be used. The land to be used currently forms the residential curtilage of no 26 Station Road. Fourteen off-street parking spaces would be provided. A new 1.8m high concrete and timber fence would be provided along the northern and eastern boundaries. The brick wall along the southern boundary would be retained and the site would be open to the west. The dwellings would be finished in a red multi clay facing brick with grey concrete roof tiles. A timber shed would be provided for Plot One and the flats would have a cycle cover/ shelter.

The site is located within a C1 Flood Risk Area.

2.0 RELEVANT PLANNING HISTORY

DC/2015/01193 Off road parking to the front of 26 Station Road

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic planning Policies

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

Development management Policies

DES1 – General Design Considerations
EP1 – Amenity and Environmental Protection
H1 – Residential Development in Main Towns
SD3 – Flood Risk
MV1 – Proposed Development and Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

Caldicot Town Council – Refuse

Over development of the plot
Parking spaces not sufficient.

MCC Housing and Communities are fully supportive of the application for 5 homes at Chaucer Close. This will be a social housing grant funded affordable housing scheme delivered by Melin Homes. The homes will be for vulnerable clients of our Social Services Department.

Welsh Water – Foul flows will communicate to public sewers and all surface water will discharge to on site soakaways. We are satisfied with this arrangement. The development is crossed by a private surface water sewer, we advise contacting the owner of the sewer prior to operational development. The site is also covered by a 90mm distribution water main. Outlines a condition relating to surface water.

Highways - The proposal in general is the development of 5 dwellings with the provision of a new access off Chaucer Close to the new domestic properties. 10 new parking spaces have been provided giving a total of 14 parking spaces to the east of Chaucer Close. The Highway Authority would like to offer “No Objection”.

GGAT - You will recall from our response to previous applications in the area that pottery kilns of Roman date have been encountered during development. The area is not in the Registered Landscape of the Gwent Levels, although it falls within the revised Archaeologically Sensitive Area and it is therefore possible that information concerning early settlement may be revealed during any development work.

However, we note that the area has been disturbed for the creation and landscaping of the current housing and other structures, and it is therefore our opinion that there will not be a need for archaeological mitigation in this case, however, there remains the possibility that previously unexpected archaeological remains may be encountered during the work. If this occurs, the developer will need to employ a project archaeologist to assess the material.

NRW – We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the scheme can meet the following requirement. We would object if the scheme does not meet this requirement.

Requirement: A revised FCA is required to demonstrate the risks and consequences of flooding can be managed to an acceptable level in accordance with Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004).

The application site lies entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our flood map information, which is updated on a quarterly basis, confirms the site to be within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Severn, a designated main river.

The submitted Flood Consequences Assessment (FCA) prepared by C D Gray and Associates, dated May 2017, shows, based on a minimum site level of 7.55m AOD:

- The proposed development site is predicted to flood to a maximum depth of 2.22m, at a maximum velocity of 1.27m/s, during a 0.5% (1 in 200 year) plus climate change tidal flood event. This fails to meet the requirements of A1.14 of TAN15;
- The proposed development site is predicted to flood to a maximum depth of 2.86m, at a maximum velocity of 1.65m/s during a 0.1% (1 in 1000 year) plus climate change tidal flood event. This exceeds the tolerable limits set out in A1.15 of TAN15.

The proposed dwellings are predicted to flood to a maximum depth of between 1.67m to 2.17m, at a maximum velocity of 1.27m/s, during a 0.5% (1 in 200 year) plus climate change tidal flood event. This fails to meet the requirements of A1.14 of TAN15;

□ The proposed dwellings are predicted to flood to a maximum depth of between 2.31m to 2.81m, at a maximum velocity of 1.65m/s during a 0.1% (1 in 1000 year) plus climate change tidal flood event. This exceeds the tolerable limits set out in A1.15 of TAN15.

The FCA identifies there are extensive flood defences along the Severn Estuary which currently offer protection during the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) tidal flood events. However, when climate change over the lifetime of development is added, the defences are predicted to be overtopped during a 0.5% (1 in 200 year) plus climate change tidal flood event.

