

**Application Number:** DM/2021/01693

**Proposal:** Demolition of existing dwelling and erection of a replacement dwelling and an additional dwelling

**Address:** Overdale, 1 St Lawrence Road, Chepstow, NP16 5BJ

**Applicant:** Mrs Alison Worgan

**Plans:** Location Plan 2171/01 - , Bat Survey Sylvan Ecology - , Floor Plans - Proposed 2171 11 B - Floor Plans1, Elevations - Proposed 2171 13 E - Elevations 1, Floor Plans - Proposed 2171 301 B - Floor Plans 2, Elevations - Proposed 2171 302 E - Elevations 2, Site Plan 2171 12 C - Site Plan

**RECOMMENDATION: Approve subject to a s106 Legal Agreement**

Case Officer: Kate Young  
Date Valid: 12.10.2021

**This application is presented to Planning Committee as there have been unresolved objections from neighbours and Chepstow Town Council have recommended refusal**

## **1.0 APPLICATION DETAILS**

### 1.1 Site Description

Overdale, No.1 St Lawrence Road is a two-storey detached property which is in a very poor state of repair and currently vacant. The dwelling occupies a substantial plot in a prominent location at the entrance to Chepstow. There is an existing driveway from St Lawrence Road via a no through road. There is a detached concrete garage and an air raid shelter in the garden. The boundary treatments comprise of close-boarded fencing and hedging. There are some trees within the site but most of the vegetation has been cleared.

The site is located within the Chepstow Development Boundary, just outside of the Air Quality Management Area.

### 1.2 Value Added

Following negotiations with officers the design and layout of the proposal has been altered to protect residential amenity. Further amendments have been made to the detailed design of the dwellings.

### 1.3 Proposal Description

The application seeks the demolition of the existing house and garage and the erection of a two-storey replacement dwelling. The proposal would utilise the existing vehicular access off St Lawrence Road and parking would be provided at the front of the site. The replacement dwelling would be "L" shaped and have a larger footprint than the existing. The south west elevation of the replacement dwelling will be the most visually prominent in the street scene, containing feature glazing and would be 8 metres wide. The total depth of the dwelling would be approximately 17.5 metres long.

The application also seeks the erection of a new dwelling in the rear of the site. This dwelling would measure 10 metres by 11.5 metres with bifold door at the front and rear. This dwelling would have a hipped roof and be a maximum of 7.5 metres high. This property would share the existing vehicular access with the replacement dwelling; a new driveway would be provided to the side of the plot serving three parking spaces to the front of the new dwelling. Both houses would be finished in self coloured render and facing brick. They would have concrete roof tiles with timber doors and fenestration details.

A Bat Survey Report was submitted in support of the application.

## **2.0 RELEVANT PLANNING HISTORY - None**

## **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

SD4 LDP Sustainable Drainage

NE1 LDP Nature Conservation and Development

EP1 LDP Amenity and Environmental Protection

MV1 LDP Proposed Developments and Highway Considerations

DES1 LDP General Design Considerations

### **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>

Domestic Garages SPG (January 2013):

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Domestic-Garage-SPG-Jan-2013.pdf>

Monmouthshire Parking Standards (January 2013)

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

## **4.0 NATIONAL PLANNING POLICY**

### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

### **Planning Policy Wales (PPW) Edition 11**

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

#### **Chepstow Town Council – Refuse**

1. The Town Council consider this to be an overdevelopment of the site and is against DES1 (l).
2. The Town Council have concerns regarding the access and egress into the site and is against- DES1 (b).

**MCC Environmental Health** - No objection.

**MCC Highways** – Raise concerns.

The applicant has submitted revised site layout drawing No. '2171/03C. However, we remain concerned over the proposed 3m width of the private driveway based on considerable length to the new dwelling. We would therefore wish to see some widening of

the driveway to at least 4.1m (shared access standard) at the locations highlighted below which will further aid with turning at the front of the site and also provide passing points for any vehicles serving the dwelling to the rear. The widening will also aid the ease of access and egress of larger delivery vehicles.

**Dwr Cymru-Welsh Water** - No objection but recommends a condition requesting that a drainage scheme be submitted before work commences.