We highlight with the depths and velocities predicted in both a 0.5% (1 in 200 year) plus climate change tidal flood event and a 0.1% (1 in 1000 year) plus climate change flood event, the resulting hazard rating is classed as 'danger for all'.

Despite the mitigation measures proposed in the FCA, the proposed development is still predicted to flood during a 0.5% (1 in 200 year) plus climate change tidal flood event. This does not meet the requirements of TAN15, which states the development should be flood free in such a flood event. A revised FCA is therefore required which demonstrates the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15

European Protected Species

The submitted Ecological Assessment prepared by David Clements Ecology Ltd., dated May 2017, identifies 'it is thought highly unlikely that any bat roosts are present within the site boundary. It is however likely that bats occasionally forage or commute across the site.'

Therefore, 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 and Planning (paragraph 6.2.2) a bat survey may be required. The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016. Please consult us again if any survey undertaken finds bats are present at the site and you require further advice from us.

MCC Biodiversity

Ecological Considerations

The application for the development proposal is informed by an ecological assessment:

Land at Chaucer Close, Caldicot, Monmouthshire. Ecological Assessment. Produced by David Clements Ecology Ltd. Dated March 2017, version 1.0

The report gives details of a desk study (including local records centre data search) and an extended phase 1 habitat survey. The survey was undertaken in March 2017; the site was found to comprise unmanaged amenity grassland (former private garden) with some scattered scrub and piles of brash and rubble. This habitat is recognised as being suitable to support reptiles and amphibians during their terrestrial phase. Due to the small scale of the development, and isolated site, I agree that a precautionary method of works to dismantle features suitable for reptiles is a suitable approach to mitigate against risk.

The report states that the site may be used by foraging and commuting bats. No structures/trees suitable for use by roosting bats are present on site. The site is in an urban location, with street lights present around the site. There are no features that are likely to be important commuting features for bats or dark corridors that should be maintained. We do not require any further information regarding bats or lighting.

I would welcome the inclusion of bird and bat boxes on the proposed development, as recommended in the report. Biodiversity enhancements should be provided to meet our

duties under planning policy, including MCC LDP Policy NE1 and supplementary planning guidance on Green Infrastructure. Suitable box locations should be agreed with the advice of an ecologist.

Based on the findings of the submitted report there should be no negative impacts on biodiversity as a result of the proposed development. If you are minded to grant planning permission for this development, then suitable conditions and information notes are advised below.

4.2 Neighbour Notification

One letter received

In principle we do not object but be mindful we are looking to submit an application for a detached property at no. 28 Station Road. The closeness of Melin Homes may cause an issue with our proposal. No objection as long as it does not prejudice our future application.

5.0 EVALUATION

5.1 Principle of the proposed development

5.1.1 The site is situated within the Caldicot Development Boundary, both Policy S1 and H1 of the LDP presume in favour of new residential development within development boundaries, subject to detailed planning considerations therefore the principal of new residential development is acceptable. The site is of sufficient size to accommodate this level of development and is surrounded by existing residential properties.

5.2 Design

5.2.1 This area of Caldicot is characterised by a mixture of housing types including flats, semi-detached and detached properties which have a mix of finishing materials. The proposed flats would appear as a pair of semi-detached properties which are in keeping with the character of the area and finished in red multi clay brick with a buff coloured brick providing the detailing including headers and cills. The roof would be of dark grey concrete tiles. The dormer bungalow would be finished in similar materials and would reflect the details of the existing properties on Chaucer Close. The proposed properties would be built to DQR standards and would each benefit from a small amount of amenity space surrounding the unit. The proposed development does respect the existing form, scale, siting and materials of neighbouring properties and does comply with the objectives of Policy DES1 of the LDP

5.3 Parking Provision and Highway safety

5.3.1 The proposed development would have a vehicular access off Chaucer Close. Chaucer Close which already serves 15 no. Housing Association properties and has sufficient capacity to serve 5 additional units. It is proposed to create 14 parking spaces and this includes upgrading the existing parking area. The parking provision accords with the requirements of the Monmouthshire Parking Standards and MCC Highways offer no objection.

5.4 Flooding

5.4.1 The application site lies entirely within Zone C1 as defined by the Development Advice Map. The advice given in TAN 15 says that development should only be allowed in such areas if it can be demonstrated the risks and consequences of flooding can be

managed to an acceptable level. A flood consequences assessment was submitted as part of the application. Policy SD3 of the LDP states that proposals for highly vulnerable development, which includes residential development, will not be permitted in areas which may be liable to flooding. Developments within a flood plain will be required to demonstrate that:

- a) the development is or can be protected by approved engineering works and / or other flood protection measures;
 - b) such remedial measures would not cause flooding or significantly increase the risk of flooding elsewhere;
 - c) the development, including any remedial measures, can be sympathetically assimilated into the environment in terms of its siting, scale, design and landscaping;
 - d) the development does not interfere with the ability of the Environment Agency or other bodies to carry out flood control works or maintenance; and
 - e) the nature conservation interest of the water source corridor is protected and, where practicable, enhanced.
- Development resulting in additional surface water run-off and leading to an increased risk of flooding will only be permitted where adequate protection and mitigation measures are included as part of the proposal.

5.4.2 In this case the FCA failed to demonstrate, to the satisfaction of NRW, that the risks of flooding could be acceptably managed. The submitted FCA identifies there are extensive flood defences along the Severn Estuary which currently offer protection during the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) tidal flood events. However, when climate change over the lifetime of development is added, the defences are predicted to be overtopped during a 0.5% (1 in 200 year) plus climate change tidal flood event. NRW identified that with the depths and velocities predicted in both a 0.5% (1 in 200 year) plus climate change tidal flood event and a 0.1% (1 in 1000 year) plus climate change flood event, the resulting hazard rating is classed as 'danger for all'. The flood risk could be mitigated by raising the finished floor levels but they would have to be raised by over 2 metres. The raising of the ground levels to such an extent is not feasible in either financial or visual terms and would do little to prevent flooding elsewhere. In this location the risk of flooding is tidal and would result from a tidal surge in the Bristol Channel. The development site is located within the established town of Caldicot and is surrounded by existing residential properties. The development site is approximately 800 metres from the coast. The Gwent Levels are currently protected from flooding by major sea defences. Both the Severn Estuary Coastal Strategy (EA 2011) and Monmouthshire Council's Local Flood Risk Management Strategy identify this section of the coastline with a strategy to 'maintain (defences) over the next 100 years and after 2030 the defences will be improved in phases to keep pace with climate change. If the defences were to fail large areas of the Gwent Levels and a significant part of Caldicot would flood including many properties to the south of this site. At the present time the site is protected from flooding by the defences, the issue of flooding only arises if the defences are not improved in line with climate change predictions and in that case it would not only be this site that floods but also large areas of Caldicot and other settlements on the Gwent Levels. If there was over topping of the defences and the area was to flood there would be sufficient warning time to evacuate the premises especially give the distance this site is from the sea and the intervening features that would slow down the rate of flow such as the railway embankment, motorway and reens. This site is on the very edge of the flood zone. It is considered that the flood risk could be acceptably managed if a condition was imposed requiring a full evacuation plan including an appropriate alarm system. Given the small scale of this development in comparison with the whole flood area the proposal would not cause a significant level of flooding elsewhere.

5.4.3 It is recognised by officers that strictly speaking this development is contrary to the advice given in TAN15. However, given the fact that flooding even with the predicted climate

change levels is extremely unlikely during the lifetime of these dwellings and given the fact that it is likely that the sea defences will be improved overtime to protect the hundreds of homes already in this flood zone, it is not considered that the addition of five new dwellings would significantly exacerbate the flood concerns in this area. Officers seek to take a more pragmatic approach than that of NRW.

5.4.4 If Members are minded to approve this application it would need to be advertised as a departure to the Development Plan.

5.5 Drainage

5.5.1 It is proposed that foul sewage will be disposed of via the main sewers and that surface water will go to soakaway. Welsh Water are satisfied with this arrangement and rates of surface water flow will not be increased as a result of the development.