**MCC Highway and Flooding Engineer (SAB)** - The proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

**MCC Ecology** – Recommend Conditions

This level of survey effort and assessment is considered proportionate to the nature and scale of the application. However further information in relation to the net benefit of the scheme, lighting details and a landscaping plan are requested. These can be addressed through a condition.

**MCC Tree Officer** - Raises concerns over the development in relation to the root protection zones of the Oak and Sycamore Trees on site. The officer has requested additional information in relation to a tree survey for all trees on site, that the proposed plans show the retained trees as stated, that the tree constraints plan shows the provision of service runs, that an arboricultural method statement be provided detailing how the parking areas and any new service runs would be constructed without causing damage to any roots in that area.

## 5.2 Neighbour Notification

Following re-consultation on the design amendments on the on the 08/04/22, letters of objection were received from 3 addresses. The issues raised include:

- Overdevelopment of the site
- Back Land development not in keeping with existing use and without precedent where there is no car access
- Too close to other properties, loss of privacy
- Loss of light
- Impact on the eco-system
- Inadequate drainage to support a new property
- The amended plans do not overcome our original objections
- Inadequate access within the site
- Giving vehicular access to the back of the replacement dwelling also presents significant security issues
- The existing electricity pole is not shown on the plans
- Light, air and noise pollution.

Objections received following re-consultation on 10/03/22 on amended plans from 5 addresses:

- The increased footprint of the two-storey dwelling (main property) will significantly impact the view and light at the rear of my property
- There will be seven windows on the side of the house which will overlook my property.
- Garage at the front will adversely affect the street scene, general objection to rear garage
- Access road to the rear is on the common boundary and will cause disturbance and security risk
- Unacceptable noise pollution

- Overlooking
- Loss of sunlight, loss of privacy
- The footprint of the dwelling should be reduced in size
- There is no precedent of back gardens being used as parking areas, or indeed having garages
- There is no detail of the large electric power post the supplies over 20 properties
- There is a significant cost to resupplying power for all these properties if the current power supply is moved as well as structural change to everyone's garden.
- The amendments do not go far enough, the new dwelling will be too close to properties
- The removal of tree screening increases the impact of traffic from St Lawrence Road but the new tree planting will potentially block sunlight to the garden
- No bat report for the underground air-raid shelter in the garden
- Vehicular numbers using the drive cannot be controlled

#### Initial objections received from 5 addresses

- I support the development of the original house however the main drain from Overdale runs into the neighbouring property; a new drain will be required
- Overlooking
- Loss of outlook
- Disturbance from the access road so close to the boundary
- The access road will be a security risk.
- Not in keeping with the area
- Impact on the ecosystem with an increase in rodents.
- Loss of light
- Increase in noise
- Adverse impact on drainage
- Concerns for the overhead power cables and the air raid shelter
- Loss of light to a neighbour's property and garden
- Loss of privacy
- Not in keeping with the layout of the area.
- Overbearing Impact
- Garden Grabbing
- There are implications for noise, disturbance(on-going) and potential additional pollution close to the Air Quality Management Area.
- A taller fence would improve privacy
- A bungalow with an integral garage would be less intrusive
- Reduce the footprint to give more space and distance at the boundaries

#### 5.3 Local Member Representations

Cllr Pavia - In relation to this application, while I would welcome development on this plot to replace the derelict structure that is there now, what has been submitted is wholly inappropriate for the area in terms of its design, its orientation and in relation to the additional property at the rear and associated access road (over-development).

Residents from St Lawrence Road, Newport Rd and Hilltop have all raised concerns and the disproportionate impact the proposed plans will have on them from their various perspectives and vantage points. The plans submitted look extremely tight for the footprint and there are significant issues in terms of noise and air pollution, highways access and access to utilities.

Therefore, I would like to formally object to the proposals that have been submitted.

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**

With regards to the new residential development, the site is located within the Chepstow Development Boundary. Policy S1 of the LDP says that the main focus for new housing development is within the County's main towns and the Severnside sub-region. Policy H1 of the LDP supports new residential development within development boundaries, subject to detailed planning considerations. The principle of new residential development in this location is acceptable in policy terms. PPW11 recognises the need to provide sufficient housing in an area to meet housing need. PPW states that proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes. The existing property at Overdale has no particular architectural merit and is in a poor state of repair; there is no policy reason for retaining that property and its demolition is acceptable.

Approximately 120 metres to the north of this site is St Lawrence Close where a very similar development has been built. In January 1999 planning permission was granted for a pair of detached dwellings at the rear of Larkrise (now known as The Bays) and in 2002 an appeal was allowed for a two-storey detached dwelling at the rear of The Bays, all three of these dwellings share the same access which is between The Bays and Bravinium. In allowing the appeal, the Inspector took into account the impact of "Tandem Development" and the impact of the proposal on the spatial character of the area. He considered these to be acceptable.

This application needs to be considered against the Infill Development Supplementary Planning Guidance which was adopted in November 2019.

### **6.2 Sustainability**

The Local Development Plan and PPW encourages sustainable development and promotes making the most efficient use of brownfield land. This is a very sustainable location for new housing development being located close to 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 close to public transport links. The proposal accords with a key objective of PPW11 providing residential accommodation in a sustainable location.

#### **6.2.1 Good Design**

6.2.1.1 Policy DES1 of the LDP requires that all development shall be of a high quality, sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. In this area of Chepstow, the properties fronting onto St Lawrence Road are substantial two-storey dwellings, set back from the road and occupying spacious plots. As the inspector in the above-mentioned appeal points out, the properties to the east of this site are much more modest. The replacement dwelling will be seen in the context of the dwellings facing St Lawrence Road while the new plot to its rear will be seen in the context of the more modest properties to the east. In this case both the replacement dwelling and the new property to the rear will be in keeping with the spatial character of the area. The scale and form of the proposed new dwellings reflects the prevailing character of the area.

#### **6.2.1.2 Detailed Design of the replacement Dwelling**

It is the front elevation of the replacement dwelling that will be visually prominent within the street scene. The proposed gable end facing towards the road will be less than 8 metres wide. This is narrower than either the existing dwelling or the adjacent dwellings along the

street. The properties along this part of St Lawrence Road have a staggered building line with front gardens ranging from about 18 metres to 36 metres in depth. In this case the front elevation of the replacement dwelling will be slightly forward of the front elevation of the existing building and it will be in line with the front elevation of the adjoining property, Whipple Trees. The position of the property is in keeping with the prevailing character of the area. The front elevation will contain a high proportion of glazing and will have a contemporary design, although this is considered appropriate in this location. Following amendments to the design the amount of glazing has been reduced. The ridge height of the proposal is similar to other dwellings in the area. The replacement dwelling will have a long profile at 17.5 metres and there would be a side gable towards the back of the property. This makes the dwelling appear bigger on plan than it will be on the ground as the side gable is towards the rear of the property and set back in the site. There is no policy that says that replacement dwellings within development boundaries should have to have the same footprint as those that they replace; the consideration is the impact of the proposal on the street scene and the character of the area. In this case the form and massing of the new dwelling conform with the prevailing character of the area. The choice of materials is also acceptable. The mature tree at the front of the site will be retained. The proposed replacement dwelling will contribute to a sense of place whilst its intensity is compatible with surrounding uses.

#### 6.2.1.3 Detailed Design of the New Dwelling to the rear of the site

The new dwelling will be set towards the rear of the site, roughly in line with the existing dwelling at Hedgerows. It will be heavily screened from the main road by the replacement dwelling. Therefore, the dwelling would be mainly read in terms of this immediate context to the rear. The new dwelling will not be visible from St Lawrence Road. It will be "L" shaped and measures a maximum of 10 metres by 11.5 metres. The principal elevation will face forwards towards the replacement dwelling. The rear elevation, containing a significant amount of fenestration will face towards no 1 Hill Top. The two side elevations will be kept blank except for a personnel door serving a ground floor utility room. The property would have a maximum ridge height of 7.5 metres which is compatible with that of other two-storey properties in the area. It would be finished in render with brick detailing and a roof of concrete tiles. The finishing materials are appropriate for this location and are in keeping with the character of the area.