5.7 Ecology

5.7.1 An ecological assessment was submitted as part of the application. MCC Ecologists were satisfied with the findings of the report. The survey was undertaken in March 2017; the site was found to comprise unmanaged amenity grassland (former private garden) with some scattered scrub and piles of rubble. This habitat is recognised as being suitable to support reptiles and amphibians during their terrestrial phase. The report also states that the site may be used by foraging and commuting bats. No structures/trees suitable for use by roosting bats are present on site. The report recommends the inclusion of bird and bat boxes on the proposed development - this is to be welcomed and secured by condition. This is in line with the requirements of policy NE1 of the LDP. Based on the findings of the submitted report there should be no negative impacts on biodiversity as a result of the proposed development.

5.8 Residential amenity

5.8.1 The bungalow will be situated on the northern part of the site. Its side elevation would be approximately 13m from the rear elevation of numbers 26 and 28 Station Road. This side elevation would contain one first floor window facing towards no 26; that window would serve a bathroom and be of frosted glass. There would therefore be no direct overlooking of the properties on Station Road. Given that the proposal is for a dormer bungalow with a maximum ridge height of 7.1m and that it is 13m from the dwellings on Station Road, the new dwelling will not have an overbearing impact on the occupiers of those neighbouring properties. Beyond the northern boundary of the site are some outbuildings belonging to no.24 Station Road. There are no first floor windows proposed on the rear elevation which would face towards no 24 so there is no unacceptable level of overlooking. The fence along this northern boundary of the site will be replaced by a 1.8m high timber fence which will prevent overlooking from the ground floor windows towards no 24. The front elevation of the proposed dormer bungalow contains three habitable room windows, one at first floor serving a bedroom, these all look out over the proposed parking area and are at least 12m from the proposed flats. The flats would occupy the southern part of the site. The rear elevation, containing four windows would face onto the extensive side garden of no.28 Station Road, the windows would be approximately 1.5m from the common boundary whilst the two first floor windows do look into the garden of the neighbouring property they do not look directly towards the house and therefore privacy levels are maintained.

Although this development does extend close to the common boundary with other residential properties, it does have regard to the privacy and amenity of the occupiers of neighbouring properties and therefore accords with the objectives of Policy EP1 of the LDP.

5.9 Response to the Representations of the Community/ Town Council and neighbours

5.9.1 The Town Council are concerned that there is insufficient parking provision. The Monmouthshire adopted parking standards require that there be one parking space per bedroom up to a maximum of three spaces per dwelling. On this basis seven spaces are required for this development and it is proposed to provide ten off street parking spaces. The proposal therefore exceeds what is required in terms of parking provision. The Town Council are also concerned about over-development. The density of these two units is similar to other developments in the area. While little external amenity space is being provided it does meet with DQR standards. The density is further reduced by the level of parking being provided. A neighbour has no objection to the proposal provided that it does not compromise any future development potential for his plot. While all applications are determined on their merits careful consideration will have to be given to the first floor windows of the proposed flats.

5.10 Well-Being of Future Generations (Wales) Act 2015

5.10.1 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.

6.0 RECOMMENDATION: APPROVE

Conditions/Reasons

1. Five years in which to commence development
2. Development in accordance with the list of approved plans
3. Foul and surface water shall be drained separately
4. The works shall be carried out strictly in accordance with the "Monmouthshire County Council. Reptile Information Note. January 2015. Precautionary Method of Working for Slow Worm, Common Lizard, Grass Snake and Adder for LOW RISK SITES ONLY. Reason: To safeguard species protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010.
5. Bird nesting and bat roosting provision in line with the recommendations of the submitted report "Land at Chaucer Close, Caldicot, Monmouthshire. Ecological Assessment. Produced by David Clements Ecology Ltd. Dated March 2017, version 1.0 shall be included to provide net benefit for biodiversity conservation and comply with LDP Policy NE1 and The Environment (Wales) Act 2017.
6. There shall be no occupation of the dwellings hereby approved until details of an escape plan in the event of flooding - which will include details of an alarm system - has been submitted to and agreed in writing with the LPA.