6.2.1.4 The two proposed dwellings will respect the existing form, scale siting, massing, layout and materials of their setting. The proposal accords with the objectives of LDP Policy DES1 by providing a suitable scale and design of development.

#### 6.2.2 Place Making

Policy DES1 of the LDP requires that the dwelling contribute to a sense of place while its intensity is compatible with existing uses. PPW 11 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, providing new dwellings in an established residential area. The new dwelling (at the rear) will not be visually prominent from public vantage points, but it will be seen from the surrounding properties. The replacement dwelling provides a contemporary design that does respect the character of the area in terms of form and massing, and it will contribute to a sense of place. The proposal therefore complies with one of the key objectives of PPW11.

### 6.3 Landscape

Most of the vegetation on the site has been cleared although some trees do remain on the boundary. It is proposed to plant new trees along the rear boundary. There is a mature tree at the front of the site which will be retained as will the existing tree on the north-west boundary that is shared with Mayhill. A new hedge will be planted inside the site adjacent to the driveway. The additional planting will provide biodiversity enhancements and will also help to screen the new development. A new 2metre high close boarded fence will be erected along the south-eastern boundary which will provide greater privacy. Given the residential character of the area the level of landscaping is acceptable for this urban setting.

Objections have been received from the Authority's Tree Officer in relation to the trees on site requesting additional survey information and clarification of the protection of the trees on site. However, the two trees in question are specified as retained on the proposed site plan. The trees to the rear have lesser value than those at the front but still make a positive contribution to the landscaping and ecology of the site, and provide an element of soft division between properties. On balance it was considered that additional survey work was not necessary, and that any potential harm to the retained trees could be mitigated against with a condition that protects the root protection zones with a method statement to be submitted prior to commencement of demolition or construction on site.

#### 6.4 Historic Environment

The existing building on the site is not listed and the proposal is not within a conservation area.

#### **6.5 Biodiversity**

A Bat Survey Report by Sylvan Ecology was submitted in support of the application. The survey found that:

"Given the results of the survey, it is considered that the redevelopment of the building is unlikely to result in any impacts on bats and an EPS Licence will not be required. Based on the conclusion that bats are unlikely to be using the structure as a roost site, according to the "Bat Mitigation Guidelines" the impact on bats is likely to be negligible. The site is considered generally unsuitable for hibernation; however, little is known about pipistrelle hibernation roosts, and due to the transient nature of many species, it is recommended that contractors be made aware of the potential presence for bats in the area via a toolbox talk prior to commencement of works. Should a bat be found, advice should be sought from a suitably experienced ecologist."

The internal and external building inspection survey undertaken identified no evidence of roosting bats but observed several features such as slipped roof tiles and cracks that had the potential to be used by bats. Therefore, the derelict existing house on site was assessed as having high potential for roosting bats. The existing garage was assessed as having negligible potential for roosting bats. Three emergence/re-entry surveys were undertaken at the property, no bats were observed exiting or entering the house. There was low commuting and foraging activity by common and soprano pipistrelles recorded around the site and surrounding habitat. The surveys have concluded that bats are unlikely to be using the existing house or garage buildings at the site.

MCC Ecologists set out that the bat surveys were undertaken in line with standard practice guidelines Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines and that the level of survey effort and assessment was considered proportionate to the nature and scale of the application, they agree with its conclusions. A license from Natural Resources Wales is not required for the development to proceed. MCC Ecologists outline conditions and informatives that will be required.

Planning Policy Wales (PPW) 11 considers out that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that



development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. This proposal includes biodiversity enhancements in the form of, two bird and two bat boxes on each of the new dwellings these have been shown on the elevational drawings. The future development of the site offers an opportunity to enhance the application site's ecological value by the inclusion of these enhancement features and will help increase the carrying capacity of the site for bats. These are considered acceptable biodiversity net benefit measures for an application of this size. The proposal accords with the objectives of Policy NE1 of the LDP.

## 6.6 Impact on Amenity

The site is surrounded on three sides by residential properties. To the north of the replacement dwelling is a two-storey detached property known as May Hill. This property has a detached garage at the side, on the common boundary and a blank gable wall facing into the site. There are some single-storey outbuildings to the rear. The proposed replacement dwelling will have four first floor windows on the north-west elevation, which is the one that faces towards May Hill. All of the proposed first floor windows serve either a bathroom or a dressing room and will be of obscured glazing. This can be secured by condition. On the ground floor there are two windows facing towards May Hill, these serve a home office and bathroom, and will also be obscure glazed but as they are on the ground floor there will be no direct overlooking because of the 1.8 metre high close-boarded timber fence installed along the boundary.

To the south of the site is Whipple Trees. This is a two-storey property with a blank gable end facing into the site and a garage on the common boundary. The new driveway for the proposed new dwelling will run along the common boundary between Whipple Trees and the replacement dwelling. This relationship is similar to the access for the three new dwellings at St Lawrence Close, that was allowed 20 years ago and referred to at the start of this evaluation. Given the fact that Whipple Trees has its garage on this side elevation, the noise and disturbance from car head lights will not be so significant as to justify refusal, especially as a similar situation serving three dwellings has been allowed a few hundred metres away. There is also a close-boarded fence along the common boundary that will act as a screen. There are windows on the south-western elevation of the replacement dwelling facing towards Whipple Trees; on the ground floor these serve a lounge, living room and utility room. These face towards the garage and rear garden of Whipple Trees and are about 5 metres from the common side boundary. Loss of privacy from these windows will be prevented by the existing garage to Whipple Trees and the close boarded fence along the common boundary. Following negotiations with officers the level of first floor fenestration on the south-eastern elevation has been reduced and now at first floor level there is just one window on the south-eastern elevation, that serves the landing and is set at a high level to prevent overlooking.

To the north-east of the new dwelling is no 1 Hill Top, this is a two-storey dwelling with its side elevation facing towards the application plot. There is a car port to the side and no windows on the side gable. No 1 Hill top does have a conservatory to the rear. There used to be mature trees along this boundary, but they have recently been removed. The landscaping plans include new planting along this boundary between the application site and no 1 Hill Top. It is the rear elevation of the new dwelling that faces towards the rear garden of 1 Hill Top, the rear elevation is 10.8 metres from the common boundary, 15m to the side gable of the house and over 19 metres from the side of the neighbour's conservatory. This is compliant with the 15 metres of rear to side evaluation advised in the SPG relating to Infill Development. Furthermore, the conservatory is on the ground level and there will be a close

boarded fence and new planting on this common boundary so the proposal will not result in a significant level of overlooking or loss of privacy.

To the north-west of the new dwelling is the existing property Hedgerows. This is a two-storey property, with its side elevation facing towards the application site. This wall is blank except for a first-floor window which serves a landing. There will be 3 metres between the two properties. The proposed new dwelling will have no windows on this side elevation but there will be a door serving a utility room on the ground floor. The two properties will have almost the same building lines so that the proposal will not result in an overbearing impact or significant loss of privacy.

To the south-east of the site are three residential properties that are served off the A48 Newport Road. The application site is beyond their rear gardens, these properties all have rear gardens that are in excess of 20 metres long, although one has a rear conservatory which is approximately 18.5 metres from the common boundary. These distances are well in excess of those recommended in the Infill SPG.

Part 7.1 of the Infill Development Supplementary Guidance looks at Privacy and Amenity. The key considerations relating to privacy and amenity for small scale infill residential development are:

- a. whether the plot would have adequate privacy to habitable rooms and private garden space
- b. whether a new house(s) on the plot would affect the privacy of neighbours
- c. whether a new house(s) on the plot would affect the host dwelling.

In this case the plot is of sufficient size to accommodate two dwellings with adequate amenity space and no significant adverse impact on neighbouring amenity. Given the orientation and design of the new dwellings, as outlined above the proposal will not lead to a significant loss of privacy for the existing occupiers of St Lawrence Road, Hill Top or Newport Road. The proposal accords with the Council's normal privacy standards for new development. The layout of the proposed development accords with the objectives of LDP 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**

PPW11 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the site is located in the settlement of Chepstow within easy walking distance to all the amenities and facilities in the town centre and more immediate surroundings. The site is also within reasonable 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.

### **6.7.2 Access / Highway Safety**

The applicant has submitted revised site layout drawing No. '2171/03C in response to the concerns initially raised by the Highway Authority. The respective parking and turning areas have been changed for both the new and replacement dwellings which now offer improved parking and turning space for visitors and delivery vehicles. The highway Authority would like to see the width of the private drive increased from 3 metres to 4.1 metres (the shared access standard). Planning officers however consider that a width of 3 metres is acceptable given that the driveway will now only serve one dwelling. The expected car movements to and from a single property is considered to be minimal and as more than half of the length of the drive only serves the rear dwelling it is not considered to cause a significant highway safety issue that would warrant refusal. If a car needed to reverse along the driveway there

are safe turning areas at the front and rear of the site so that this would not conflict with the main highway of St Lawrence Road. On balance the plans as proposed are considered to be acceptable.

### **6.7.3 Parking**

The adopted Monmouthshire Parking Guidelines require one car parking space per bedroom for new dwellings up to a maximum of three per dwelling. In this case each house will have three off road parking spaces. There is adequate space within each of the new plots to turn a vehicle. The proposal accords with the adopted parking standards and complies with the objectives of Policy MV1 of the LDP.

## **6.8 Affordable Housing**

Policy S4 requires affordable housing contributions to be made in relation to developments which result in the net gain in residential dwellings. Where the net gain in dwellings is below the threshold for affordable units to be provided on site, which is 5 or more units in Chepstow, then a financial contribution is appropriate. The financial contribution is based on floor area and the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July 2019). The replacement dwelling will not be required to make a contribution as there will be no net gain, however the new dwelling at the back of the plot will be required to make a financial contribution.

Formula: Financial Contribution = Internal Floor Area (m<sup>2</sup>) x CS Rate x 58%. In Chepstow the CS rate is 120

The property has an internal floor area of 170 square metres, so the financial contribution required is £ 11,832.00

The applicant has confirmed they accept the payment and are willing to enter into a Section 106 agreement. The proposal accords with Policy S4.

## **6.9 Flooding**

The site is not in a designated flood zone identified in the DAM maps of TAN 15.

## **6.10 Drainage**

### **6.10.1 Foul Drainage**

The foul drainage will discharge into the mains drain. Welsh Water have offered no objection to this but request a condition that no development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority.

### **6.10.2 Surface Water Drainage**

The applicant has indicated that surface water discharge will be by way of a soakaway, and the site appears of sufficient size to accommodate this. If the application is approved, the scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

## **6.11 Phosphates**

Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

### 6.12 Planning Obligations

A financial contribution to affordable housing in the local area is required.

### 6.13 Response to the Representations of Third Parties and Town Council

Concerns are raised over the proposal's design and orientation. These issues have been discussed in detail in the main body of the report. The massing and form of the replacement dwelling does conform with the prevailing character and street scene along this part of St Lawrence Road. The width and height of the dwelling is comparable to the dwellings on either side. The design is contemporary which will enhance the area. The site is not located in a Conservation Area and there are no specific architectural styles that should be followed. The orientation of the replacement dwelling is in line with that of the adjoining properties along St Lawrence Road.

Concerns were also raised that the new dwelling at the rear of the site constituted over development of the site. The site is of sufficient size to accommodate a new dwelling while complying with the standards required in the adopted SPG on Infill Development. The proportions of the plot to garden ratio is similar to many other properties in the immediate vicinity. Other than during the construction stage there would be no significant increase in noise and pollution as a result of this development. A construction management plan can be imposed to restrict the hours of construction work on the site.

Objections were raised over the access and egress into the site, highway safety and impact on security and amenity of existing dwellings. Planning officers consider that the driveway to serve the new dwelling is of sufficient width given that it is to serve only one private dwelling. The access will be screened by a close boarded fence along its length and so there will be very limited impact of vehicle movements to neighbours, the limited disturbance from light and noise will be acceptable. Concerns were raised over security; however, these were not quantified. The private drive will be visible from the new dwelling and will have a degree of natural surveillance. There is no reason to assume this would increase risks to security.

Objections were raised about loss of privacy and overlooking, this has been covered in detail in the main body of the report. The proposal also accords with the specific privacy distances outlined in the adopted SPG on Infill Development. In relation to the loss of light and sunlight to neighbouring properties given the location and orientation of the new dwelling it will not block light to adjoining properties. The replacement dwelling occupies a similar footprint to the existing two-storey house that currently occupies the plot.

Some objectors state that there is no precedent for this type of development. Although each application should be determined on its merits and a lack of precedent does not preclude the principle of the development, there is a precedent set for this type of development with the three new dwellings being approved in the last 20 years at the rear of The Bays just 120 metres to the north of this site.

As a response to initial concerns the garage to the front of the site has now been removed from the scheme.

In relation to the ecology concerns, the bat survey did not include the air raid shelter in the rear garden, but MCC ecologists have reviewed the report and raised no objections.

Comments were received in relation to the electricity pole at the rear of the site; that electric pole has now been removed and the services laid underground. This in any case, is not a material planning consideration.

#### **6.14 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.

#### **6.15 Conclusion**

The principle of a replacement dwelling in this location is acceptable, the existing dwelling has no particular architectural merit that would require its retention. The existing dwelling has been vacant for a number of years and is in poor state of repair. A new dwelling in its place would improve the visual appearance of the area.

The site is located within the Chepstow Development Boundary within which both policy S1 and H1 presume in favour of the principle of new residential development. The principle of new residential development in this location is acceptable in policy terms and accords with the key objective of PPW11 by providing residential accommodation in sustainable locations. PPW states that proposals for housing on infill sites within settlements should be supported where they accord with the national sustainable placemaking outcomes. The proposal also accords with the advice in the adopted SPG for Infill Development and has an acceptable impact on the residential amenity in accordance with Policy EP1 of the LDP.

The design of the new dwellings is acceptable and will enhance the character of this part of Chepstow. The proposal accords with the objectives of Policy DES1 which seeks high quality sustainable design that respects the character of the area. Adequate access and parking provision will be provided within the site and the proposal accords with Policy MV1 of the LDP. Biodiversity enhancements are being provided ensuring that the proposal accords with Policy NE1 of the LDP. The proposal is policy compliant in all respects and accords with the objectives of PPW11 and the policies of the LDP - the application is therefore recommended for approval.

### **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

S106 Heads of Terms

A financial contribution of £11,832.00 towards affordable housing in the local area.

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 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

4 The biodiversity enhancement measures shown on the elevational drawings 2171 13E and 2171 302E shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the LPA no more than six months later than the completion of construction works.

Reason: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1

5 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 shall be erected or constructed.

REASON: In the interests of residential amenity in accordance with policy EP1 of the LDP

6 All of the windows on the south-west elevation of the replacement dwelling as shown on drawing number 2171 13 E 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.

7 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Construction hours for this development shall be limited to:

0800hrs to 1800hrs Monday to Friday

0800hrs to 1300hrs Saturdays

No work on Sundays or bank holidays

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

8 Prior to the commencement of work on the site the new boundary fence as shown on drawing 2171 12C shall be completed in full and shall be retained in perpetuity.

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

9 The development shall be carried out in strict accordance with section 5 (Interpretation and Recommendations) of the approved "Bat Survey Report - Overdale, Chepstow by Sylvan Ecology, dated October 2021" report.

Reason: To ensure adequate safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1

10 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the LPA.

Reason: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

11 No removal of hedgerows, trees or shrubs, or building works shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended).

12. No works of demolition or construction shall take place within the root protection zone of the retained trees to the front and the rear of the site until a detailed method statement of protecting the roots of the trees during any demolition or construction works has been submitted to and approved in writing by the Local Planning Authority. Any construction or demolition works shall then be carried out in accordance with the approved Tree Protection Method Statement.

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

## INFORMATIVES

1 Bats - Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately (0300 065 3000). Nesting birds - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September